

PRESCRIPTION AND OVER-THE-COUNTER MEDICATIONS: STATE OF THE INDUSTRY

19th Annual National Rural Public & Intercity Bus Transportation Conference Burlington, VT

**Presented by:
Robbie L. Sarles**

October 25, 2010

History and Background

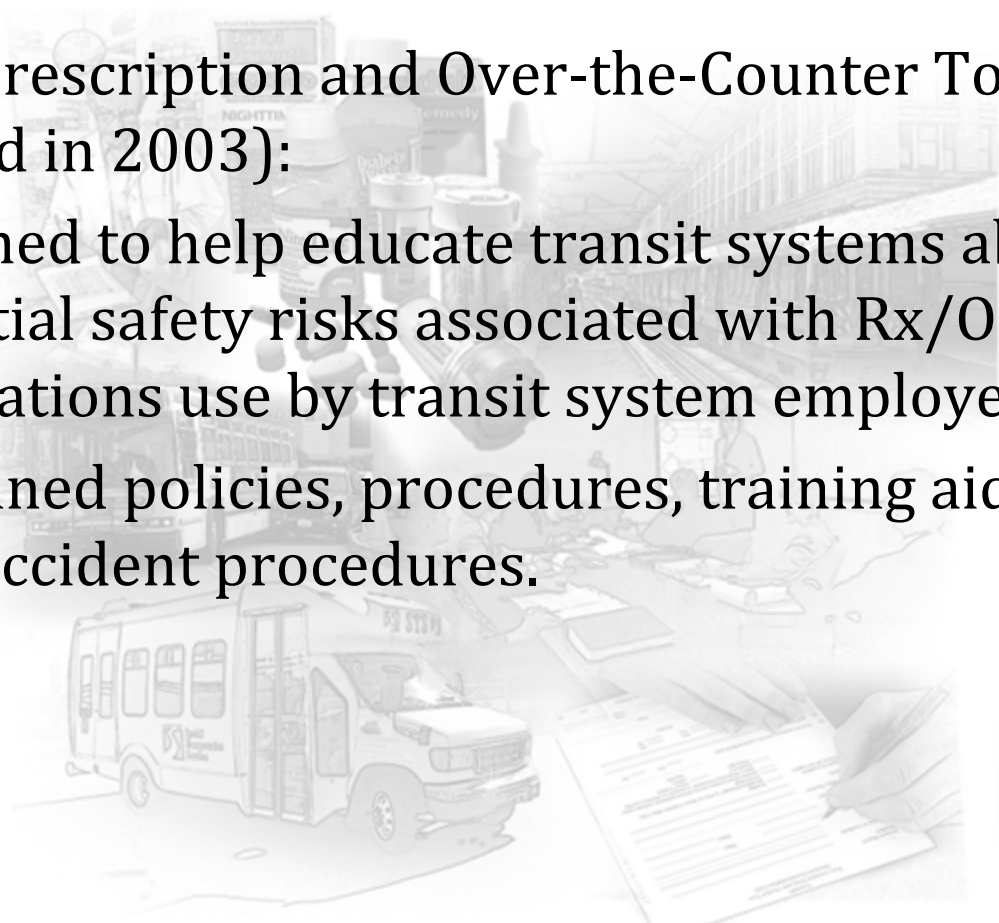
- ◆ The Challenge from FTA:
 - Following a NTSB directive, the FTA issued a challenge to all FTA grant recipients to:
 - Review policies related to employees' use of Rx/OTC medications that could potentially compromise public safety; and
 - Educate transit operators about the risks associated with the use of prescription and over-the-counter medications.



History and Background

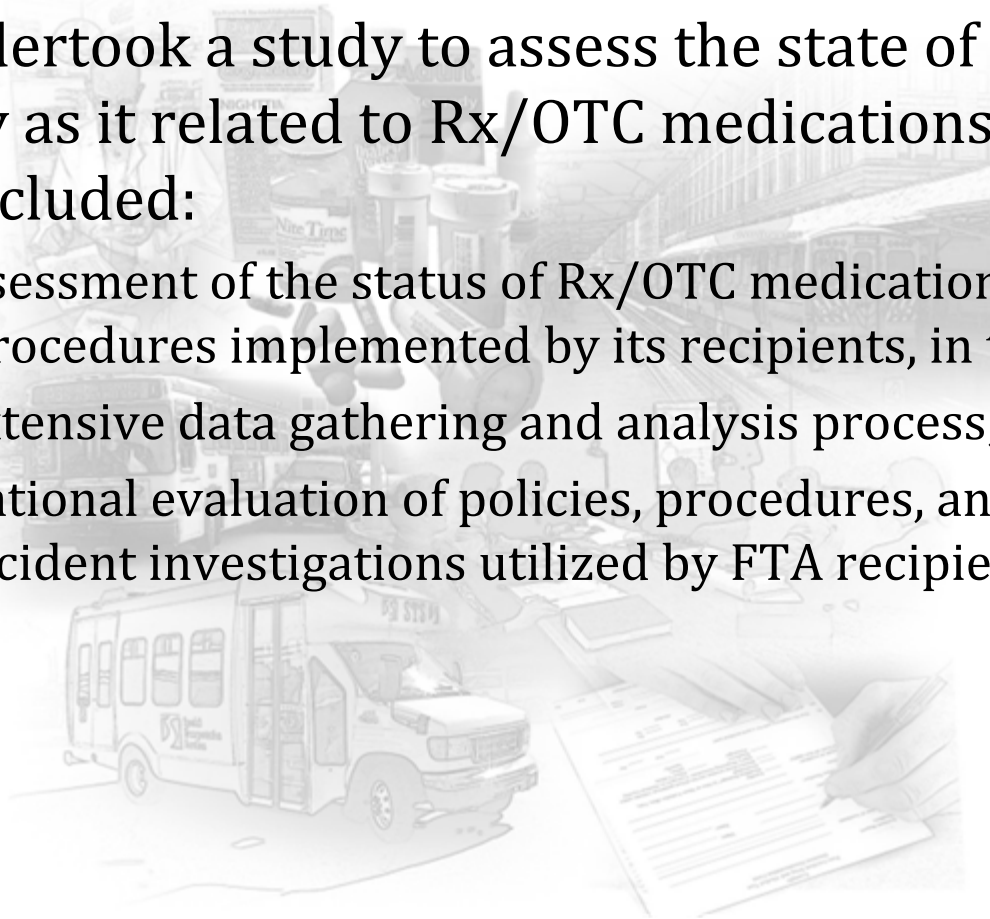
The FTA Prescription and Over-the-Counter Toolkit
(issued in 2003):

- ◆ Designed to help educate transit systems about the potential safety risks associated with Rx/OTC medications use by transit system employees
- ◆ Contained policies, procedures, training aids, and post-accident procedures.



Fast Forward to 2009

- ◆ FTA undertook a study to assess the state of the industry as it related to Rx/OTC medications. This study included:
 - An assessment of the status of Rx/OTC medications policies and procedures implemented by its recipients, in two parts:
 - Extensive data gathering and analysis process; and
 - National evaluation of policies, procedures, and post-accident investigations utilized by FTA recipients.



Fast Forward to 2009

Continued

- And finally, a complete update of the Rx/OTC Medication Toolkit, including:
 - Industry information collected as part of the Study and Assessment.
 - Best Practices being successfully implemented.
 - Rx/OTC Policies & Procedures;
 - Post Accident Investigation Procedures;
 - Implementing Forms;
 - Training Resources; and
 - Other References.

Study Methodology

- ◆ A three step approach was used to gather data:
- ◆ Step 1: Data Research
 - National Transit Database (NTD) Analysis
 - What accident data is already being collected?
 - How is it organized?
 - How are the accidents classified and defined?
 - How are, or are they, causal and contributing factors addressed?
 - Analysis of major and fatal accidents for the past three years.

