CAFP is your resource for helpful answers to your most frequently asked questions for Medical Examiner Certification. The following Questions/Answers have been divided into three categories: General, Medical Examiner, CMV Drivers/Carriers. If you have additional questions or comments, please contact CAFP at Jerri Davis, Director of Continuing Professional Development, at jDavis@familydocs.org or 916.447.1349.

**NEW FAQs from learners – posted after Feb 14**

I'm now certified, what are my reporting requirements?

As a certified medical examiner listed on the National Registry, you are required to complete and submit Form MCSA-5850, CMV Driver Medical Examination Results Form for each driver exam you perform during the month (once the May 21, 2014 compliance date is reached). In addition, if you have not completed any exams during the month, you must report that as well. The Form MCSA-5850 is a secure, online form that is only available through your National Registry account (or the account your office staff have set up to report your exams).

You must submit the form through your National Registry account. FMCSA will not accept submissions by any other means. For example, you may not fax the report or upload scanned forms or spreadsheets.

The Form MCSA-5850 is integral to the National Registry system. Data you submit will be used to identify which medical examiner examined which drivers, so that we may audit the performance of driver exams.

To submit your driver examination report forms follow these five simple steps:

1. Go to the National Registry website: https://nationalregistry.fmcsa.dot.gov
2. Logon to your National Registry account
3. Select “CMV Driver Exams” from the blue bar at the top of the screen
4. Select “Submit CMV Driver Exam Results”
5. Input driver information and exam data, then click “Submit”

Be sure to submit a form for each driver exam you have completed during the month. If you have not completed any exams during the month, check the box next to “No exams completed during this period” on the CMV Driver Exam Results page.

A sample of the MCSA-5850 can be found on page 43/Appendix E in The Complete Guide to Medical Examiner Certification, (March 25, 2013). Please note that when entering information into the MCSA-5850, Medically Qualified must be selected for the Medical Examiner’s Certificate Expiration Date and Restrictions or Variances fields to show up.

**Can I designate someone to do the monthly reporting for me?**

Yes. To support certified medical examiners in managing their Registry account, they may authorize administrative assistants to access the National Registry system and perform certain activities on their behalf.

To begin this enrollment process, the medical examiner’s support staff must enroll on the National Registry system and create their own accounts as administrative assistants at: [https://nationalregistry.fmcsa.dot.gov/NRPublicUI/AdminAssistReg.seam](https://nationalregistry.fmcsa.dot.gov/NRPublicUI/AdminAssistReg.seam)

**Explain the certification and recertification section on the hypertension staging chart. What is wait period after aortic valve replacement? How do I find a doctor to do the SPE exams?**

Certification is the first time a driver comes for a DOT exam, recertification is when a previous driver renews their certificate.

For aortic valve replacement, you would go to the cardiac grid guidelines on the fmcsa.dot.gov website and look it up.

It says for prosthetic valve replacement: certify 3 mo post op if EF > 40% and cleared by cardiology

On the website you look up SPE exams for the state needed and refer them.

**Any recommendations for blood in urine? I refer but don’t see how it would affect driving ability**

Blood in the urine could just be from a menstrual period, but if not, it needs to be evaluated because it might be end organ damage that could throw the driver into renal failure and dialysis is always disqualified.

**Are FVC >65% and FEV1 >65% considered interchangeable? I saw both FVC and FEV1 used as criteria to certify/disqualify someone with respiratory disease such as pneumothorax or asthma.**
The FEV is the lung capacity to hold oxygen, like 2 liters for a 2 liter bottle - in this case the lung only holds 65% of the oxygen it is supposed to hold.

FEV1 is the amount of oxygen you can breathe out in 1 second of forced blowing out, which should be > 65%.

So both are >65% but are not interchangeable and the more important value is the FEV1.

Should all patients with stage 3 HTN be disqualified with waiting period x 6 mo?....there is conflicting info in seminar and study resources. I know the cert. is only 6 mo if bp < 140/90 since hx of Stage 3 HTN. I assume PCI refers to angioplasty and stent placement with waiting period of 7 days.

All Stage III hypertension are disqualified for 6 mo and cleared if BP gets <179/109 with follow-up until BP gets back to normal. Maximum certification time is 6 mo.

PCI is stunting and you are right.

With hypertension---- The guidelines state in regards to stage one ------

"Recommend to certify for 1 year if: Has no history of hypertension. Does not use antihypertensive medication to control BP.

"Recommend to certify on time for 3 months if the driver has: A 1-year certificate for untreated stage 1 hypertension. Not been prescribed antihypertensive medication to control high BP.

What if the driver IS on BP meds at the initial evaluation and is stage 1----according to this guideline I should not certify for 1 year.

What if the driver is at the end of his 1 year certification, is on medication as I would expect him to be, and BP remains Stage 1 HTN? According to the guideline----because the driver had "been prescribed antihypertensive medication"---I should NOT extend the certification for a one-time 3 month period

The law is confusing in this area.

For Stage I and no history of hypertension, you can use the 3 mo rule to get the blood pressure under control without requiring medicine. If at the end of 3 mo, the BP is still elevated, then you can issue a second 3 mo rule but need to refer to PCP for treatment.

For Stage II and uncontrolled BP, you can issue a one time 3 mo rule to get BP under control without a change in medicine or referral to PCP but if not controlled, can repeat the 3 mo rule but must refer or adjust meds.

So the one time 3 mo rule is to allow better compliance, decrease salt, etc. to improve BP without a referral or increase in meds.
General

What is the National Registry of Certified Medical Examiners?

The National Registry of Certified Medical Examiners (National Registry) is a Federal program that establishes requirements for healthcare professionals that perform physical qualification examinations for truck and bus drivers. To become a certified medical examiner (ME) and be listed on the National Registry, healthcare professionals must complete training and testing on the Federal Motor Carrier Safety Administration’s (FMCSA) physical qualifications standards and guidelines.

All healthcare professionals whose scope of practice authorizes them to perform physical examinations, as defined by the state in which they practice, and who intend to perform physical examinations and issue medical certificates for commercial motor vehicle (CMV) drivers must be certified and listed on FMCSA’s National Registry by May 21, 2014.

Why is the National Registry necessary?

FMCSA developed the National Registry of Certified Medical Examiners final rule as part of the agency’s commitment to enhancing the medical oversight of interstate drivers, and preventing commercial vehicle-related crashes, injuries and fatalities. The final rule addresses four NTSB recommendations on a comprehensive medical oversight program for interstate drivers.

Who is impacted by this program?

The program impacts MEs who need to obtain certification in order to continue issuing medical certificates for truck and bus drivers, CMV drivers who need to obtain medical certificates from certified MEs on the National Registry, motor carriers who must ensure their interstate drivers have been medically certified by a certified ME on the National Registry, and training and testing organizations that will deliver these aspects of the program.

Are there any National Transportation Safety Board (NTSB) recommendations related to the establishment of the National Registry?

