



Blog by Tommy Ruke, The King Pin – Leading Expert in Truck Insurance

DOT PHYSICALS MUST BE PERFORMED BY A “CERTIFIED MEDICAL EXAMINER” EFFECTIVE MAY 21, 2014

Do your insureds know about this new requirement? – Larger ones yes but smaller ones maybe not. If this requirement is not complied with, a motor carrier could be fined if a compliance review is conducted at their location. When drivers are stopped and an officer reviews the driver’s medical card and it does not meet the new requirement, the driver will be cited for a violation. If a crash happens and the driver had a “medical concern” that could have been a factor in the crash and the driver’s medical card is either expired or the physical has not been performed by a “certified medical examiner”, the plaintiff’s attorney has another “fact” to seek money for.

The second Thursday of the month webinar will include some information about this, but if you do not have time to participate in the webinar, information is available from J.J. Keller.

Agents, you need to share this with your insureds and help them comply, particularly the smaller ones. A suggested note follows:

Motor carrier (insured) – Are you aware of FMCSA’s new requirement that after May 21, 2014, DOT physicals can only be performed by a medical provider listed in the “Registry of Certified Medical Examiners”. If not, the medical card is invalid subjecting you to possible fines and additional information for an attorney if a crash happens.

You need to check with your current provider to make sure they are certified, and if not, to find one that is. If you allow your owner-operators or drivers to bring in their own card, you need to be assured that if the physical was performed after May 21, 2014 that it was performed by a “certified medical examiner”.

To access the list: nationalregistryfmcsa.dot.gov

If you have questions, feel free to contact us.

Use of medical registry begins May 21st

Less than a month remains until new certification requirements become mandatory for those performing medical exams on interstate drivers.

All DOT medical exams conducted after May 20, 2014, on interstate commercial motor vehicle (CMV) drivers will need to be performed by someone chosen from the National Registry of Certified Medical Examiners.

The Registry is designed to set uniform standards for medical examiner training, to help ensure that driver exams are conducted in a consistent manner based on national standards.

The following are frequently asked questions about the National Registry and its implementation.

Q: Who has to use the National Registry?

A: Any driver who operates or intends to operate a commercial motor vehicle in interstate commerce and who needs to obtain a DOT-mandated medical exam after May 20, 2014, will need to select someone from the National Registry to perform the exam. Anyone can go to the Registry website to search for a qualified examiner.

Q: Will non-CDL drivers be affected as well?

A: Yes. All interstate drivers of "commercial motor vehicles" as defined in Sec. 390.5 — whether they hold a commercial driver's license (CDL) or not — will need to use the National Registry for exams conducted on or after May 21st.

Q: Are the medical standards themselves changing on May 21st?

A: No, there are no changes to the medical standards as part of the National Registry. However, some individual examiners may alter their own standards based on what they learn during their training to be added to the Registry.

The National Registry website is available at: nrcme.fmcsa.dot.gov

Q: Do intrastate drivers need to use the Registry?

A: Drivers who are not involved in interstate commerce do not need to use the Registry unless their state requires it.

Q: Do all interstate drivers need a new exam after May 20th?

A: No. The National Registry does not affect when drivers need to get their exams. Existing medical certificates will not expire until the expiration date shown on the certificate. However, any interstate DOT medical exams that are conducted after May 20, 2014, will need to be performed by someone listed on the National Registry.

Q: Are the medical forms changing after May 20th?

A: The medical "long form" will not change, but medical certificates used for interstate CMV drivers after May 20, 2014, will need to include the examiner's National Registry number. A new certificate with spaces for the National

Registry number and a way to designate the driver as being "intrastate only" has been available for more than a year.

Q: Does the National Registry affect our interstate drivers' qualification files?

A: Yes. For any interstate driver who obtains a DOT medical exam after May 20, 2014, his or her file must include a note or other documentation showing that the motor carrier verified that the examiner was listed on the National Registry at the time of the exam. This note may be removed from the file after three years.

Q: How can someone verify that an examiner is on the Registry?

A: By going to the National Registry website and searching by the examiner's National Registry number or name, or using a variety of other search criteria.

Q: I can't find any registered examiners in my area. What do I do?

A: There are no exceptions based on geographic location or the distance to the nearest examiner. You may want to get an exam from your normal (unregistered) examiner before May 21st and then continue watching the Registry for a local examiner to become registered, or encourage your regular examiner to do so.

Q: We've been using the same examiner for years. Can he/she continue to do our interstate driver exams?

A: Yes, but only if he/she is listed on the National Registry. There are no exceptions that would allow someone to perform interstate CMV driver exams without being on the Registry.

Q: If the person who performed my last medical exam (before May 21st) isn't listed on the National Registry by May 21st, is my medical card still valid?

A: Yes. Medical certificates created prior to May 21st will not be affected by the National Registry. However, once the card expires or the interstate driver otherwise needs a new DOT exam after May 20th, someone from the National Registry will need to be selected to perform the exam.

Q: Will medical examiners on the National Regis-

try be sending medical certificates to the FMCSA or to state licensing agencies?

A: No. Medical examiners will still be required to give the original certificate to the driver and keep a copy on file. They will not be sending medical forms or certificates to the Federal Motor Carrier Safety Administration (FMCSA) or state licensing agencies. They will, however, need to send a monthly report to the FMCSA with information about each exam performed, including each driver's name, date of birth, driver's license information, the date of the exam, whether the driver was qualified, and the date the certificate expires.

In the future, the FMCSA hopes to write a new rule that will enable medical examiners

to send medical certificates to the FMCSA, which will then forward them to state licensing agencies for interstate CDL drivers.

Q: If I lose my medical card, can I get a replacement copy from the National Registry?

A: No, you would have to contact the medical examiner that issued it.

Q: If a driver receives a medical certificate from an examiner who is later removed from the National Registry, is the medical certificate still valid?

A: Yes. However, the FMCSA has authority to review the examiner's exam reports and void the examiner's medical certificates. If that were to happen, the affected drivers would be contacted. ♦ 

Certified Medical Examiners

Driver Medical Cards

- May 2013, FMCSA issued a proposed rule to require medical examiners to electronically transmit the medical examination results to FMCSA who will, in turn, transmit them to the State Licensing Agencies (DMVs). Currently the driver and/or the employer are submitting the medicals certificates to their SLAs themselves. This proposed rule is expected to reduce medical fraud and driver burden.
- In January 2014, FMCSA again extended the deadline after which drivers will no longer be allowed to use their medical card to prove medical qualification at roadside because some states were not yet prepared for the process. Driver should continue to possess a physical copy of their valid medical card until January 30, 2015.
- Effective May 21, 2014, drivers will have to choose a Medical Examiner from a list of certified examiners approved by FMCSA. Industry is concerned that there are not enough certified examiners available, especially in rural traditionally underserved areas. Industry may ask for a delay, but FMCSA says there are enough.