Study Methodology

Continued

- **FMCSA Truck Causation Study**
 - National, Multi-Year Study
 - Mandated by Motor Carrier Safety Improvement Act of 1999 (MCSIA).
 - Conclusions
 - 967 Crashes were studied. Top 4 factors were driver related, not vehicle related (1. Rx drug use; 2. Traveling too fast; 3. Unfamiliar with road; 4. OTC drug use).
- **FTA Audit Findings**
 - Rx/OTC medication use addressed, but FFD left to employees, and little if any correlation between policies and impact on transit system safety.

Study Methodology Continued

◆ Step 2: Transit System Surveys

- Surveys were posted on FTA website.
 - Survey 1: Post Accident
 - Survey 2: Rx/OTC Policies
 - 329 systems completed at least one survey

◆ Step 3: Follow-up

- Transit System Interviews
 - All systems indicating an accident procedure identifying Rx/OTC medications as part of their investigation.

Prescription/Over-the-Counter (Rx/OTC) Post-Accident Survey

2. Post Accident Testing and Investigation

2. How many total accidents has your system experienced in CY 2005, 2006, and 2007? Please specify number. If no accidents occurred in a particular category, indicate zero (0).

Number of accidents that met FTA drug and alcohol testing criteria: _____

Number of accidents that met the National Transit Database (NTD) definition of Substance Abuse: _____

Number of accidents that met the National Transit Database (NTD) definition of Major Incident: _____

Number of accidents that met the National Transit Database (NTD) definition of Critical Incident: _____

3. Do you perform fitness for duty assessments of employees following major accidents (check all that apply)?

Do not conduct fitness for duty assessments.

Conduct medical assessment and employee fitness for duty evaluation only when the employee receives medical treatment during or after work.

Conduct a medical assessment and employee fitness for duty evaluation for all major accidents even when the employee did not receive medical treatment.

Address medical issues with employees during accident investigation procedures.

Address use of Rx medication with employees during accident investigation procedures.

Address use of OTC medication with employees during accident investigation procedures.

Address fitness for duty as part of return-to-work assessment.

Test for drugs in addition to FTA drug and alcohol test; please specify: _____

4. Describe your process for assessing post accident fitness for duty.

Prescription and Over-the-Counter Medication Policies and Procedures

2. Policies and Procedures

2. Which of the following best describes your transit system's prescription/over the counter (Rx/OTC) medication policy?

None or no policy.

Part of our organization's Substance Abuse Policy.

Covered under another area's policy.

Do not have an Rx/OTC policy.

3. Does your transit system require that employees report Rx medication use?

All use regardless of warning label: Yes No

Only use that has a warning label that indicates the medication may adversely affect motor skills, judgment, or mental functioning: Yes No

Do not require employees to report use: Yes No

4. Does your transit system require that employees report OTC medication use?

All use regardless of warning label: Yes No

Only use that has a warning label that indicates the medication may adversely affect motor skills, judgment, or mental functioning: Yes No

Do not require employees to report use: Yes No

5. If you require employees to report Rx medication use, who do they report to?

Report to supervisor: Yes No

Report to Human Resources Department: Yes No

Report to Company Medical Department: Yes No

Do not require employees to report: Yes No

Other (please specify): _____

6. If you require employees to report OTC medication use, who do they report to?

Report to supervisor: Yes No

Report to Human Resources Department: Yes No

Report to Company Medical Department: Yes No

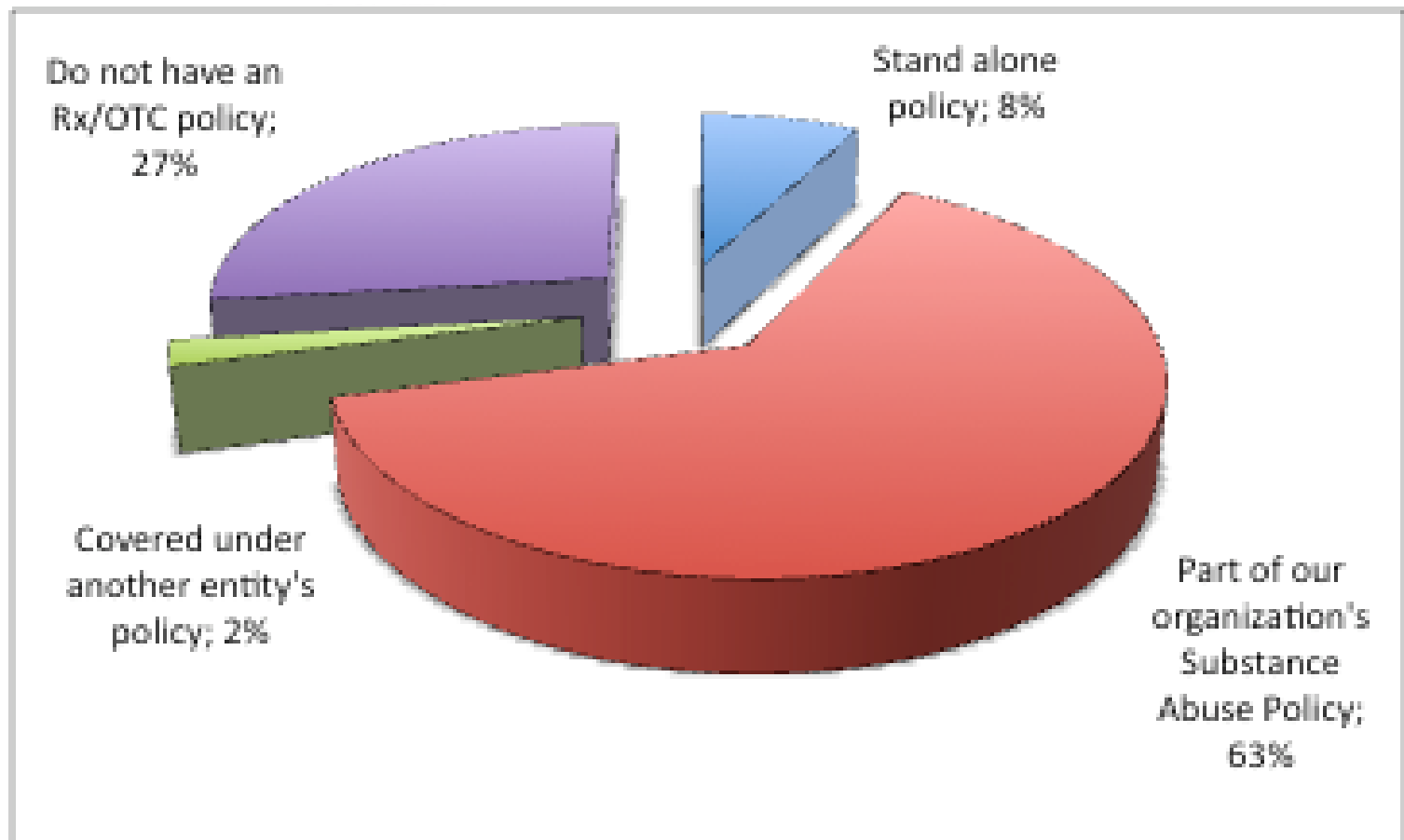
Do not require employees to report: Yes No

