Minutes

July 29 - 30, 2014, Meeting

The Federal Motor Carrier Safety Administration’s (FMCSA) Medical Review Board (MRB) met July 29-30 in Arlington, VA. In accordance with the provisions of Pub. L. 92-463 the meeting was open to the public. Mr. Charles Horan, Director, Carrier, Driver and Vehicle Safety Standards, FMCSA, called the meeting to order at 9:00 a.m. on Tuesday, July 29, 2014.

The following individuals attended the meeting:

**MRB COMMITTEE MEMBERS**

Gina C. Pervall, M.D., MRB Chairman, Medical Director, Occupational Medicine Services, John Hopkins University Applied Physics Laboratory Services

Christine Cisneros, M.D., Medical Director, US HealthWorks

Brian T. Morris, M.D, Associate Corporate Medical Director, AllOne Health Resources, Inc.

Albert J. Osbahr III, M.D., Medical Director, Occupational Health Services, Catawba Valley Medical Center

**FMCSA AND OTHER GOVERNMENTAL REPRESENTATIVES**

Larry Minor, Associate Administrator for Policy and DFO, FMCSA

Shannon Watson, Senior Policy Advisor and Deputy DFO, FMCSA

Charles Horan, Director, Carrier, Driver and Vehicle Safety Standards, FMCSA

Eileen Nolan, Nurse Consultant and MRB Liaison, FMCSA

Cynthia Shaffer, USDOT, Volpe Center

**OTHER ATTENDEES**

Sandy Harding, American Academy of Physician Assistants

Abigale S. Potter, American Trucking Associations

Sarah Powers, ICF International

**TASK**

The Board began discussion on Task 13-01: Recommendations relating to the issues of Schedule II controlled substances and commercial motor vehicle (CMV) drivers. The Board finalized its recommendations to the agency on this task and approved the report by unanimous vote.

The Board completed the § 391.41 Medical Questionnaire and accompanying explanatory statement for prescribing Clinicians and Medical Examiner. The Board approved the updated questionnaire by unanimous vote.

**PRESENTATIONS**

Katherine Fiedler, Ph.D., Acclaro Research Solutions, Inc., *Schedule II Opioids and Stimulants & CMV Crash Risk and Driver Performance*

**PUBLIC COMMENTS**

***Sandy Harding, America Academy of Physicians Assistance (AAPA)***

Ms. Harding thanked the committee members for what they are doing and their diligence. Representing the American Academy of Physician Assistants (AAPA) and Physician Assistants (PA), she stated that the committee’s guidance will be of great value to PAs who are Certified Medical Examiners (CMEs), as well as to PAs that may receive the § 391.41 medical questionnaire for patients for whom they prescribe and manage chronic conditions.

***Abigale Potter, American Trucking Associations***

Ms. Potter noted that there is moderate crash risk when a driver is using an opiate or synthetic opiates or a narcotic. She also said that the length of time that such prescription drugs influence a person varies from individual to individual. She also pointed out that it is hard for a motor carrier to enforce prescription drug rules, because drivers are often on the road for extended periods. Ms. Potter also noted that larger motor carriers are prohibiting all narcotics, even those prescribed, which results in removing large numbers of individuals from the driver pool. Furthermore, Ms. Potter noted that while the recommendations use the term “prohibited from driving under the influence of narcotics,” the only definition of “under the influence” refers to alcohol, not prescription drugs. This lack of definition results in uncertainly about the recommendations’ implications – e.g. is an individual “under the influence” as long as a drug is still in their system? If so, a person that relies on daily medication is going to have it in their system at all times. Lastly, Ms. Potter stated that ATA would like to see a waiver program giving drivers the opportunity to prove that they can operate a CMV safely.

**ADJOURNMENT:** The meeting was adjourned at 12:00 pm on Wednesday, July 30, 2014.

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

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

Gina Pervall, M.D.

Chairman, MRB

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

Larry W. Minor

Designated Federal Officer, MCSAC