The National Registry final rule addresses four NTSB recommendations on a comprehensive medical oversight program for interstate drivers that include the following elements:

- Individuals performing medical examinations for drivers are qualified to do so and are educated about occupational issues for drivers;
- A tracking mechanism is established that ensures that every prior application by an individual for medical certification is recorded and reviewed;
- Medical certification regulations are updated periodically to permit trained MEs to clearly determine whether drivers with common medical conditions should be issued a medical certificate; and
- Individuals performing examinations have specific guidance and a readily identifiable source of information for questions on such examinations.
Who can perform FMCSA medical examinations for CMV drivers?

Beginning May 21, 2014, all MEs who wish to conduct medical examinations for interstate CMV drivers must (1) complete training about FMCSA’s physical qualifications regulations and advisory criteria, and (2) pass the FMCSA certification test to be listed on the National Registry. All medical certificates issued on or after this date must be issued by certified MEs listed on the National Registry.

What must a ME do to become a certified ME?

To become a certified ME, a ME must complete the necessary training and pass the certification test required by FMCSA. In order to take the FMCSA certification test, the ME must first register through the National Registry website and receive a unique identification number. The ME will then provide ME’s unique identification number to the testing organization selected from the list of approved testing organizations on the National Registry website.

Beginning May 21, 2014, CMV drivers in interstate commerce must use certified MEs listed on the National Registry to obtain a medical certificate. Medical certificates issued prior to this date are valid until the expiration date.

How can a healthcare professional obtain more information about the National Registry?

Go to the National Registry website at http://nrcme.fmcsa.dot.gov and read the information provided. For ongoing updates, register for the National Registry Listserv by selecting the link.

When will a ME be required to complete a training program?

Compliance Date – Effective May 21, 2014, all CMV drivers seeking a medical certificate must use a ME on the National Registry.

ME Registration Date – Beginning August 20, 2012, MEs may register at the National Registry website and receive their unique identification number that will be used to sign up for the mandatory certification testing.

How will a ME know that a training provider’s program meets all of the National Registry requirements?

The ME candidate may visit the National Registry website at http://nrcme.fmcsa.dot.gov to obtain the regulatory requirements for training, including the eight topics (the core curriculum) that must be covered by the training. The training organization must be accredited by a nationally-recognized medical profession accrediting organization that provides continuing medical education units, and the training must include all of the topics outlined in the final rule. The training organization must provide training participants with proof of participation and FMCSA point-of-contact information.

Although FMCSA posts contact information on the National Registry website for training organizations that send it to the National Registry, FMCSA does not approve or endorse training providers or courses. The ME candidate is required to determine whether a training course meets the regulatory requirements.

Where will MEs go to take the FMCSA certification test?
The test will be offered by private sector test delivery organizations throughout the United States. FMCSA will post contact information for testing organizations on the National Registry website. In addition, testing organizations may administer the test online with remote monitoring.

**Are ME candidates required to pay for the training and testing?**

Yes, ME candidates are responsible for paying any fees charged by the training and testing organizations. FMCSA neither establishes nor regulates the schedules of fees established and collected by training or testing organizations, and does not receive any monies collected by these organizations or providers. Training and testing providers are not reimbursed by the Federal government but may charge fees for training and test delivery.

**If a ME candidate does not pass the FMCSA certification test, can the candidate take the test again?**

If the candidate fails the test, he or she must wait at least 30 days before taking the test again.

**How long will the ME’s FMCSA certification be valid?**

FMCSA will issue a certification document that will expire 10 years from the date of issuance. After the initial training and certification, a ME must complete periodic training every 5 years to refresh the ME’s knowledge of both the medical standards for CMV drivers and any changes to FMCSA physical examination standards or guidelines.

MEs are required to complete recertification testing every 10 years. FMCSA may remove a ME from the National Registry if the ME does not complete the periodic training (after 5 years) or pass the recertification testing (after 10 years on the National Registry).

**Do all MEs have to be certified?**

Yes, all MEs who intend to perform physical examinations and issue medical certificates for interstate CMV drivers must complete the mandatory training and testing requirements in the National Registry rule by May 21, 2014.

**How will the FMCSA certification test be administered?**

The testing organizations may administer the certification test at a testing facility where ME candidates can take the certification test using test booklets and test forms, or using computer terminals. Alternatively, the testing organization may provide an on-line testing option where the candidate may take the test from his or her office or other location provided the testing organization has a monitoring mechanism to detect cheating or other inappropriate activity during the on-line test.

**What will MEs be required to do after they are added to the National Registry?**

After a ME is certified to be on the National Registry, the ME must apply the qualifications standards consistently and uniformly during the physical examination of drivers. Each certified ME listed on the National Registry will also be required to complete and transmit to FMCSA once every calendar month the following information about each CMV driver examined during the previous month: (1) name, (2) date of birth, (3) driver’s license number and State, (4) date of examination, (5) indication of physical examination outcome (for example, medically qualified), (6) whether intrastate driver only, and (7) date of driver medical certification expiration.
If a ME does not conduct any exams during any given month, the ME must submit that information. Data will be submitted electronically via a secure FMCSA National Registry website.

What Other Rules apply now that I’m certified?

Medical examiners also have to comply with the following administrative requirements as of May 21, 2014.

- Submit Form MCSA-5850 electronically via the National Registry every month for each driver examined. If no exams were done during the month, that must also be reported.
- Retain original certificate for a least 3 years from the date of the examination.
- Submit to periodic audits;
- Provide FMCSA with medical examination reports and other documents as requested.
- Continue to be licensed, registered or certified in accordance with the applicable State laws and regulations of each State in which you perform examinations with a scope of practice that includes performing physical examinations;
- Submit any changes in the application information to FMCSA within 30 days of the change.
- Report to FMCSA any information related to any termination, suspension or withdrawal of your license, registration or certificate under State law;
- Maintain documentation of State licensing, registration, or certification and completion of all required training (remember when you annually renew your state license, you need to provide FMSCA with your new expiration date)
- Maintain certification by completing periodic training every five years and recertify by passing the ME certification exam every 10 years.

Do I have to do all this reporting myself?

NO. Certified Medical Examiners (CMEs) may authorize support staff to access the National Registry system and perform certain activities on their behalf. Support staff must register in the National Registry system https://nationalregistry.fmcsa.dot.gov/NRPublicUI/AdminAssistReg.seam and create their own accounts as administrative assistants. Next, the certified medical examiner designates each assistant as authorized to (on the medical examiner’s behalf) transmit CMV driver exam data, and update contact information. The ME uses the administrative assistant’s unique Registry number to complete the designation process.

I’m all done, now how do I maintain my certification?

FMCSA will issue a certification document that will expire 10 years from the date of issuance. After the initial training and certification, an ME must complete periodic training every 5 years to refresh his/her knowledge of both the medical standards for CMV drivers and any changes to FMCSA examination standards or guidelines. MEs are required to complete recertification testing every 10 years. FMCSA may remove an ME from the National Registry if he/she does not complete the periodic training (after 5 years) or pass the recertification test (after 10 years).