Other (please specify): _____

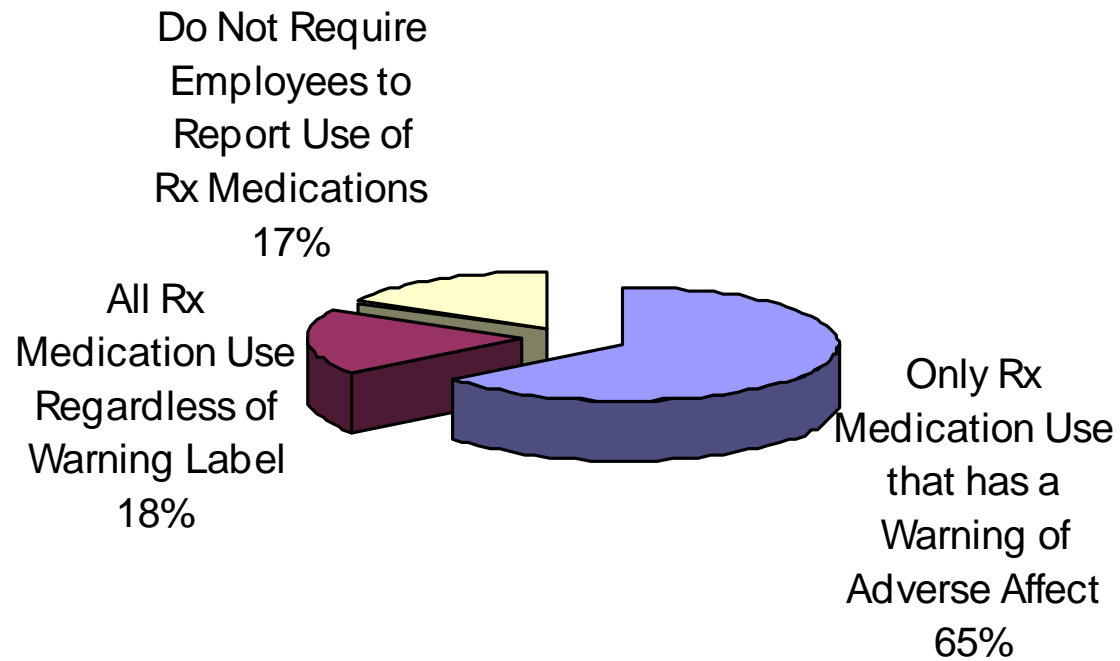


Survey Results

Rx/OTC Medication Use in Transit Policies and Procedures



Rx/OTC Reporting Requirements

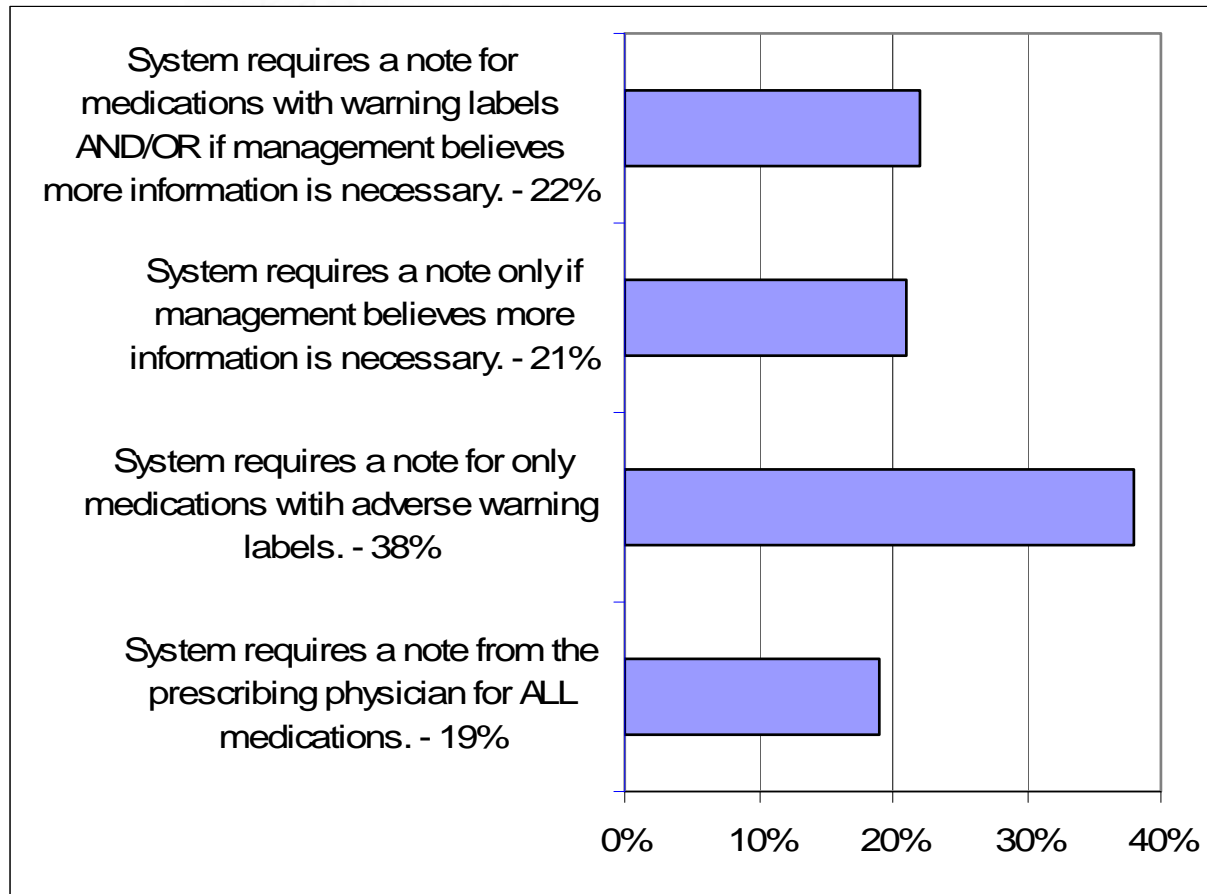


Fit for Duty?

- ◆ What is used to determine if an employee should continue to perform his/her safety-sensitive duties?
 - 60% use the prescribing physician's medical assessment.
 - 13% use the transit system's physician's medical assessment.
 - 13% use the management's common medical knowledge.
 - 4% use a physician's desk reference.
 - 10% use some other source.

