



FMCSA Updates Diabetes Rule

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The Federal Motor Carrier Safety Administration has announced a final rule, effective November 18 of this year, revising federal regulations permitting individuals with a stable insulin regimen and properly controlled insulin-treated diabetes mellitus (ITDM) to be qualified to operate commercial motor vehicles (CMVs) in interstate commerce, provided they have an annual or more frequent examination by a certified ME who is listed on the National Registry of Certified Medical Examiners (National Registry), are found physically qualified to operate a CMV, and are issued an Start Printed Page 47487MEC, MCSA-5876, from a certified ME. Previously, individuals with ITDM were prohibited from driving CMVs in interstate commerce unless they obtained an exemption from FMCSA.

The rule requires that prior to the annual (or more frequent examination) by the certified ME, the individual must have an evaluation by his or her healthcare professional who manages, and prescribes insulin for the treatment of the individual's diabetes.

The healthcare professional then provides information to the certified ME via the ITDM Assessment Form, MCSA-5870, attesting that the individual maintains a stable insulin regimen and proper control of his or her diabetes. The certified ME must receive the ITDM Assessment Form, MCSA-5870, no later than 45 days after the individual's healthcare professional has completed and signed it for each medical examination. Upon receipt of a valid form, the certified ME will perform an examination, consider the information provided by the healthcare professional, and determine whether the individual meets FMCSA's physical qualification standards to operate a CMV safely. If so, the certified ME may issue an MEC, MCSA-5876, for up to a maximum of 12 months.

The final rule requires that all ITDM individuals must provide to the healthcare professional at least the preceding 3 months of blood glucose self-monitoring records while being treated with insulin to be eligible for up to the maximum 12-month MEC, MCSA-5876. If an individual does not provide the 3 months of records, the certified ME has discretion to grant the individual up to but not more than a 3-month MEC, MCSA-5876, to allow time for the individual to collect the necessary records. Once the individual has 3 months of blood glucose self-monitoring records, the individual is treated the same as an ITDM individual with 3 months of records. The individual must first go to his or her healthcare professional for evaluation and then to the certified ME, who must exercise independent medical judgment, to determine if the individual is eligible for up to the maximum 12-month MEC, MCSA-5876.

Individuals who have been diagnosed with severe non-proliferative diabetic retinopathy or proliferative diabetic retinopathy are disqualified permanently from operating a CMV in interstate commerce. These advanced stages of diabetic retinopathy present a serious risk to visual function, the safe operation of a CMV, and public safety.

Individuals currently certified under the diabetes grandfather provision in § 391.64(a) will have 1 year after the effective date of this final rule to comply with the provisions of this rule. During that year, grandfathered individuals may elect to seek medical certification through the provisions of the final rule or § 391.64. However, on November 18, 2019, all grandfathered MECs, MCSA-5876, become void.

"This final action delivers economic savings to affected drivers and our agency, and streamlines processes by eliminating unnecessary regulatory burdens and redundancy," said FMCSA Administrator Raymond P. Martinez. "It's a win-win for all parties involved."