

Mr. Breiner,

Good morning and thank you for the opportunity to have you review our concern regarding your Motor Carrier Rules and Regulations.

We, the Nebraska Academy of Physician Assistants (NAPA), after reviewing your medical exam section (of "Chapter 3; Motor Carrier Rules and Regulations") have found an opportunity to assist the NPSC. Specifically, the clarification of rule, "**005.02 Medical Certificate**" we would like to extend a professional concern and propose an amendment to this rule. (Included below)

005.02 Medical Certificate: Each motor carrier shall have [D] in its <D] [A] on <A] files a certificate of physical examination signed by a licensed physician for every driver in its employment, attesting that the physician has examined the driver [D] and found him <D] to meet the requirements in 005.01 [D] of this article <D] . Such [D] certificate will <D] [A] certification shall <A] be renewed [D] at least <D] [A] no less than <A] every [A] two <A] [D] four <D] years. Physical certificates obtained pursuant to [A] federal <A] regulations [D] of the Interstate Commerce Commission <D] [A] shall <A] meet the requirements of this section.

We would suggest the addition of "*licensed physician assistant*" along with a "*licensed physician*" to sign the certificate of physical examination to qualify a driver for employment.

The demand to maintain a healthy workforce is a priority in every business. Upholding these standards becomes difficult to meet with today's evolving healthcare guidelines. The importance of rewriting the chapter to update your new rules and regulations shows the initiative to be in the forefront for businesses and their drivers' safety and health.

Currently, in the state of Nebraska, physician assistant(s) are and can perform these examinations under the federal regulations of the Interstate Commerce Commission. Amending this correction will assist in the clarification of this rule, decreasing confusion by facilities that offer these examinations and thus allowing drivers' greater access to providers to perform this physical examination.

Many federal and state laws already recognize a PA's ability to evaluate the health of students, other health professionals, members of the armed forces, law enforcement officials, and school bus drivers. You may read more about PA practice in this area in an American Academy of Physician Assistants Issue Brief, titled "The Role of Physician Assistants in Evaluating and Certifying Health Status." It should also be noted that the Federal Motor Carrier Safety Administration already permits PAs to evaluate and certify the health status of commercial drivers.

We appreciate your time and attention with this proposed amendment to your rule, and look forward to answering any questions you may have regarding this amendment.

Respectfully,

Kurt Schmeckpeper, MS, MPAS, PA-C
NAPA – Board of Director @ Large

"The Role of Physician Assistants in Evaluating and Certifying Health Status."

http://www.aapa.org/uploadedFiles/content/The_PA_Profession/Federal_and_State_Affairs/Resource_Items/SL_EvaluatingHealthStatus_v3.pdf