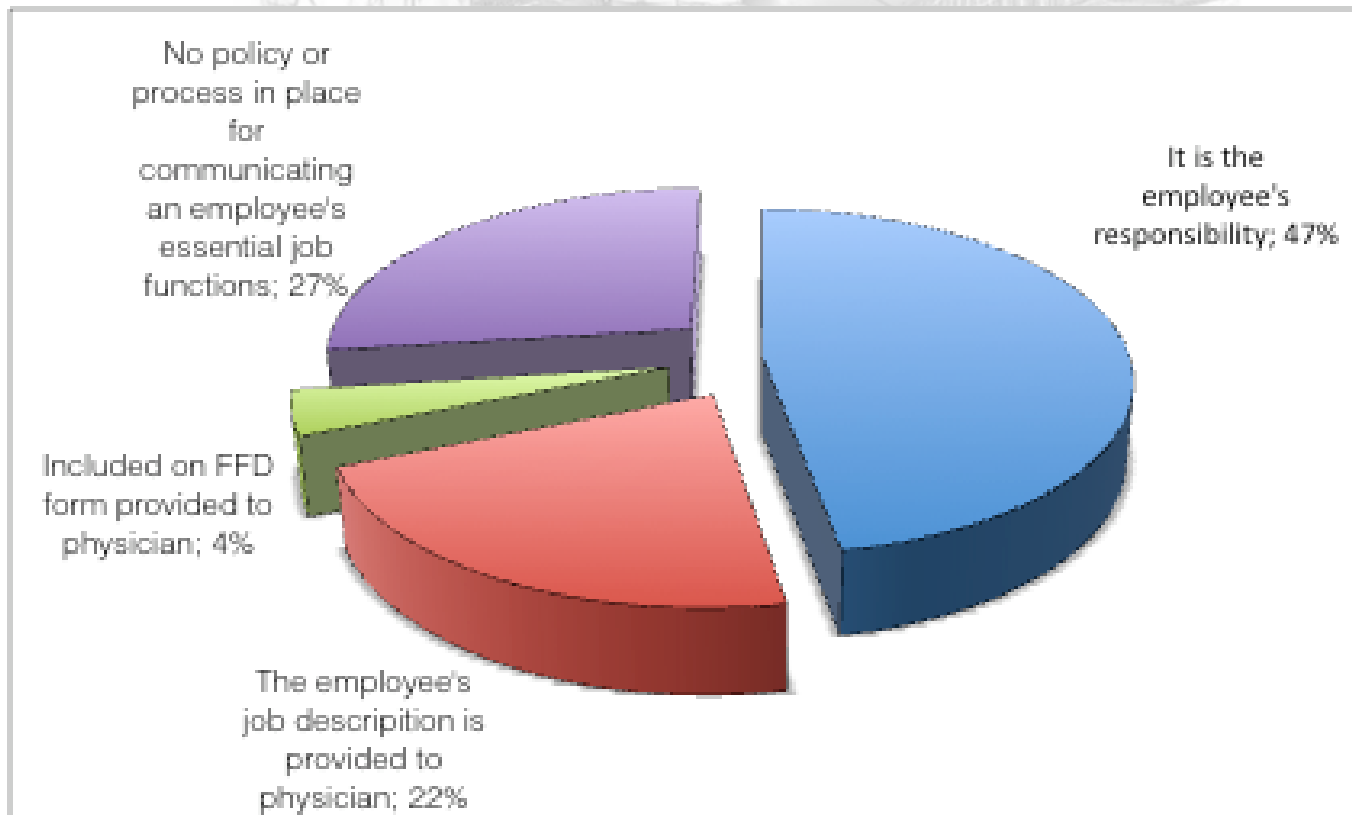


Notes from Prescribing Physicians

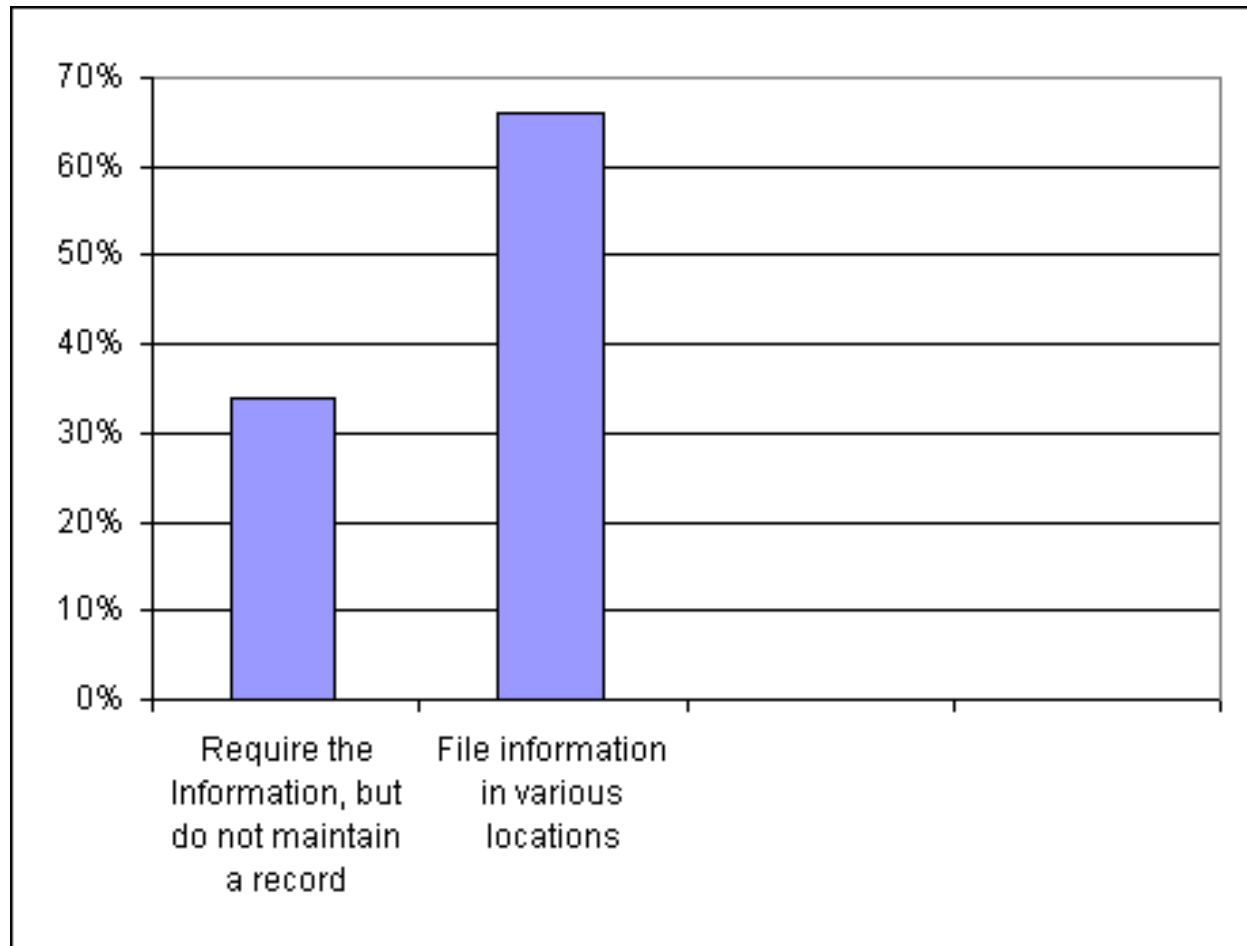


Communicating Job Duties with the Physician

Answers:



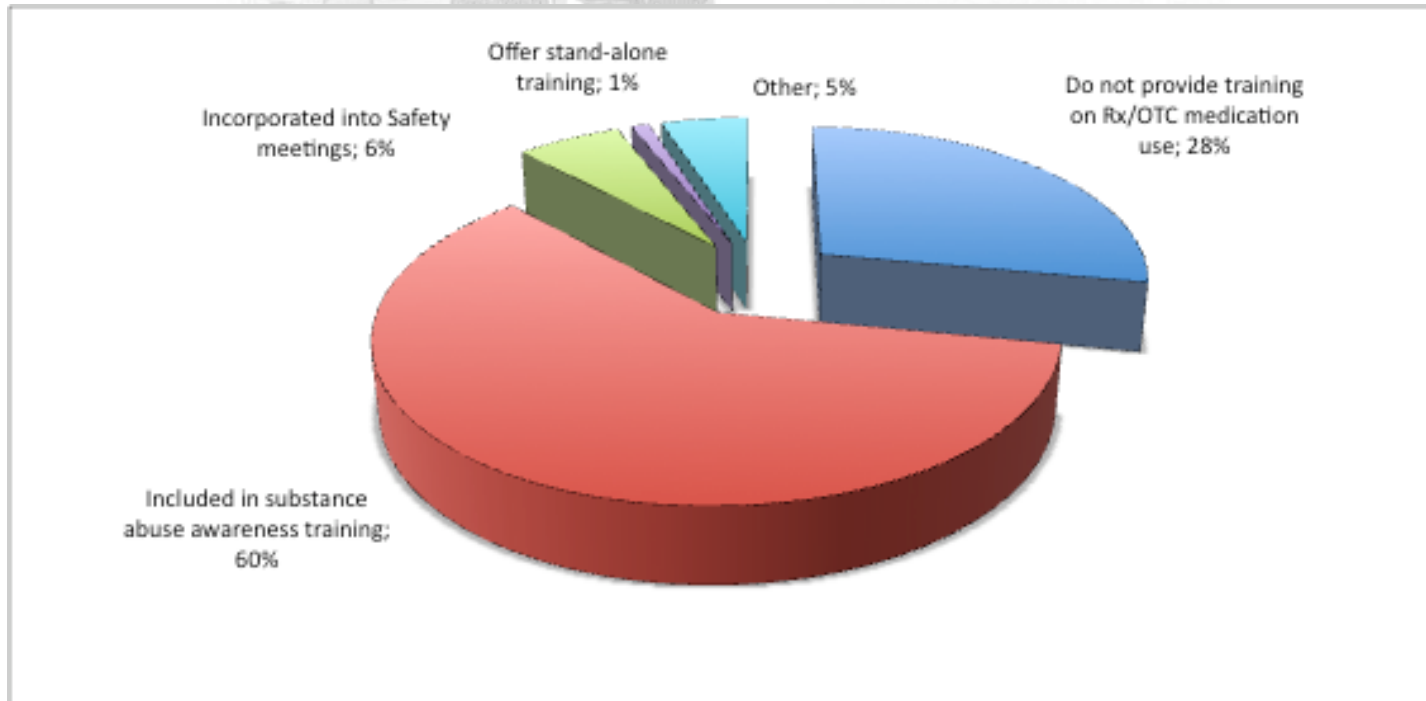
What Becomes of the Information?



