

Flight Attendant Alert: Proposed Changes to DOT Testing

Background

DOT has issued a notice that it is proposing to add four (4) commonly prescribed medications to its testing program. These 4 medications fall under a category of drugs known as opioids. They include:

- Hydrocodone (example: **Vicodin, Lortab, Lorcet, Maxidone, Norco, Zydone**)
- Hydromorphone (example: **Diluadid, Exalgo, Hydromorph Contin, Palladone**)
- Oxycodone (example: **Percocet, Percodan, OxyContin, Roxicodone, Endocet, Xtampza, OxylR**)
- Oxymorphone (example: **Opana, Numorphan**).

Opioid medications are typically prescribed for the management of pain after injury, surgery, dental procedures and diagnosis of a medical illness with painful symptoms. The new DOT rule is projected to take effect sometime after October 1, 2017.

ISSUE

Once DOT expands testing to include these prescribed pain killers, Flight Attendants on valid and non-expired opioid prescriptions will have their test results verified by a medical review officer (MRO) as “negative”. However, under DOT rule 49 CFR Part 40, Section 40.327, Flight Attendants who use these medications could be at risk of being reported to the company as a “safety risk” under the below DOT rule. After a Flight Attendant’s employer is informed that a Flight Attendant’s use of a medication poses a “safety risk”, DOT regulation does not specify what actions the employer must or may follow thereafter. DOT regulation also does not currently define for MROs what constitutes a valid and non-expired prescription.

DOT Rule 49 CFR Part 40 Section 40.327

(a) As the MRO, you must, except as provided in paragraph (c) of this section, report drug test results and medical information you learned as part of the verification process to third parties without the employee's consent if you determine, in your reasonable medical judgment, that:

(1) The information is likely to result in the employee being determined to be medically unqualified under an applicable DOT agency regulation; or

(2) The information indicates that continued performance by the employee of his or her safety-sensitive function is likely to pose a significant safety risk.

(b) The third parties to whom you are authorized to provide information by this section include the employer, a physician or other health care provider responsible for determining the medical qualifications of the employee under an applicable DOT agency safety regulation, a SAP evaluating the employee as part of the return to duty process (see §40.293(g)), a DOT agency, or the National Transportation Safety Board in the course of an accident investigation.

(c) If the law of a foreign country (e.g., Canada) prohibits you from providing medical information to the [employer](#), you may comply with that prohibition.

Resources to Help You Balance Safety and Medication

There are a number of resources under the Flight Attendant Drug and Alcohol (FADAP) Website (www.FADAP.org) to help you balance safety and the use of prescription medications including the proposed 4 new medications for which DOT will test.

Medication Safety Film for Flight Attendants: Preview this short film to understand the safety issues and best practices around medication use by Flight Attendants.

Medication and Flying Article “What Medications Can I Take While Flying?” Read this 3 page article to get a more rounded understanding of the issues surrounding medication use by Flight Attendants and best practices.

“Flight Attendant Essential Job Functions” Wallet Card : There is no list of DOT banned prescriptions for flight attendants, other than prescription marijuana. The decision of what medications (including dosage, frequency and timing of use in relation to your work schedule) which you can take and safely perform your Flight Attendant duties is generally determined by your health care provider. To help you inform your provider of your safety sensitive duties, provide your health care provider with your job description for incorporation into your medical file. You can also download wallet size lists of Flight Attendants’ essential job functions for your provider’s quick reference each and every time a medication is discussed.

Health Care Provider’s Medication Note: Should your health care provider prescribe a medication containing an opioid or amphetamine (both of which are detectable under DOT testing and could subject you to Section 40.327) have your provider sign this note for your submission just in case you are challenged about the safe use of the medication.

Have More Questions/Concerns?

The Flight Attendant Drug and Alcohol Program (FADAP) offers you and your family members confidential assistance around substance use related concerns. Contact your FADAP peer assistance program at 855-33-FADAP/ 855-333-2327.

