

Commercial Drivers

Deadlines Approaching for New Medical Qualifications System

There are two deadlines approaching for Oregon drivers with commercial drivers' licenses (CDLs) and their employers.

- By January 30, 2014, the Oregon Department of Motor Vehicles (DMV) must be monitoring the medical certificate expiration dates of all CDL holders in the state. This means that CDL drivers or their employers must submit copies of their medical certificates to DMV.¹
- For medical exams on or after May 21, 2014, the FMCSA will only recognize a medical examiner's certificate as valid if it was issued by a provider listed on the National Registry of Certified Medical Examiners.^{2,3}

This article will provide basic information about the new system to CDL drivers and their employers.

Historical Background

In May 1999, a commercial motor coach driver was involved in a multiple-fatality crash in Louisiana.⁴ Investigation revealed that the driver had several life-threatening and disqualifying medical conditions. The National Transportation Safety Board concluded that medical examiners might not have the knowledge and information necessary to make appropriate decisions about driver fitness, and recommended a medical oversight program to ensure that "individuals performing medical examinations for drivers are qualified to do so and are educated about occupational issues for drivers." Congress passed a law directing the Federal Motor Carrier Safety Administration (FMCSA) to create a national registry in August 2005.⁵ The final rule establishing a National Registry

of Certified Medical Examiners (or "the Registry")³ was effective on May 21, 2012, with compliance required beginning on May 21, 2014.

The purpose of the Registry is to improve highway safety and driver health by requiring that medical examiners be trained and certified so they can determine effectively whether a CDL driver's medical fitness for duty meets FMCSA's standards.

Who Can Be a Medical Examiner and Be Listed on the Registry?

Any healthcare professional who is licensed, certified or registered in his or her state to perform physical exams (eg physician assistant, chiropractor, advance practice nurse, naturopathic physician in addition to MD and DO) may become a Medical Examiner. Candidates must complete an initial training program with specific course content, including:

- The Medical Examiner's role in reducing crashes, injuries and fatalities involving commercial motor vehicles (CMVs);
- Documenting the driver's medical history, medications and current findings;
- Determining whether the driver should be medically certified, and if so, for how long; and
- FMCSA reporting and documentation requirements.

Within three years of completing training, Medical Examiner candidates must take the FMCSA's certification exam. Exam results are forwarded to the FMCSA, which (assuming the



Jana Wolfgang
President
Wolfgang Associates, Inc.

candidate passes the exam) issues a credential and a unique National Registry Number and adds the Medical Examiner to the Registry.

Medical Examiners must undergo periodic training and take exams to retain their registration; must have computer systems capable of uploading a monthly report of exam results to the FMCSA; and must be prepared to provide documentation of training within 48 hours of a request from an authorized government representative in connection with an investigation.

How are Employers & CDL Drivers Affected?

For medical exams on or after May 21, 2014, the FMCSA will only recognize a driver’s medical examiner’s certificate as valid if it was issued by a provider listed on the Registry. As of that date, motor carriers will be required to verify the Medical Examiner’s National Registry Number when they receive copies of their drivers’ certificates and document the verification in the Driver Qualification file.

What does this mean to CDL drivers and their employers?

1. CDL drivers and their employers need to verify that medical certificates issued on or after May 21, 2014 are valid. To be valid, medical certificates from exams on or after May 21, 2014 must show the medical examiner’s National Registry Number (Figure 1).

2. Drivers with Oregon CDLs must submit a clear and legible photocopy of their valid medical certificates to the Oregon DMV when directed to do so by the DMV. The address for submission is DMV Driver Safety, CDL Medical Certification, 1905 Lana Ave NE, Salem, OR 97314.

Oregon CDL drivers may submit the copy now, without waiting for notification from the DMV.

Employers can submit the documents on behalf of their drivers, and may do so right away. There are other methods of submitting the certificates (e.g., FAX, emailed picture file), but hard copies are preferred and all submissions must be clearly legible.¹

Many Oregon occupational health providers have already spent the time and money on training and the national examination, and are listed on the Registry.² It is easy to check on your favorite provider: type in a zip

code in the “Search for a Medical Examiner,” and the qualified providers within 10 miles pop up in bright blue numbers on a map, with their contact information listed just below the map.

“BHS has taken steps to ensure FMCSA certification for our health providers well in advance of the May 21, 2014 deadline,” says Marilyn Trinkle, Silverton Health Business Health Services.

Some health care providers are unaware of the new requirements and have not initiated the certification process. CDL drivers are encouraged to ask for the medical examiner’s National Registry Number if there is any question about his/her qualifications.

References

1. “New CDL Medical Certification Requirements FAQs,” <http://www.oregon.gov/ODOT/DMV/pages/faqs/cdlmedcert.aspx>
2. Federal Motor Carrier Safety Administration - National Registry of Certified Medical Examiners web site, <https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam>
3. “National Registry of Certified Medical Examiners,” 77 FR 24104 (April 20, 2012), <http://www.gpo.gov/fdsys/pkg/FR-2012-04-20/pdf/2012-9034.pdf>
4. “Highway Accident Report - Motorcoach Run-Off-the-Road Accident,” http://www.nts.gov/news/events/2001/new_orleans_la/index.html
5. “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (SAFETEA–LU, Public Law 109–59), www.gpo.gov/fdsys/pkg/PLAW-109publ59/pdf/PLAW-109publ59.pdf

MEDICAL EXAMINER'S CERTIFICATE				
I certify that I have examined _____ in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties, I find this person is qualified, and, if applicable, only when:				
<input type="checkbox"/> wearing corrective lenses	<input type="checkbox"/> driving within an exempt intracity zone (49 CFR 391.62)		<input type="checkbox"/> accompanied by a Skill Performance Evaluation Certificate (SPE)	
<input type="checkbox"/> wearing hearing aid	<input type="checkbox"/> accompanied by a _____ waiver/exemption		<input type="checkbox"/> qualified by operation of 49 CFR 391.64	
The information I have provided regarding this physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.				
SIGNATURE OF MEDICAL EXAMINER	TELEPHONE	DATE		
MEDICAL EXAMINER'S NAME (PRINT)	<input type="checkbox"/> MD <input type="checkbox"/> DO <input type="checkbox"/> Physician Assistant	<input type="checkbox"/> Chiropractor <input type="checkbox"/> Advanced Practice Nurse <input type="checkbox"/> Other Practitioner		
MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO./ISSUING STATE	NATIONAL REGISTRY NO.			
SIGNATURE OF DRIVER	INTRASTATE ONLY <input type="checkbox"/> YES <input type="checkbox"/> NO	CDL <input type="checkbox"/> YES <input type="checkbox"/> NO	DRIVER'S LICENSE NO.	STATE
ADDRESS OF DRIVER				
MEDICAL CERTIFICATION EXPIRATION DATE				

Figure 1. Current Medical Examiner’s Certificate, including National Registry Number