Where does one find Medical Review Officers in my state?

The Medical Review Officer Certification Council http://www.mrocc.com/ keeps a list of physicians that have been trained and certified as Medical Review Officers.

Where does one find SPEs in my state?
The driver or driver’s employer is responsible for finding a board qualified or board certified physiatrist or orthopedic surgeon to complete the SPE certificate.

**Where does one find SAPs in my state?**

To search for a DOT Qualified Substance Abuse Professional, you can search an online database at: [www.naadac.org/sap-directory](http://www.naadac.org/sap-directory). It is typically up to the employer to help arrange SAP.

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**CMV Drivers / Carriers**

**What impact does the National Registry have on CMV drivers and motor carriers?**

As of May 21, 2014, interstate CMV drivers are required to obtain physical examinations and a medical examiner’s certificate from a certified ME listed on the National Registry website.

**Is the National Registry program applicable to both interstate and intrastate CMV drivers?**

No, this program applies to interstate drivers only. Intrastate drivers must follow State requirements concerning medical certification.

**How is the driver medical certificate issued by a ME on the National Registry different from the current driver medical certificate?**

The new driver medical certificate will contain the same medical information as the current driver medical certificate, but will now include the ME’s National Registry number. Additionally, this rule assures that all medical examiners who perform physical exams for interstate truck and bus drivers are trained, tested and certified on the specific physical qualifications standards that affect a driver’s ability to safely operate the vehicle.

**Will the ME inform the State driver licensing agency (SDLA) that a driver has passed the physical examination?**

No, it is up to CMV driver required to have a commercial driver license (CDL) to provide the medical certificate to the SDLA issuing the license. As of May 21, 2014, States will be required to enter the ME’s National Registry number from the medical examiner’s certificate into the Commercial Driver’s License Information System (CDLIS) for each non-excepted interstate CDL driver. A driver’s medical certificate is valid until it expires. If the expiration date is after May 21, 2014, the driver must obtain a medical certificate from a certified ME listed on the National Registry.

**Will FMCSA transmit the medical certificate information for interstate CDL drivers to the SDLAs?**

Not at this time. The final rule provides for reporting to FMCSA by the MEs of medical certificate information for all interstate CMV drivers. The FMCSA is considering a new rule to require more frequent submission of medical certificate information by certified MEs and for FMCSA to transmit to the SDLAs that information for interstate CDL drivers required to have a medical certificate.

**How will an employer or enforcement personnel verify that a ME is on the National Registry?**
They may visit the National Registry website at http://nrcme.fmcsa.dot.gov and search the registry for the certified ME who provided the driver’s medical certificate. They can search by ME name or National Registry number.

**How will a driver/carrier find a certified ME?**

ME candidates who pass the FMCSA certification test will be listed in an online registry located on the National Registry website. As of May 21, 2014, all interstate CMV drivers seeking a medical examination/certificate must use a certified ME listed on the National Registry.

To find a certified ME, visit the National Registry website at http://nrcme.fmcsa.dot.gov and conduct a basic or advanced search by: (1) city and state, (2) zip code, (3) ME’s name, (4) business name, (5) employer name, (6) medical profession, (7) National Registry ID number.

**Will the medical examination reports be entered into the National Registry?**

No. The FMCSA will not routinely collect or store medical examination reports (i.e., the long form).

**If a driver loses the driver’s medical card, can the driver get a replacement copy from the National Registry?**

No. The National Registry is not intended to serve as a medical certificate database for drivers or carriers. For a driver to get a copy of the driver’s signed medical certificate, the driver must contact the certified ME that issued it.

If a driver receives a medical certificate from a certified ME who is later removed from the National Registry for fraudulent activities, is the medical certificate still valid?

**What happens to a certified ME who inappropriately or fraudulently certifies a driver?**

Errors, omissions, or other indications of improper certification by a certified ME of a driver, in either the completed medical examination reports or the medical certificates, may result in FMCSA initiating an action to remove the certified ME from the National Registry. The final rule provides due process for addressing the removal of certified MEs from the National Registry.

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**FAQs from FMCSA Website**  Feb, 2014


1. **If the driver admits to regular alcohol use, and based on responses on the driver history, further questioning or additional tools such as CAGE, AUDIT or TWEAK assessments, may the examiner require further evaluation prior to signing the medical certificate?**

   Yes. Except where absolute criteria exist, the final determination as to whether the driver meets the FMCSA medical standards is to be made by the medical examiner. The examiner should use whatever tools or additional assessments they feel are necessary. Under 391.43, Instructions to the
Medical Examiner -Laboratory and "Other Testing," support is provided to the examiner if they believe that "Other test(s) may be indicated based upon the medical history or findings of the physical examination."

Further supporting the need for additional evaluation is the medical advisory criteria for 391.41(b) which notes that "if an individual shows signs of having an alcohol-use problem, he or she should be referred to a specialist. After counseling and/or treatment, he or she may be considered for certification."

While not regulation, the medical advisory criteria are provided by the FMCSA to assist the Medical Examiner determine if a person is physically qualified to operate a CMV. The Medical Examiner may or may not choose to use these guidelines. These guidelines are based on expert review and considered practice standards. The examiner should document the reason(s) for not following the guidelines.

2. Can CMV drivers be qualified while being prescribed Provigil (Modafinil)?

Provigil (Modafinil) is a medication used to treat excessive sleepiness caused by certain sleep disorders. These sleep disorders are narcolepsy, obstructive sleep apnea/hypopnea syndrome and shift work sleep disorders. Provigil has several concerning side effects such as chest pain, dizziness, difficulty breathing, heart palpitations, irregular and/or fast heartbeat, increased blood pressure, tremors or shaking movements, anxiety, nervousness, rapidly changing mood, problems with memory, blurred vision or other vision changes to name a few. Many drugs interact with Provigil which include over-the-counter medications, prescription medications, nutritional supplements, herbal products, alcohol containing beverages and caffeine. The use of Provigil needs careful supervision. Provigil may affect concentration, function or may hide signs that an individual is tired. It is recommended that until an individual knows how Provigil affects him/her, they may not drive, use machinery or do any activity that requires mental alertness.

Drivers being prescribed Provigil should not be qualified until they have been monitored closely for at least 6 weeks while taking Provigil. The treating physician and the Medical Examiner should agree that the Provigil is effective in preventing daytime somnolence and document that no untoward side effects are present. Commercial motor vehicle drivers taking Provigil should be re-certified annually.

3. Is the certification limited to current employment or job duties?

When a Medical Examiner grants medical certification, he/she certifies the driver to perform any job duty required of a commercial driver, not just the driver's current job duties.

