**Meeting Minutes**

**October 25, 2016**

The Federal Motor Carrier Safety Administration’s (FMCSA) Medical Review Board (MRB) met on October 25, 2016, in Washington, DC. In accordance with the provisions of Public Law 92-463, the meeting was open to the public. Gina Pervall, M.D., MRB Chairman, called the meeting to order at 10:39 a.m. on Tuesday, October 25.

The following individuals attended the meeting:

**MRB COMMITTEE MEMBERS**

Gina C. Pervall, M.D., C.I.M.E., Chairman

Christine M. Cisneros, M.D., M.P.H., Ph.D.

Michael T. Kelley, M.D., M.P.H.

Brian T. Morris, M.D., J.D., M.B.A., M.P.H.

Albert James Osbahr, III, M.D., M.S.

**FMCSA AND OTHER GOVERNMENTAL REPRESENTATIVES**

Angie Byrne, M.P.H., M.C.H.E.S., C.P.H., United States Department of Transportation, Volpe Center

Christine Hydock, Chief, Medical Programs Division, Office of Policy, FMCSA

Eran Segev, United States Department of Transportation, Volpe Center

Shannon Watson, Senior Advisor and Designated Federal Officer, FMCSA

**OTHER ATTENDEES**

Morgan Nash, Volpe Center

Jeff Moller, Association of American Railroads

Keith Charles, National Motor Freight Traffic Association

Jay Grimes, Owner-Operator Independent Drivers Association

**REMARKS AND COMMITTEE ACTION**

The MRB meeting minutes from August 22-23, 2016, were approved.

**1. Discussion on FDA Warnings on Narcotics and Benzodiazepines and Incorporation into Medical Examiner Forms: Al Osbahr III, M.D.**

Dr. Albert Osbahr III presented concerns about incorporating the Food and Drug Administration’s (FDA) warnings on narcotics and benzodiazepines into medical examiner forms. Currently, the form is in the process of final OMB approval.

Discussion Points

* The concerns about narcotics, benzodiazepines, and muscle relaxers are not clearly addressed in the questionnaire that was developed.
* Need frontline providers to take into consideration that under certain conditions, drivers cannot drive while taking these medications.
* Doctors are receiving pushback from drivers when they prohibit them from driving, and it is affecting their performance ratings.
* Concern around the growth of the opioid epidemic.
* Want to show that as an MRB, they agree with the FDA statement and share the concern for drivers, and hope to direct examiners to look at the FDA warnings on serious risk.
* MRB recommends adoption of the following statement referencing the August 31, 2016, FDA warning on medical examiner forms:

“The Medical Review Board (MRB) of the Federal Motor Carrier Safety Administration recognizes the [August 31, 2016, Food and Drug Administration warning](http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm518697.htm) regarding opioids, benzodiazepines, and other central nervous system (CNS) depressants. The MRB recommends that Certified Medical Examiners (CME) and treating clinicians be familiar with this warning, particularly the risks of extreme sleepiness, respiratory depression, and death. Healthcare professionals should consider these warnings prior to determining the driver’s ability to operate a commercial motor vehicle safely.”

Motion made to accept the statement [Osbahr] and seconded [Morris].

Table 1: Vote to Recommend FMCSA Adopt above Statement

|  |  |  |  |
| --- | --- | --- | --- |
| Member | Aye | Nay | Abstain |
| Pervall | 1 |  |  |
| Cisneros | 1 |  |  |
| Kelley | 1 |  |  |
| Morris | 1 |  |  |
| Osbahr | 1 |  |  |
| TOTAL | 5 |  |  |

* Morphine Medication Equivalents (MME) above 50 double the risk of overdose and death (CDC data).
* MRB recommends adoption of the following statement referencing the August 31, 2016, FDA warning on medical examiner forms:

“The Medical Review Board (MRB) of the Federal Motor Carrier Safety Administration recognizes the [March 18, 2016, Centers for Disease Control Guideline for Prescribing Opioids for Chronic Pain](http://www.cdc.gov/mmwr/volumes/65/rr/pdfs/rr6501e1.pdf) and the risks for serious harm related to opioid therapy at a dosage greater than or equal to 50 morphine milligram equivalents (MME) per day. The MRB recommends that Certified Medical Examiners (CME) and treating clinicians be familiar with this guideline, particularly the risks of misuse, addiction, overdose, and death. Healthcare professionals should consider this guideline prior to determining the driver’s ability to operate a commercial motor vehicle safely.”

Motion made to accept the statement [Kelley] and seconded [Morris].

Table 2: Vote to Recommend FMCSA Adopt Above Statement

|  |  |  |  |
| --- | --- | --- | --- |
| Member | Aye | Nay | Abstain |
| Pervall | 1 |  |  |
| Cisneros | 1 |  |  |
| Kelley | 1 |  |  |
| Morris | 1 |  |  |
| Osbahr | 1 |  |  |
| TOTAL | 5 |  |  |

**2. Task 16-2 Discussion: Update of Medical Advisory Criteria**

The committee discussed the Agency’s current medical advisory criteria and made the following recommendations:

* D. Cardiovascular Condition: §391.41(b)(4)
  + FMCSA should convene medical expert panel (MEP) to evaluate the cardiovascular standard.
* E. Respiratory Dysfunction: §391.41(b)(5)
  + FMCSA should adopt the MRB/MCSAC recommendations of October 2016.
  + Drivers requiring supplemental oxygen are disqualified from operating a CMV in interstate commerce.
* F. Hypertension: §391.41(b)(6)
  + FMCSA should convene medical expert panel (MEP) to evaluate the cardiovascular standard, including hypertension. Based on the evaluation of the MEP, the hypertension guidelines should become a standard.
* J. Vision: §391.41(b)(10)
  + In 2015, the MRB recommended changes to the vision standard that would replace the vision exemption.
* L. Drug Use: §391.41(b)(12)
  + The MRB refers FMCSA to its recommendations, including the 2014 schedule 2 medical form and its October 2016 recommendations on opioids and benzodiazepines.

**3. Finalize Report on 16-2 Recommendations**

The committee made changes to the appendix containing the Agency’s regulations and guidelines in the form of Medical Advisory Criteria to help certified medical examiners (CMEs) assess a driver’s physical qualifications. The appendix is intended to be a working document to be updated as regulations continue to change.

**ADJOURNMENT:** The meeting was adjourned at 5:40 p.m.

We hereby certify that, to the best of our knowledge, the foregoing minutes are accurate and complete.

***//***Signed***//­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_***

Gina C. Pervall, MD

Chairman, MRB

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Shannon L. Watson

Designated Federal Officer, MRB