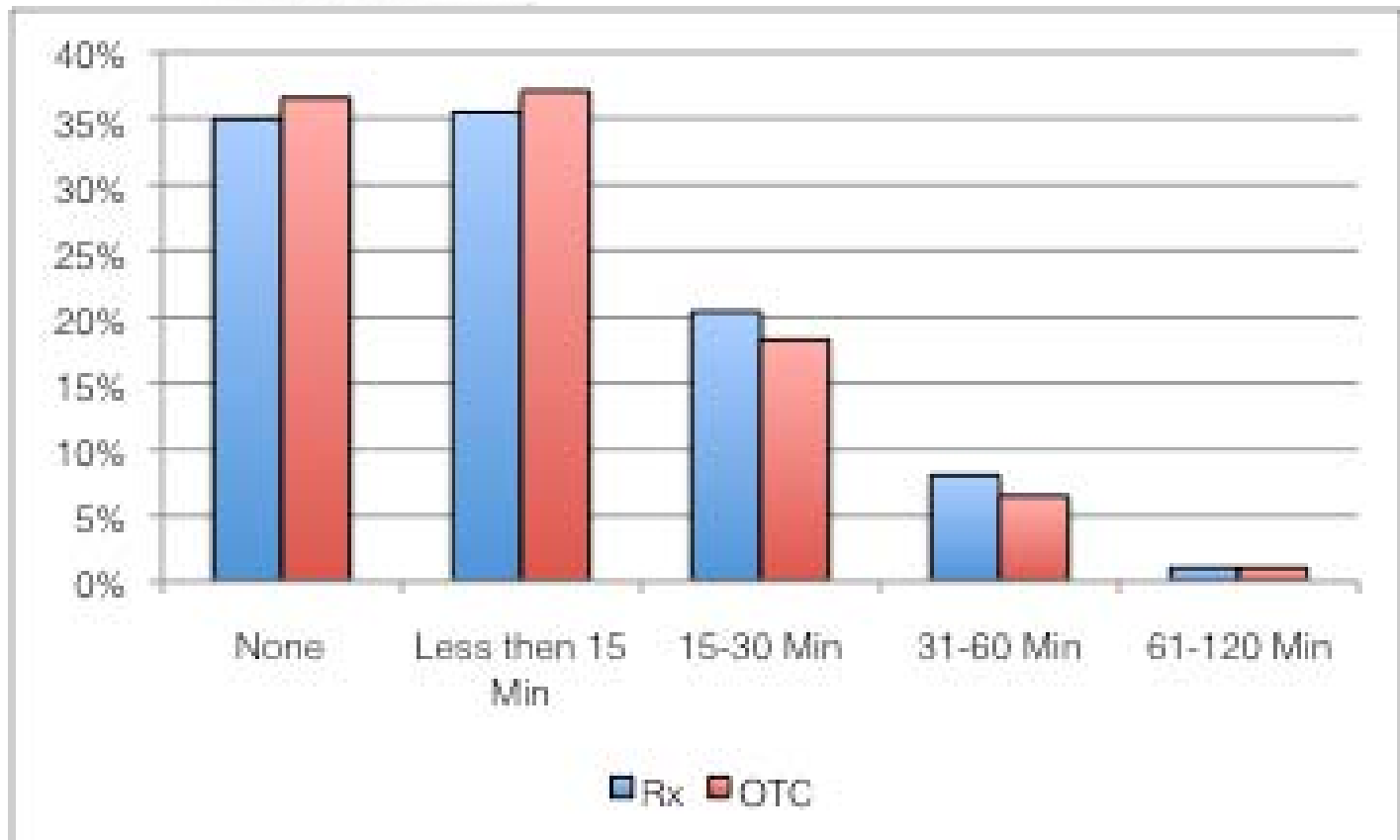
Employee Awareness Training



Training Approach

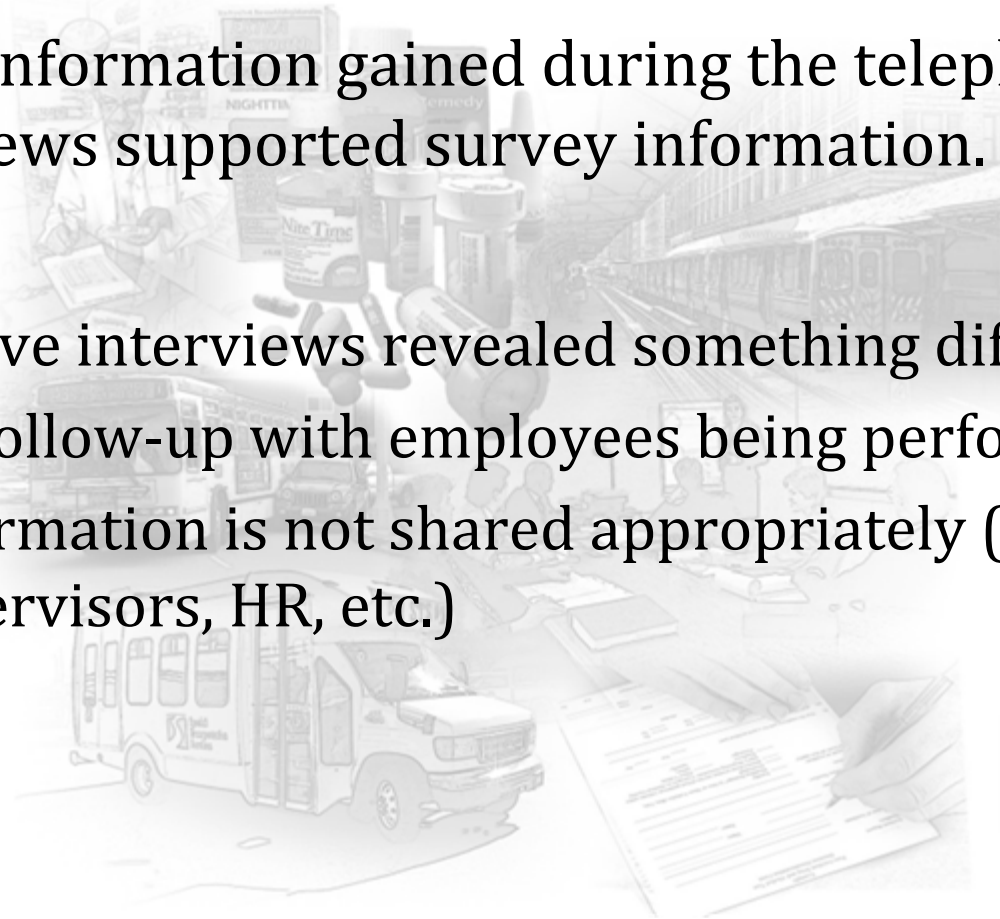


Time Spent on Rx/OTC Training



Policies/Procedures Survey Findings

- ◆ Initial information gained during the telephone interviews supported survey information.
- ◆ Probative interviews revealed something different.
 - No follow-up with employees being performed.
 - Information is not shared appropriately (with supervisors, HR, etc.)