4. What medical conditions disqualify a commercial bus or truck driver?
The truck driver must be medically qualified to not only drive the vehicle safely, but also to do pre and post trip safety inspections, secure the load and make sure it has not shifted. Bus drivers have different demands.

By regulation, Specific Medically Disqualifying Conditions Found Under 49 CFR 391.41 are Hearing Loss, Vision Loss, Epilepsy and Insulin Use.

Drivers who require a Diabetes or Vision exemption to safely drive a CMV in addition to those pre-printed on the certification form are disqualified until they receive such an exemption.

5. Is a release form required to be completed in order for the employer to legally keep the medical certification card on file?

No. The Medical Examiner is required to provide a copy of the Medical Examiner’s Certificate (49 Code of Federal Regulations (CFR) 391.43(g)) to the motor carrier that employs the driver. A release form is not required. The motor carrier is required to keep a copy of the certificate in the driver qualification file. (49 CFR 391.51(b)(7))

6. What is the age requirement for operating a CMV in interstate commerce?

A person must be at least 21 years old to drive a CMV in interstate commerce.

7. Is getting a medical certificate mandatory for all CMV drivers in the United States?

In general, all CMV drivers driving in interstate commerce within the United States must obtain medical certification from a Medical Examiner. CMV drivers from Canada and Mexico can be medically qualified in their countries.

8. Are CMV drivers who operate in interstate commerce required to have a medical certificate?

Drivers are required to have a DOT Medical Certificate:

If they operate a motor vehicle with a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR), gross vehicle weight (GCW), or gross combination weight (GCW) of 4,536 kilograms or more in interstate commerce.

If they operate a motor vehicle designed or used to transport more than 15 passengers (including the driver) in interstate commerce.

If they operate a motor vehicle designed or used to transport between 9 and 15 passengers, for direct compensation, beyond 75 air miles from the driver’s normal work-reporting location, in interstate commerce
If they transport hazardous materials, in a quantity requiring placards, in interstate commerce.

**CFR 49 Part 391.41**

**CFR 49 Part 390.5**

9. **What is the protocol if the Medical Examiner's Certificate gets damaged, lost or unreadable?**

A copy of the Medical Examiner's Certificate should be kept on file in the Medical Examiner’s office. The driver may request a replacement copy of the certificate from the Medical Examiner or get a copy of the certificate from the motor carrier.

10. **What are the hearing requirements for CMV drivers?**

A person is physically qualified to drive a CMV if that person: First perceives a forced whispered voice in the better ear at not less than five feet with or without the use of a hearing aid or if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500Hz, 1000Hz and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to the American National Standard Z24.5-1951.

11. **Can a driver receive a hearing waiver?**

Currently, there is no waiver program for hearing.

12. **When is audiometry required?**

A medical examiner may require a driver to have an audiometry test. If the driver fails the whisper test, the driver must pass an audiometer test to be qualified to drive a CMV.

Office audiometry is not able to test a person with a hearing aid. The person needs to be referred for accurate testing.

13. **What is a waiver? An exemption?**

A waiver is temporary regulatory relief from one or more of the FMCSRs given to a person subject to the regulations, or a person who intends to engage in an activity that would be subject to the regulations. A waiver provides the person with relief from the regulation for up to three months. **49 CFR 391.64** provides waivers to CMV drivers who were in the initial vision and insulin programs in the early 1990’s.

An exemption is a temporary regulatory relief from one of more of the FMCSRs given to a person or class of persons subject to the regulations, or who intend to engage in an activity that would make
them subject to the regulation. An exemption provides the person or class of persons with relief from the regulations for up to two years, but may be renewed.

14. Will my employer have access to my medical evaluation?

Although the FMCSRs do not require the Medical Examiner to give a copy of the Medical Examination Report to the employer, the FMCSA does not prohibit employers from obtaining copies of the medical examination form (long form). Medical Examiners should have a release form signed by the driver if the employer wishes to obtain a copy of the medical examination form (long form).

Employers must comply with applicable State and Federal laws regarding the privacy and maintenance of employee medical information. For information about the provisions of the Standards for Privacy of Individually Identifiable Health Information (the Privacy Rule) that was mandated by the Health Insurance Portability & Accountability Act of 1996 (HIPAA) (Public Law 104-191), contact the U.S. Department of Health & Human Services at the HIPAA Web site of the Office of Civil Rights. Their toll-free information line is: 1-866-627-7748.

15. What will the FMCSA do after the agency receives my request for a waiver?

After the application is complete, The FMCSA will review the request and make a recommendation to the Administrator. The final decision whether to grant or deny the application for waiver is made by the Administrator.

16. Who signs the medical certificate?

The Medical Examiner who performs the medical examination must sign the Medical Certificate.

17. Who is required to have a copy of the Medical Certificate?

Section 391.43(g) requires the Medical Examiner to give a copy of the medical certificate to the driver and the motor carrier(employer), if the driver passes the medical examination.

18. Why are the diagnosis and treatment of hypertension important?

These criteria are important because there is strong prospective, randomized clinical-trial evidence that hypertension markedly increases the risk of cardiovascular disease and that effective treatment reduces cardiovascular morbidity and mortality. To be certified to drive, the driver should have ongoing hypertension management and be free of side effects that may impair safe driving.
19. Is Narcolepsy disqualifying?

The guidelines recommend disqualifying a CMV driver with a diagnosis of Narcolepsy, regardless of treatment because of the likelihood of excessive daytime somnolence.

20. Is Proteinuria disqualifying?

Depending on the amount, protein in the urine (Proteinuria) may indicate significant renal disease. The Medical Examiner may certify, time limit, or disqualify a commercial driver with Proteinuria. The decision is based on whether the examiner believes that Proteinuria may adversely affect safe driving regardless of the examiner’s decision. The driver should be referred for follow-up.

21. Who can serve as a Medical Examiner and perform DOT physical exams?

Federal Motor Carrier Safety Regulations define Medical Examiner as a person who is licensed, certified and/or registered in accordance with applicable State laws and regulations to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses and doctors of chiropractic.

22. Can a driver be qualified if he is taking Methadone?

No. CMV drivers taking Methadone cannot be qualified.

23. Can I apply for an exemption from the hypertension standard?

A CMV driver may apply for an exemption from any of the standards. Exemptions are granted only in those instances where the driver can show that safety would not be diminished by granting the exemption.

49 CFR 381.300

24. What if the certifying doctor is no longer available?

If the original Medical Examiner is not available, the physician or Medical Examiner in the office may sign the replacement certificate. The advisory criteria states that the original may be copied and given to the driver. Some physicians may require the driver to undergo a new physical examination.
25. If a driver had a Myocardial Infarction (MI), followed by coronary artery bypass graft (CABG) several months ago, should he have an ETT (exercise tolerance test) as recommended in the MI guidelines but not in the CABG guidelines?

Medical Examiners should follow the most current clinical guidelines; therefore after an MI, drivers should obtain an ejection fraction and ETT before returning to work and because of the CABG keeping the driver off work 3 months (not 2 as for MI) to allow time for sternal wound healing.

