Changes to Med Forms Missed and Misunderstood

Some final rules stay under the radar, barely noticed by those operating commercial motor vehicles (CMVs). Other changes often cause confusion and result in a misunderstanding of the requirements.

A recent rulemaking to revise the driver’s medical forms — published in April 2015 with two implementation dates — was a prime example; it was overlooked by some and misinterpreted by others.

First Deadline
Section 391.43 of the Federal Motor Carrier Safety Regulations (FMCSRs) revised the format of both the medical examiner’s certificate (i.e., fed med card or wallet card) and the medical examination report form (i.e., long-form physical). The Federal Motor Carrier Safety Administration (FMCSA) requires the use of the new forms for driver physicals performed on and after Dec. 22, 2015. The FMCSA did not build in a grace period where use of either format was permissible.

Note that exams performed prior to Dec. 22, 2015, do not need the information transferred to the new forms. They are valid through their expiration dates.

Medical Certification Procedures
The medical standards and procedures used by medical examiners did not change for the most part with the new forms. Medical examiners will continue to determine medical qualification based on the same criteria they have for years.

However, as of Dec. 22, 2015, a driver may now be given a status of “pending” up to 45 days following an exam if additional information is needed. For example, this might be a sleep study and/or treatment for sleep apnea. Keep in mind that if a driver’s existing medical certificate expires during this 45-day period, he or she becomes medically unqualified since the status is contingent upon time being left on the previous certification. The medical examiner would be unable to offer a pending status to a driver that waits until the last minute to renew his or her medical card.

Record Keeping Obligations
Despite rumors circulating throughout the transportation sector, the new medical forms do not change the recordkeeping behind the documents — at least for now. Medical examiners will continue to retain the original of the long-form physical at their offices in the event FMCSA wishes to review it. Motor carriers have never been required to retain a copy of the actual exam form. To do so would be a matter of company policy.

Next, medical examiners will still issue the driver a copy of the medical card. Interstate drivers without a commercial driver license (CDL) must carry a copy on their person while operating a CMV and the motor carrier must retain a copy in the driver’s qualification (DQ) file for three years from the date of issue.

For interstate CDL drivers, they must carry the medical card for 15 days following the exam, and submit a copy to the state of licensing in order to maintain a CDL. The medical examiner is not communicating the medical status to the state licensing agency as many have mistakenly come to believe. Because of this, the motor carrier is still required to retain a copy of the CDL driver’s medical certificate in the DQ file for up to 15 days following the exam, and have a motor vehicle record (MVR) from the state of licensing showing this recent medical exam by the 16th day following the exam.

In addition, motor carriers must continue to check the National Registry of Certified Medical Examiners (NRCME) website to verify the medical examiner was certified to perform the driver exam. This applies to both CDL and non-CDL drivers.

Changes Yet to Come
Current recordkeeping procedures remain intact for non-CDL drivers (i.e., med card on person and in DQ file). But, the process will change for CDL drivers.

As of June 22, 2018, medical examiners will use the NRCME web portal to send the exam results to the FMCSA, who, in turn, will upload the results to the CDL database. From there, the state will grab the data, and the exam status should appear on the MVR within a day or two of the actual exam.

All exams performed beginning on June 22, 2018, will not require CDL drivers to submit medical cards to the state licensing agency. Removing this step and eliminating the state’s administrative time to enter the information speeds up the process. As a result, employers would be expected to have an MVR with the CDL driver’s medical status within a day or two of the exam, and CDL drivers no longer have to carry the med card on their person.

Because the data originates from an active medical examiner on the NRCME, the motor carrier no longer has to verify the medical examiner’s status following an exam of a CDL driver performed on or after June 22, 2018. But, the motor carrier must continue checking the site for the non-CDL driver. WT

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