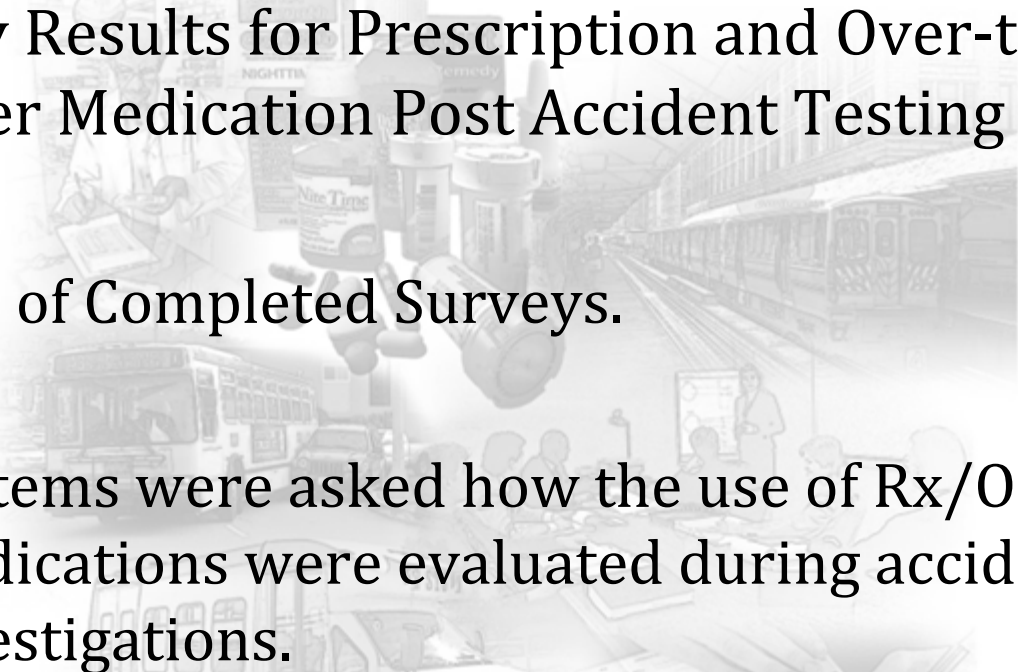
Policies/Procedures Survey Findings

- ◆ In reality, majority of transit systems are collecting Rx/OTC information, but are doing little if nothing with it.
- ◆ Combined with the number of systems that are not collecting information at all, result is an industry with only a small number of systems with an effective, proactive Rx/OTC safety program.

Post Accident Procedures Survey



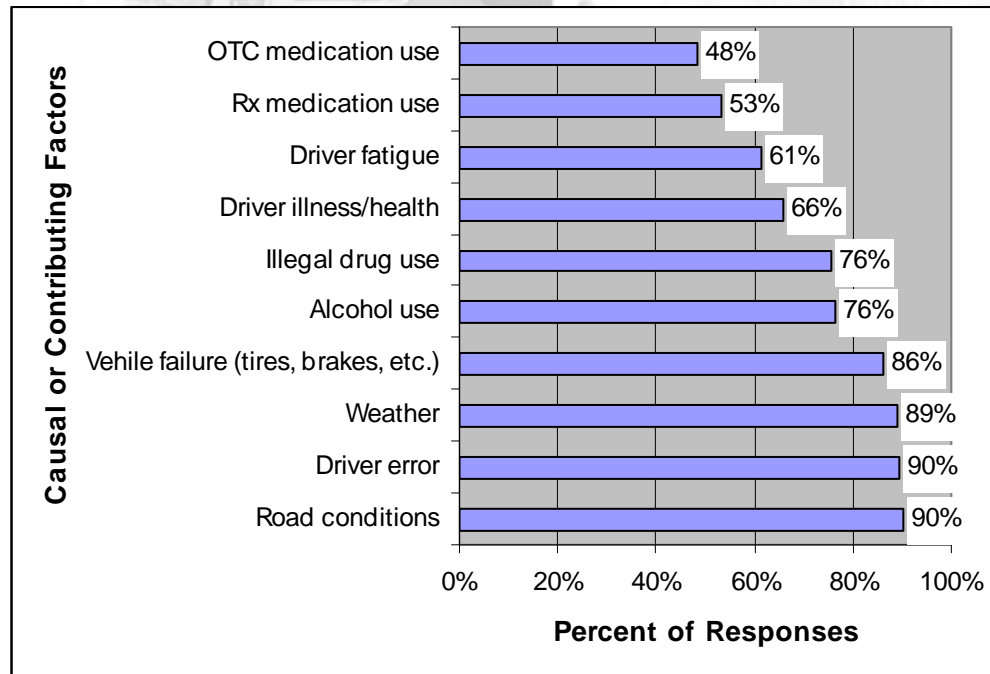
Post Accident Testing

- ◆ Survey Results for Prescription and Over-the-Counter Medication Post Accident Testing
 - 288 of Completed Surveys.
 - Systems were asked how the use of Rx/OTC medications were evaluated during accident investigations.
- 

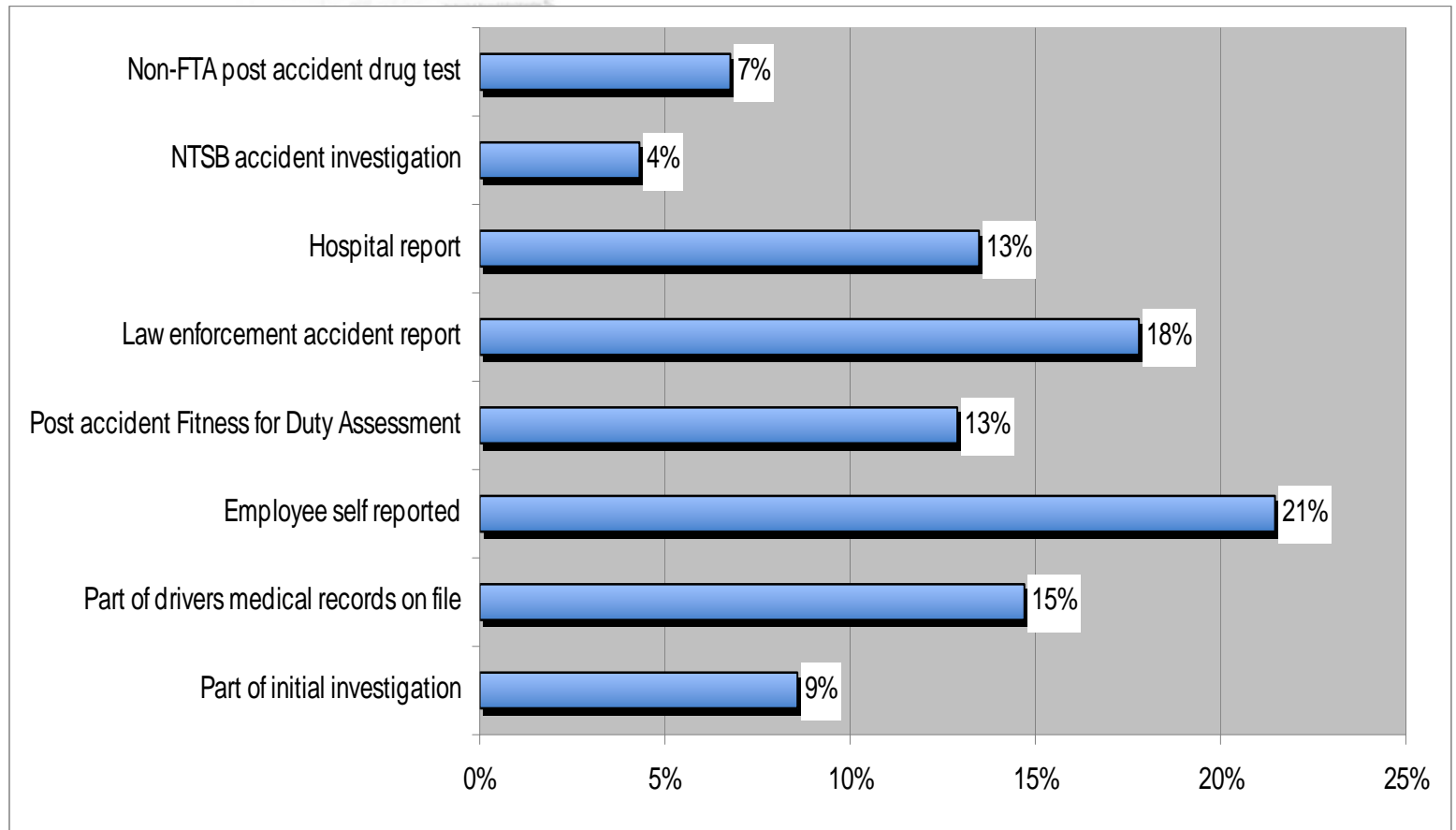
Post Accident Fitness For Duty

- ◆ **40%** Address medical issues with the employee during the actual accident investigation.
- ◆ **38%** and **40%** Address use of Rx/OTC (respectively) medications with employee during accident investigation procedure.
- ◆ **11%** Address fitness for duty as part of Worker's Compensation assessments.