26. Is Sleep Apnea disqualifying?

Drivers should be disqualified until the diagnosis of sleep apnea has been ruled out or has been treated successfully. As a condition of continuing qualification, it is recommended that a CMV driver agree to continue uninterrupted therapy such as CPAP, etc. / monitoring and undergo objective testing as required.

A driver with a diagnosis of (probable) sleep apnea or a driver who has Excessive Daytime Somnolence(EDS) should be temporarily disqualified until the condition is either ruled out by objective testing or successfully treated.

Narcolepsy and sleep apnea account for about 70% of EDS. EDS lasting from a few days to a few weeks should not limit a driver's ability in the long run. However, persistent or chronic sleep disorders causing EDS can be a significant risk to the driver and the public. The examiner should consider general certification criteria at the initial and follow-up examinations:

Severity and frequency of EDS
Presence or absence of warning of attacks
Possibility of sleep during driving
Degree of symptomatic relief with treatment
Compliance with treatment.

27. May I request reconsideration if I am found not qualified for a medical certificate?

The decision to qualify a driver to operate a CMV in interstate commerce is the sole responsibility of the Medical Examiner. The driver may discuss the basis for the disqualification with the Medical Examiner and explore options for reconsideration.

28. Where may I obtain an application for an epilepsy waiver?
A CMV driver may apply for an exemption from any of the standards. Exemptions are granted only in those instances where the driver can show that safety would not be diminished by granting the exemption.

49 CFR 381.300

29. Is the Medical Examiner required to repeat the entire physical examination if the driver is only returning for blood pressure check? How is the new blood pressure documented?

This is at the discretion of the Medical Examiner; if the driver returns to the same Medical Examiner within the time required (3 months), the CMV driver is not required to repeat the entire physical examination. The Medical Examiner should write the date and new blood pressure reading on the original form and the qualification status.

30. Can a driver who takes nitroglycerine for angina be certified?

Yes. Nitroglycerine use is not disqualifying. The Medical Examiner may require an evaluation by the treating Cardiologist to make sure that the driver's angina is stable.

31. How soon may a driver be certified after coronary artery bypass grafting (CABG) surgery?

The driver should not return to driving sooner than 3 months after CABG, to allow the sternal incision to heal. The driver should meet all the following criteria:

Clearance by physician (usually cardiologist)
Resting echocardiogram with an LVEF >40% after CABG
Asymptomatic status with no angina

32. Can a driver be qualified if he/she is having recurring episodes of ventricular tachycardia?

Drivers with sustained ventricular tachycardia (lasting > 15 seconds) should be disqualified. Drivers experiencing non-sustained V-TACH should be evaluated by a cardiologist to determine the effect on the driver's ability to drive safely, treatment, and if the underlying cause of the ventricular tachycardia is disqualifying (see cardiovascular guidelines for complete review).

33. If I am a medically certified pilot, can I legally operate a CMV?

No. Operators of CMVs in interstate commerce must be qualified according to the regulations in 49 CFR 391.41(b)(1-13)
34. **What is the Federal Motor Carrier Safety Administration?**

The Motor Carrier Safety Improvement Act of 1999 created the Federal Motor Carrier Safety Administration (FMCSA) as a separate administration within the U.S. Department of Transportation on January 1, 2000. The primary mission of FMCSA is to reduce crashes, injuries, and fatalities involving large trucks and buses. FMCSA is headquartered in Washington, D.C., and employs more than 1,000 individuals in all 50 States, the District of Columbia, and Puerto Rico. For more information, go to About Us section on the FMCSA Web site.

35. **Can a driver on oxygen therapy be qualified to drive in interstate commerce?**

In most cases, the use of oxygen therapy while driving is disqualifying. Concerns include oxygen equipment malfunction, risk of explosion, and the presence of significant underlying disease that is disqualifying, such as pulmonary hypertension. The driver must be able to pass a Pulmonary Function Test (PFT)

Link to Pulmonary Conference Report, page 11

36. **How can I get a copy of my medical evaluation file?**

You can contact the Medical Examiner that conducted your evaluation for a copy of your medical certification examination.

37. **Are the DOT medical examinations covered by HIPAA?**

Regulatory requirements take precedence over the Health Insurance Portability and Accountability Act (HIPAA) of 1996. There are potential subtle interpretations that can cause significant problems for the Medical Examiner. What information must or can be turned over to the carrier is a legal issue, and if in doubt, the examiner should obtain a legal opinion. Federal Motor Carrier Safety Regulation 391.43 does not address or prohibit the sharing of medical information by Medical Examiners. [http://www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa)

38. **Why is the DOT physical examination important?**

The FMCSA physical examination is required to help ensure that a person is medically qualified to safely operate a CMV. In the interest of public safety, CMV drivers are held to higher physical, mental and emotional standards than passenger car drivers.

39. **Who can give a waiver or exemption?**
The Medical Examiner cannot grant waivers or exemptions. Only the FMCSA grants waivers or exemptions for certain medical conditions if the individual is otherwise qualified to drive. Section 381.205 of the FMCSRs allow the driver to request a waiver if one or more of the FMCSRs prevent the driver from operating a CMV or make it unreasonably difficult to do so, during a unique, non-emergency event that will take no more than three months to complete.

40. What should I do if I have an idea or suggestion for a pilot program?

You may send a written statement to the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, Office of Bus & Truck Standards and Operations, 1200 New Jersey Avenue SE, Washington, DC 20590. 381.400

41. If a driver with hypertension has lowered his blood pressure to normal range, lost weight, and is off medications, can he/she be certified for 2 years?

This is the Medical Examiner's decision.

42. What information should the Medical Examiner have available to decide if a driver is medically qualified?

Medical Examiners who perform FMCSA medical examinations should understand: (1) Specific physical and mental demands associated with operating a CMV, (2) Physical qualification standards specified by 49 CFR 391.41 (b) (1-13), (3) FMCSA advisory criteria and other criteria prepared by the FMCSA, and (4) FMCSA medical guidelines to assess the CMV driver’s medical condition.

43. Are there duties related to the FMCSA medical certification?

No, the FMCSA does not have duties. The Medical Examiner is required to know the FMCSA driver physical qualification standards, medical guidelines, and advisory criteria. The examiner should understand the mental and physical demands of operating a CMV.

44. For how long is my medical certificate valid?

The certificate is valid for 2 years. In addition, drivers with specific medical conditions require more frequent certification:

- Hypertension (high blood pressure) stable on treatment 1 year
- Heart disease 1 year
- Qualified under 391.64 the original diabetes and vision waiver program 1 year
New insulin and vision exemption program 1 year

Driving in exempt intra-city zone 1 year

Determination by examiner that condition requires more frequent monitoring, such as diabetes mellitus or sleep disorders.

