



U.S. Department
of Transportation

**Federal Motor Carrier
Safety Administration**

Reid B. Blackwelder, MD
201 Cassell Dr.
Kingsport, TN 37660

1200 New Jersey Avenue, SE
Washington, DC 20590

Refer to: MC-PSP

AUG 25 2016

Dear Dr. Blackwelder:

Thank you for your July 7, 2015, letter to the Federal Motor Carrier Safety Administration (FMCSA). In your letter, on behalf of the American Academy of Family Physicians, you urged FMCSA to consider allowing board certified primary care physicians to examine and complete the documentation required for the Federal Diabetes Exemption Program.

Our current regulations concerning driver qualification [49 CFR 391.41(b)(3)] state that a driver is not qualified if he or she has an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant an exemption from the diabetes standard only if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. In order to meet the statutory requirement of equivalent safety, the Agency currently requires that individuals be examined by a board eligible or board certified Endocrinologist.

However, recently FMCSA published a Notice of Proposed Rulemaking (NPRM) announcing a proposal to allow drivers with stable, well-controlled insulin-treated diabetes mellitus (ITDM) to be qualified to operate CMVs in interstate commerce. This NPRM, published in May 2015, would enable individuals with ITDM to obtain a Medical Examiner's Certificate (MEC) from a Certified Medical Examiner (CME), as long as evidence is presented by the treating clinician who prescribes insulin to the driver documenting that the condition is stable and well-controlled. The comment period closed on July 6, 2015 and the Agency received over 1250 comments, many of which were in support of your position of allowing primary care physicians to evaluate the stability of individuals with ITDM. You may view the proposed rule at: <https://www.regulations.gov/document?D=FMCSA-2005-23151-0098>

On September 1, 2015, the Agency's Medical Review Board (MRB) provided recommendations regarding factors that the Agency should consider in this rulemaking. The Agency is analyzing information submitted in order to develop a final rule.

I hope this information is helpful to you. Should you need assistance or have questions, please contact the FMCSA Office of Medical Programs at (202) 366-4001, or e-mail at fmcsamedical@dot.gov.

Sincerely yours,

Charles A. Horan, III
Director, Carrier, Driver and
Vehicle Safety Standards