Causal or Contributing Factors



Post Accident Causal Determination



Post Accident Investigation Survey Summary and Follow-up

- ◆ Conclusions were difficult to draw.
- ◆ Responses were contradictory.
 - 38% & 40% (for Rx and OTC, respectively) of respondents address Rx/OTC medications during accident investigations, but 48% and 53% consider Rx/OTC medications as causal and contributing factors.

Post Accident Survey Summary and Follow-up

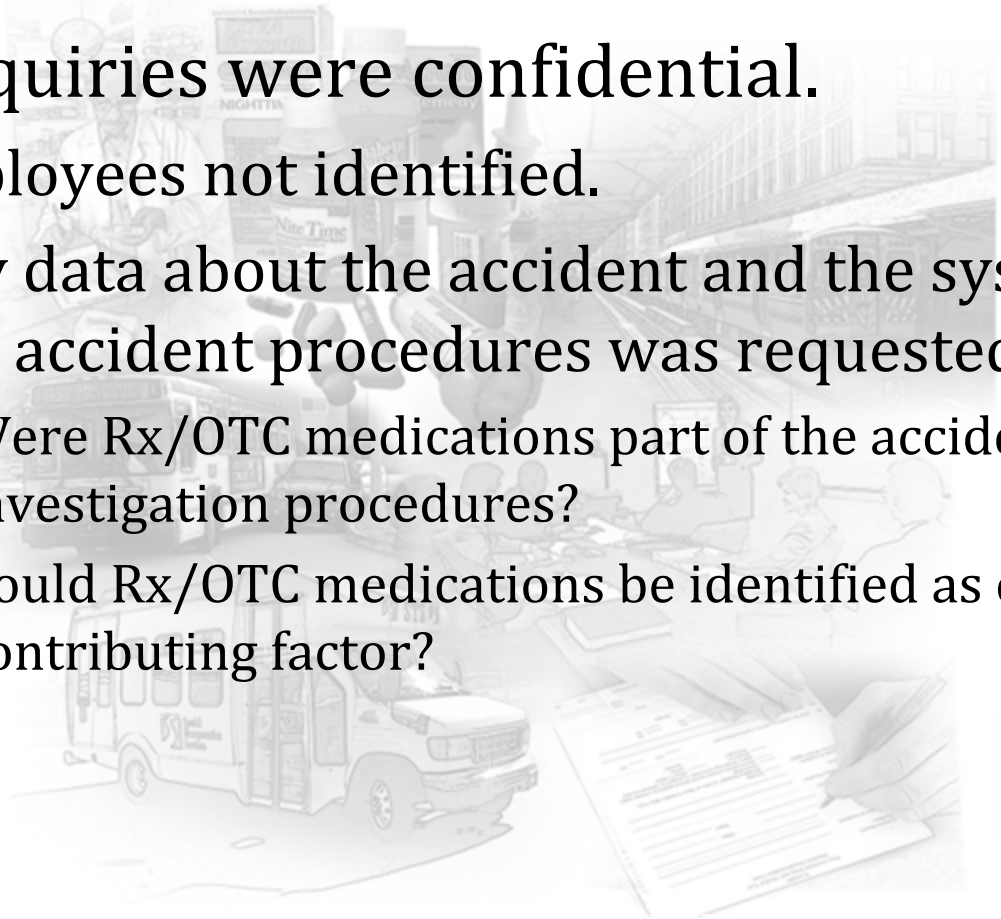
- 44% of respondents conduct a medical and fitness for duty assessment for all major accidents, but only about 15 percent, used a medical assessment or FFD investigation to determine if Rx/OTC medications were a causal or contributing factor on the 2005-2007 reported accidents.

Post Accident Survey Summary and Follow-up

- ◆ Additional analysis necessary before any conclusive determinations could be made regarding the impact of Rx/OTC medication use on transit system safety.
- ◆ FTA made the decision to use actual NTD accident data to allow for this analysis.

Follow-up with Accident Data

- ◆ All inquiries were confidential.
 - Employees not identified.
 - Only data about the accident and the system's post accident procedures was requested.
 - Were Rx/OTC medications part of the accident investigation procedures?
 - Could Rx/OTC medications be identified as causal or contributing factor?



2008 NTD Accident Data Analysis

- ◆ 366 accidents (represented 106 separate transit systems) randomly selected; data verified for 246 of these.
- ◆ Rx/OTC medication use information was available for 113 of the accidents reviewed; 31 of these revealed Rx/OTC medication use by an employee involved in the accident.
 - Next step was to analyze the medications being taken by the employees involved in each of the accidents.

Rx/OTC Medications Identified

- ◆ Sixty-four (64) separate medications were reported, ranging from Aspirin, Tylenol, and nutritional supplements to Antidepressants, Antihistamines, and Anticonvulsants.
- ◆ Two cases of Benzodiazepine use.
- ◆ Medical conditions ranged from chronic pain, anxiety, and depression, to bipolar disorder, hyperglycemia, hypertension, and seizure disorder.

Rx/OTC Medications Identified, Continued

- ◆ Common side effects ranged from dizziness and drowsiness to blurred vision, confusion, impaired judgment, anxiety, and sedation.
- ◆ About half of the drivers were taking multiple medications.
 - In itself, does not increase risk.
 - Does increase potential for drug to drug interaction.
- ◆ Large disparity between the survey data reported and what the follow-up interviews revealed.

Conclusions

- ◆ Rx/OTC medication use is impacting transit system safety.
- ◆ Without an FTA mandate, little meaningful monitoring of Rx/OTC medication use will take place in the industry as a whole.
- ◆ Some transit systems did take FTA's strong recommendation seriously and proactively addressed Rx/OTC medication use.

Best Practices



Indiana DOT Model Fitness for Duty Program

- ◆ INDOT developed a model FFD program for all Indiana Section 5311 systems. Three components:
 - Fitness for Duty Physicals and Assessments for all safety-sensitive employees as condition for employment (performed by FFDO).
 - Stand-alone Rx/OTC Medication Policy and Implementation Procedures, separate from FTA Drug and Alcohol Testing Policy.
 - Accident Investigation Procedures which address Rx/OTC medication use.

INDOT Model FFD Program Continued

- Requires FFD assessment and ten-panel drug testing for qualifying accidents defined as accident in which there is loss of life or injury requiring immediate medical attention away from the scene.
- Statewide TPA contract issued for FFDO services; transit systems enter into individual contracts.
- Contract and Model Program administered and monitored through the Indiana RTAP Program.

FFD Physicals

- Physical examinations for all safety-sensitive employees or applicants for safety-sensitive positions in certain circumstances, including:
 - as part of the hiring process;
 - as a result of compliance with the Indiana Prescription and Over-the-Counter (Rx/OTC) Medication Policy;
 - safety-sensitive employees returning from extended absences of 90 or more consecutive days; and
 - following a qualifying accident.