45. What am I required to do if the FMCSA grants my exemption?

You must comply with the terms and conditions of the exemption. This information is provided to you.

46. May a Medical Examiner qualify a driver who has blood in his urine?

The Medical Examiner decides to certify, time-limit or disqualify. The decision to certify a driver is determined by whether the examiner believes that the blood in the urine affects the ability of the commercial driver to safely. Regardless of whether the CMV driver is certified, the Medical Examiner should document referral to a specialist or the driver's Primary Care Provider.

47. How do Medical Examiners differ from Medical Review Officers?

A Medical Review Officer (MRO) is a licensed physician responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for test results. More information on MROs is available online at http://www.dot.gov/ost/dapc/mro.html. Medical Examiner means a person who is licensed, certified, or registered, in accordance with applicable State laws and regulations to perform physical examinations. This includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses and doctors of chiropractic.

48. Are holders of Class 3 pilot licenses required to have another physical for commercial driving?

Drivers of CMV who operate in interstate commerce must be medically qualified in accordance with 49 CFR 391.41

49. What medical criteria are required to obtain a medical certificate?

The physical qualification regulations for CMV drivers in interstate commerce are found at Section 391.41(b) of the FMCSRs. Instructions to Medical Examiners performing physical examinations are found at Section 391.43. Advisory criteria under 391.41 are recommendations. They are accessible on the FMCSA's Web site at http://www.fmcsa.dot.gov/rules-regulations/administration/medical.htm. FMCSA has published medical conference reports as
recommendations to assist Medical Examiners determine whether a driver is qualified under Section 391.41(b). The conference reports may be accessed on the FMCSA Web site.

50. How long will it take the agency to respond to my request for a waiver?

The agency will issue a final decision within 180 days of the date it receives your completed application. However, if you leave out required information, it takes longer to complete your application.

51. Can I get a waiver if I have had a single unprovoked seizure?

Drivers who have had one unprovoked seizure by definition do not have epilepsy (2 or more unprovoked seizures). Drivers who are seizure-free and off anticonvulsant medication(s) for at least 5 years after a single unprovoked seizure can be certified. Earlier return to work may be considered for drivers with a normal EEG who have no epileptic-form activity and normal examination by a neurologist specializing in epilepsy.

52. What does the medical examination involve?

The driver must be medically examined and certified in accordance with Section 391.43 of the FMCSR.

53. Does the FMCSA set any guidelines for Medical Examiner fees associated with conducting medical examinations?

No. There is no fee schedule.

54. Is Meniere's Disease disqualifying?

Meniere's Disease – a condition associated with severe and unpredictable bouts of dizziness (vertigo) is disqualifying. This recommendation can be found in the Conference on Neurological Disorders and Commercial Drivers.

55. Can carriers set their own standards for CMV drivers who operate in interstate commerce?

49 CFR Section 390.3(d) gives employers the right to adopt stricter medical standards. Motor Carriers (companies) cannot set less restrictive standards. In addition, the employer can require the driver to perform ancillary duties as a condition of employment.
56. **What is the effect on driver certification based on FMCSA hypertension stages?**

A driver with a diagnosis of hypertension on treatment should have at least an annual certification.

A CMV driver with a Blood pressure (BP) 140/90 may be certified for 2 years.

First time BP elevated:

Stage 1 - BP 140-159/90-99 Certification Period 1 year

Stage 2 - BP 160-179/100-109 Certification Period 3 months as one time certification. Within the 3 months, if the blood pressure is below 140/90, the driver may receive 1 year certification.

Stage 3 - BP Reading >180/110 Disqualified. When the blood pressure is less than 140/90, the driver can be certified at 6 month intervals.

57. **What are the criteria used to determine if a driver with lung disease can be certified?**

At the initial and follow-up examination, the Medical Examiner can use general certification criteria:

What are the effects of the lung disease on pulmonary function?

Is the disease contagious?

Can the driver safely use therapy while working?

Can the driver safely perform both driving and ancillary duties?

Is the disease progressive? A driver with a pulmonary disease that may progress or affect their ability to drive safely should be certified at least annually.

Additional criteria for the specific respiratory problem:

Certification for most chronic lung diseases is based on the clinical course. The examiner must decide if additional testing is required. The medical certification form states that the examiner may need to order a chest x-ray or pulmonary function tests.

58. **What are the differences between the medical standards and the medical advisory criteria and the medical guidelines?**

The Medical Examiner must follow the standards found in 49 CFR 391.41. In the case of vision, hearing, epilepsy and diabetes requiring any use of insulin, the FMCSR's standards are absolute and allow no discretion by the Medical Examiner.

FMCSA also provides medical advisory criteria and medical guidelines to assist the Medical Examiner determine if a person is physically qualified to operate a commercial bus or truck. The Medical Examiner may or may not choose to use these guidelines. These guidelines are based on
expert review and considered practice standards. The examiner should document the reason(s) for not following the guidelines.

59. How long does it take to get my medical certificate once my medical examination is complete?

The FMCSRs do not specify that the Medical Examiner must give a copy of the Medical Examiner’s Certificate to the driver immediately following the examination. The Medical Examiner may require additional medical tests or reports from your treating physician.

60. Can a driver who has a condition that causes excessive daytime sleepiness be certified?

Narcolepsy and sleep apnea account for about 70% of EDS. EDS lasting from a few days to a few weeks should not limit a driver’s ability in the long run. However, persistent or chronic sleep disorders causing EDS can be a significant risk to the driver and the public. While most of these diseases are usually disqualifying, the examiner should consider these general certification criteria at the initial and follow-up examinations:

Underlying condition causing the EDS.

Severity of and frequency of EDS

Presence or absence of warning of attacks

Possibility of sleep during driving

Degree of symptomatic relief with treatment

Compliance with treatment

After the initial evaluation, the examiner can decide if additional testing is required. Generally, drivers with excessive EDS need further evaluation to determine the cause and certification.

61. My medical certificate is still valid. Am I prohibited from operating a CMV if I have a medical condition that developed after my last medical certificate was issued?

FMCSA regulations prohibit a driver from beginning or continuing to drive if their ability and/or alertness is impaired by: fatigue, illness, or any cause that makes it unsafe to begin (continue) to drive a commercial vehicle.

Even if a driver currently has a valid medical certificate, the driver is prohibited from driving a CMV with any medical condition that would be disqualifying or may interfere with the safe operation of a CMV. Once a disqualifying medical condition is resolved, and before resuming operation of CMVs, a driver is responsible for obtaining re-certification from a Medical Examiner. 391.45

62. What is a satisfactory exercise tolerance test?
A satisfactory ETT requires exercising to a workload capacity of at least six METS (through Bruce Stage II or equivalent) attaining a heart rate of >85% of predicted maximum (unless on beta blockers), a rise in SBP>20mmHg without angina, and having no significant ST segment depression or elevation.

