



Federal Motor Carrier Safety Administration (FMCSA) Final New Rule on Insulin-Treated Diabetes FREQUENTLY ASKED QUESTIONS

What does it mean that there's a new FMCSA diabetes rule?

On September 19, 2018, the U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA) published in the Federal Register a [Final Rule on Diabetes](#). This was the final step in a multi-year rulemaking process to update the rules applying to medical certification of interstate commercial drivers with diabetes.

For the first time ever, people who operate commercial motor vehicles and have diabetes treated with insulin will be subject to rules that reflect modern diabetes management. The new rule represents the first update to the Federal Motor Carrier Safety Regulations on diabetes since 1970.

Why is the new rule important?

The new rule is important because it no longer contains a blanket exclusion against insulin use. Under the old rule, people with insulin-treated diabetes were prohibited from operating commercial motor vehicles unless they had obtained a diabetes exemption from the federal government. In adopting this new rule, the federal government sends an important message that people with diabetes can safely operate commercial motor vehicles.

When does the new rule go into effect?

The new rule takes effect on November 19, 2018.

Who does the new rule apply to?

The new rule applies to any individual with insulin-treated diabetes who operates a commercial motor vehicle in interstate commerce. This includes most truck and bus drivers, operators of airport shuttles, delivery vehicles, construction vehicles, and many more. It covers commercial drivers who cross state lines as well as some who do not.

What happens if I hold a diabetes exemption from FMCSA?

Once the new rule becomes effective, the Diabetes Exemption Program will cease. Individuals who hold a diabetes exemption will seek Department of Transportation medical certification under the new rule, which requires an assessment by a treating clinician and an evaluation by a medical examiner listed on the [National Registry of Certified Medical Examiners](#).

Because the culmination of the Diabetes Exemption Program is the issuance of a 2-year medical certificate, it is believed those certificates will remain valid until their expiration date, at which time the individual will need to seek certification under the process set forth in the new rule.

How do I get certified now?

Individuals with insulin-treated diabetes seeking medical certification today should wait until the November 19th effective date. If you are in the process of seeking renewal for a diabetes exemption, contact the Federal Motor Carrier Safety Administration at FMCSAMedical@dot.gov or 1-800-832-5660 for guidance.

Is there special paperwork needed with the new rule?

Yes. Once the new rule becomes effective, individuals seeking medical certification will start the process by obtaining an assessment from a treating clinician. The treating clinician will complete new form MCSA-5870, Insulin-Treated Diabetes Mellitus Assessment Form. This form is then provided to the medical examiner who completes the medical certification process.

Are there any limits or restrictions under the new rule?

The new rule contains no categorical limitations or restrictions on the type of vehicle, endorsement, time or location, or other conditions under which an individual with insulin-treated diabetes may operate a commercial motor vehicle.

The rule applies to operation in interstate commerce.

What are the new rule's medical criteria?

The new rule requires an assessment by a treating clinician, who must certify that the individual has a "stable insulin regimen" and "properly controlled insulin-treated diabetes." The treating clinician is given discretion to determine whether a particular individual meets these criteria.

Do I need an A1C below 10% to be certified?

No. The new rule contains no requirement for a specific A1C level. A1C values may be used as a factor in the treating clinician's assessment but should not be the sole measure.

Can I drive if I have complications of diabetes?

The new rule deems severe non-proliferative diabetic retinopathy or proliferative diabetic retinopathy to be permanently disqualifying.

Other diabetes complications should be assessed by the treating clinician based on an individual assessment and the severity of symptoms. A complication becomes a disqualifying factor only if it impairs the individual's ability to operate a commercial motor vehicle safely.

How often will I need to be re-certified under the new rule?

The maximum period of medical certification under the new rule is 12 months.

In what states does the new rule apply?

The new rule applies in every state and U.S. territory.

What becomes of my state waiver?

Individuals holding a medical waiver from their state should consult their state licensing agency to determine if any changes are needed. It is anticipated that many states will soon update their laws to reflect the new rule.

Individuals holding an intrastate waiver are still limited to operation within the issuing state until receipt of an interstate medical certificate.

Where can I find more information about the new rule?

You can access a copy of the new rule by visiting:

<https://www.fmcsa.dot.gov/regulations/rulemaking/2018-20161>

Read the ADA's statement about the new rule by visiting: <http://www.diabetes.org/newsroom/press-releases/2018/advocacy-commercial-drivers-final-rule.html>

Information about commercial driving with diabetes, including updates on the new rule, will be posted at www.diabetes.org/CDL

How do I get help with my commercial driver's license?

If you are facing discrimination because of your diabetes, related to a commercial driver's license or to any other aspect of employment, at school, in detention or in other aspects of your daily life, contact the ADA at 1-800-DIABETES (800-342-2383) or AskADA@diabetes.org to get help.

Need help with a discrimination issue? Have questions about your legal rights? The ADA can help. If your issue is within our areas of service, you will receive tailored legal information and guidance from our attorneys. Although our attorneys cannot represent you, they can help you understand your rights and give you practical tools to solve your problem. If needed, they may be able to help you find a local attorney.