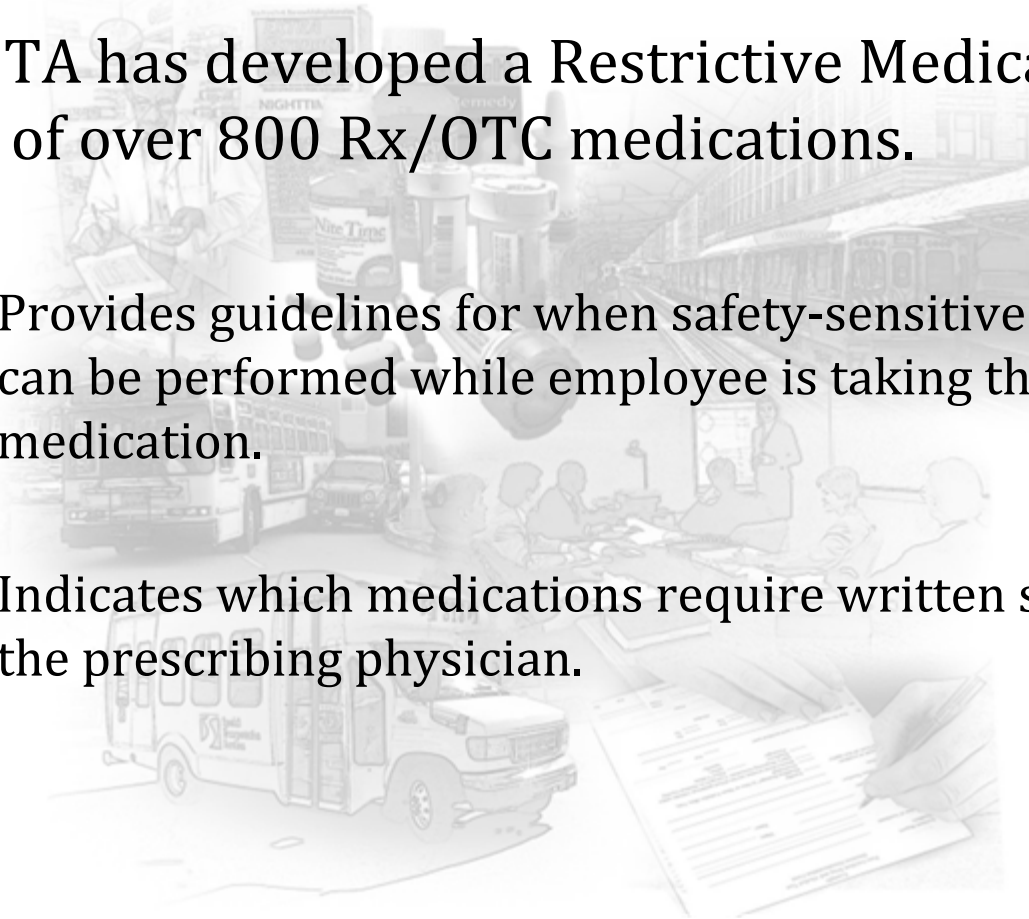
Metropolitan Boston Transit Authority (MBTA)

- ◆ Large urban transit system in Boston, MA.
- ◆ 5,108 safety-sensitive employees; 2,777 vehicles; Unionized.
- ◆ MBTA investigators complete an “observations of employee’s physical condition” form after every accident.
- ◆ MBTA conducts a fitness-for-duty evaluation for accidents that meet certain criteria.
- ◆ Ten-panel drug testing is performed after accidents under their own authority on safety-sensitive and non-safety-sensitive employees, if probable cause exists.

MBTA

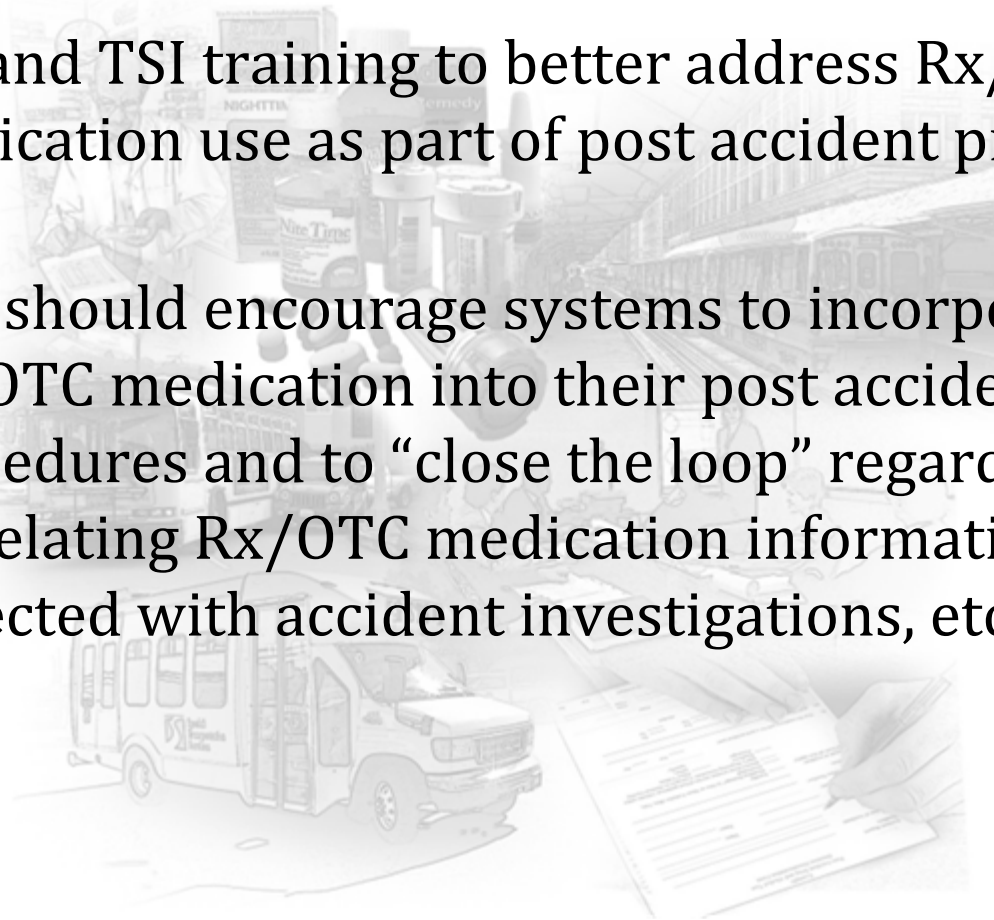
Continued

- MBTA has developed a Restrictive Medication Use list of over 800 Rx/OTC medications.
 - Provides guidelines for when safety-sensitive functions can be performed while employee is taking the medication.
 - Indicates which medications require written sign-off from the prescribing physician.



Recommendations

- Expand TSI training to better address Rx/OTC medication use as part of post accident procedures.
- FTA should encourage systems to incorporate Rx/OTC medication into their post accident procedures and to “close the loop” regarding correlating Rx/OTC medication information collected with accident investigations, etc.



Recommendations

Continued

- Using training and technical assistance, help physicians better understand what transit fitness for duty involves and to make better assessments.
- Recommend that all systems develop a fitness for duty policy that mimics CDL and use agency physician for making fitness for duty assessments re: Rx/OTC medications.
- Encourage systems to require employees to provide notification of Rx/OTC medication use as part of their Rx/OTC medication policy.

Recommendations

Continued

- Encourage systems to use a Fitness for Duty form in communicating information to physicians and address consequences or violating notification policy.
- Require systems to incorporate attendance policies that address Rx/OTC use in their policies.
- Require/encourage systems to expand 5 panel test to 10+2 under their own authority for major/fatal accidents.
- Review Recommendations/Conclusions from Simulator Study and incorporate as appropriate.