Stress radionuclide or exercise echocardiogram should be performed for symptomatic individuals, individuals with an abnormal resting electrocardiogram, or individuals who fail to meet the ETT requirements.

63. **Can I still get a medical certificate if I have a medical condition that is being treated by a physician?**

The decision is made by the Medical Examiner. The examiner may request information about the driver’s condition from their treating doctor. In general, certification is permitted if the driver does not have a condition, use medication or receive treatment that impairs safe driving.

64. **As a Medical Examiner, can I disclose the results of my medical evaluation to a CMV driver's employer?**

[49 CFR 391.43](http://www.fhwa.dot.gov/rules/regulations/administration/fmcsa/fmcsrguide.asp?section_type=A) “Instructions to the Medical Examiner” do not address or prohibit the sharing of medical information. Refer to the HIPAA regulations for guidance.

[http://www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa)

65. **Where can I find the FMCSRs?**


66. **May a driver who has non-insulin treated diabetes mellitus (treated with oral medication) be certified for 2 years?**

In all cases, clinical judgment is required. The Medical Examiner decides if the driver's diabetes is adequately controlled, which determines certification, length of certification or disqualification. FMCSA guidelines recommend performing annual examination for vision, neurological function and cardiovascular disease, including hypertension. In general, the diabetic driver should have annual re-certification examinations.

67. **Do drivers need to carry the medical certification when driving a CMV?**
Yes. Drivers must carry a current copy of a medical examination certificate.

68. Is the driver required to provide a copy to the employer?

Yes, the motor carrier (employer) is required to keep a copy of the medical card (certificate) on file and the driver is required to keep the medical certificate (and supporting documents as required) with him while driving.

69. Can I report a driver operating without a medical certificate? What protection can I expect as a whistleblower and to Whom would I report it?

Yes. Guidelines for reporting a driver operating a CMV without a medical certificate issued by a Medical Examiner and whistleblower protections, i.e., Motor Carrier Employee Whistle Blower Protection, (49 United States Code 31105 and 29 Code of Federal Regulations 1978).

70. Am I required to have a medical certificate if I only operate a CMV in my home State (intrastate commerce)?

Intrastate drivers are subject to the physical qualification regulations of their States. All 50 States have adapted their regulations based on some of the Federal requirements. Many states grant waivers for certain medical conditions.

NOTE: FedEx, UPS and DHL drivers usually do not leave the state but are subject to interstate regulations.

71. Who determines if a pilot program should be initiated?

Generally, pilot programs are initiated by the FMCSA when the agency determines that there may be an effective alternative to one or more of the requirements in the FMCSR, but does not have sufficient research data to support the development of a notice of proposed rulemaking to change the regulation. 381.400

72. What is the basis of FMCSA's recommendations regarding high blood pressure?

FMCSA medical guidelines for hypertension are based on the Sixth Report of the Joint National Committee on Prevention, Detection, Evaluation and Treatment of High Blood Pressure (JNC 6 - 1997). The prior cardiovascular guidelines were based on an earlier JNC report.

The medical standard (49 CFR 391.41 (b) (6) permits qualification of CMV drivers if the driver has no current clinical diagnosis of high blood pressure likely to interfere with his/her ability to operate a
motor vehicle safely. FMCSA provides guidelines to assist the Medical Examiner in determining if a person is physically qualified to operate a motor vehicle.

73. How do I request a waiver/exemption?

For exemptions from Federal standards other than Diabetes or Vision, please refer to the FMCSRs in Section 381.210 and 391.310

74. Does my driving record affect my eligibility for a medical certificate?

No.

75. What is a pilot program?

A pilot program collects specific data to evaluate alternatives to the regulations or innovative approaches to safety while ensuring that the safety performance goals of the regulations are satisfied.

In a pilot program, temporary regulatory relief from one or more FMCSR is given to a person or class of persons subject to the regulations or to a person or class of persons who intend to engage in an activity that would be subject to the regulations.

The number of participants in the pilot program must be large enough to ensure statistically valid findings. 381.400

NOTE: FMCSA is not conducting medical pilot programs at the time.

76. Are CMV Drivers required to be CPR certified?

No. There is no regulation that requires CMV drivers to be CPR certified.

77. What medications disqualify a CMV driver?

A driver cannot take a controlled substance or prescription medication without a prescription from a licensed practitioner.

If a driver uses a drug identified in 21 CFR 1308.11 (391.42(b)(12)) or any other substance such as amphetamine, a narcotic, or any other habit forming drug, The driver is medically unqualified.
There is an exception: the prescribing doctor can write that the driver is safe to be a commercial driver while taking the medication. In this case, the Medical Examiner may, but does not have to certify the driver.

Any anti-seizure medication used for the prevention of seizures is disqualifying.

Methadone use is disqualifying.

The Medical Examiner has 2 ways to determine if any medication a driver uses will adversely affect safe operation of a CMV:

1. Review each medication - prescription, non-prescription and supplement
2. Request a letter from the prescribing doctor

78. What is the ANSI Standard?

When the audiometric device is calibrated to the American National Standard (formerly the American Standard Association (ASA) Z24.5-11951. Since the prescribed standard under the FMCSRs is the American National Standards Institute (ANSI), it may be necessary to convert the audiometric results from the ISO standard to the ANSI standard. Instructions are included on the Medical Examination Report form.

79. If a driver has had surgery for Meniere's Disease, is the condition disqualifying?

There is surgery for Meniere's Disease. The FMCSA is now reviewing this issue in relation to certification.

80. Who should I contact if I have questions about the status of my application for a Vision or Diabetes exemption?

You should contact the Office of Bus And Truck Standards and Operations, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

The telephone number is 1-703-448-3094.

81. Can a CMV driver be disqualified for using a legally prescribed drug?

Although the driver has a legal prescription, he/she may be disqualified if the medication could adversely affect the driver's ability to drive a CMV safely.

82. When may I request a waiver/exemption?
You may request a waiver if one or more of the FMCSRs would prevent you from using or operating CMVs or make it unreasonably difficult to do so, during a unique, non-emergency event that will take no more that three months to complete. You may apply for an exemption if one or more FMCSRs prevents you from implementing more efficient or effective operations that would maintain a level of safety equivalent to or greater than the level achieved without the exemption.

83. Can I drive a commercial vehicle after having angioplasty/stents inserted into my heart?

Yes. Drivers who have uncomplicated, elective Percutaneous Coronary Intervention (PCI), with or without stenting, to treat stable angina may return to work as soon as one week after the procedure. Criteria for return to work after PCI include:

- Examination and approval by the treating cardiologist;
- Asymptomatic;
- No injury to the vascular access site;
- ETT three to six months post PCI. In the CMV driver this requires exercising to workload capacity of at least six METS (through Bruce Stage II or equivalent), attaining a heart rate >85% of predicted maximum (unless on beta blockers), a rise in SBP >20mmHg without angina, and having no significant ST segment depression or elevation. Stress radionuclide or echocardiography imaging should be performed for symptomatic individuals, individuals with an abnormal resting echocardiogram, or those drivers who fail to obtain the minimal standards required from the standard ETT;
- Annual medical qualification examination;
- Negative ETT at least every other year (criteria above) and Tolerance of all cardiovascular medication. The driver should not experience orthostatic symptoms, including light-headedness; a resting SBP<95mmHg systoloc; or a systolic blood pressure decline > 20mmHg upon standing.

84. Is it possible to get exemptions for some medical conditions?

Under 49 United States Code 31315 and 31136(e), the FMCSA may grant an exemption from the FMCSRs if the agency determines it is in the public interest and would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with the safety regulation. Section 381.300 through 381.330 of the FMCSRs describes procedures applicants must follow to apply for exemptions and can be viewed at 49 CFR 381.330. FMCSA currently has exemption programs for vision and insulin-treated diabetes mellitus, and offers a certificate program for drivers with limb impairments. FMCSA also has a special certification program for drivers with missing and/or impaired limbs (49 CFR 391.41(b)(1).

85. Are government employees exempt from routine/yearly physical examinations?
Transportation performed by the Federal government, a State, or any political subdivision of a State, or an agency established under a compact between states that has been approved by the Congress of the United States are exempt from the FMCSRs, if the political entity chooses.

86. I operate a CMV in the United States but reside outside of the United States. Can I use my foreign medical certificate?

Yes, if you are a resident of Mexico or Canada. Drivers certified in Canada are certified to drive in the United States, providing they meet U.S. requirements. For Mexican drivers, the medical examination is part of the Licencia Federal. It is not necessary for Mexican drivers to carry a separate medical certifying document.

A CMV operator from Canada or Mexico who has been issued a valid commercial driver’s license by a Canadian Province or the Mexican Licencia Federal is no longer required to have a medical certificate. The driver’s medical exam is part of the driver’s license process and is proof of medical fitness to drive in the United States. However, Canadian and Mexican drivers who are insulin-using diabetics, who have epilepsy, or who are hearing-and-vision impaired are not qualified to drive CMVs in the United States. Furthermore, Canadian drivers who do not meet the medical fitness provisions of the Canadian National Safety Code for Motor Carriers but who have been issued a waiver by one of the Canadian Provinces or Territories are not qualified to drive CMVs in the United States. Similarly, Mexican drivers who do not meet the medical fitness provision of the Licencia Federal de Conductor but who have been issued a waiver by The Licencia Federal de Conductor are not qualified to drive CMVs in the United States.

87. Who should I contact if I have questions about the information I am required to submit to the FMCSA to obtain a waiver or exemption?

You should contact the Office of Bus and Truck Standards and Operations, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

The telephone number is 703-448-3094.

88. Can a driver be qualified if taking prescribed medical marijuana?

No. Drivers taking medical marijuana cannot be certified.

89. Is there a "grandfathering" provision for the Vision and Diabetes standards?

Section 391.41(b)(10) do not apply to a driver who was a participant in good standing on March 31, 1996, in a waiver study program concerning the operation of CMVs by drivers with visual impairment in one eye; provided: (1) The driver is physically examined every year, including examination by an ophthalmologist or optometrist attesting to the fact that the driver: (i) Is otherwise qualified under 391.41; and (ii) Continues to measure at least 20/40 (Snellen) in the
better eye. (2) The driver provides a copy of the ophthalmologist or optometrist report to the Medical Examiner at the time of the annual medical examination. (3) The driver provides a copy of the annual medical certification to the employer for retention in the driver’s qualification file and retains a copy of the certification on his/her person while driving for presentation to an authorized federal, state or local law enforcement official. The grandfathering provision is no longer available.

90. What tests are used to determine if a driver has adequate hearing to drive safely?

The tests are either the forced whisper test or audiometry. For the whispered voice test, the driver should be 5 feet from the examiner with the ear being tested turned toward the examiner. The other ear is covered. Using the breath which remains after a forced expiration, the examiner whispers words or random numbers such as 66, 18.23. The examiner should not use only sibilants (s-sounding test materials). If the individual fails the whisper test, the audiometric test should be administered.

91. Can a Canadian driver apply for a Skill Performance Evaluation (SPE) certificate to drive in the United States?

The reciprocity agreement between the United States and Canada does not permit drivers who do not meet the medical fitness requirements of Canada to drive in the United States. Both countries agree that Canadian drivers who do not meet the medical provisions in the National Safety Code of Canada but have a waiver by one of the Canadian Provinces or territories would not be qualified to operate a CMV in the United States. The National Safety Code states that a driver must wear a prosthesis and demonstrate his/her ability in an on-road test. Some of the Canadian provinces have not adopted the National Safety Code. If a driver has no prosthesis when entering the United States, the driver is not qualified to operate here.

It is not necessary for a Canadian driver to apply for a Skill Performance Evaluation certificate to drive in the United States. A valid commercial driver’s license issued by a Canadian Province or Territory is proof of medical fitness to drive. If a Canadian driver is required to wear prosthesis, the driver must wear the prosthesis while operating a commercial vehicle in the U.S. If a driver has no prosthesis when entering the U.S., the driver is not qualified to operate here.

92. Is the employer legally responsible for paying for the DOT medical examination?

The FMCSRs do not address this issue.

93. Are motor carriers legally obligated to provide air conditioning in commercial motor vehicles?

The FMCSRs do not address this issue.
94. As a Medical Examiner, can I disclose the results of my medical evaluation to a commercial motor vehicle driver's employer?

391.43 “Instructions to the Medical Examiner” do not address or prohibit the sharing of medical information. Refer to the HIPAA regulations for guidance.

http://www.hhs.gov/ocr/hipaa

95. How can I get more information or apply to serve on the Medical Review Board (MRB)?

Contact the MRB staff on (202) 366-4001 or fmcsamrb@fmcsa.dot.gov

96. What is the Medical Review Board?

The Medical Review Board (MRB) is a nationally recognized standing board of licensed physicians established by FMCSA to provide expert advice to the Secretary of Transportation on matters related to physical qualifications of drivers, medical standards and guidelines, materials for training medical examiners, functional tests for drivers with multiple disabilities and identifying risks of sudden incapacitation.

97. What happens if a driver is not truthful about his/her health history on the medical examination form?

The FMCSA medical certification process is designed to ensure drivers are physically qualified to operate commercial vehicles safely. Each driver is required to complete the Health History section on the first page of the examination report and certify that the responses are complete and true. The driver must also certify that he/she understands that inaccurate, false or misleading information may invalidate the examination and medical examiner's certificate.

FMCSA relies on the medical examiner's clinical judgment to decide whether additional information should be obtained from the driver's treating physician. Deliberate omission or falsification of information may invalidate the examination and any certificate issued based on it. A civil penalty may also be levied against the driver under 49 U.S.C. 521(b)(2)(b), either for making a false statement of for concealing a disqualifying condition.