U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

ORDER ND 8500.1D

Effective Date:
7/10/2007

SUBJ: Airman Medical Certification – Disqualification Procedures

1. Purpose of This Order. This order prescribes procedures for disqualifying an individual who holds or is applying for an airman medical certificate in accordance with Title 14 of the Code of Federal Regulations part 67 (14 CFR part 67).

2. Audience. Any individual who holds or is applying for an airman medical certificate.

3. Where Can I Find This Order. You can find this order on the MYFAA Employee website: https://employees.faa.gov/tools_resources/orders_notices/.

4. What This Order Cancels. FAA Order 8500.1C, Airman Medical Certification – Disqualification Procedures, dated March 31, 1998, is cancelled by the issuance of this order.

5. References.

a. Title 49 United States Code (U.S.C) sections (§§) 106(f-g), 44701(f), 44702- 44703, 44709 and 40113(a).

b. 14 CFR part 67

c. Document Imaging Workflow System (DIWS) which stores the agency medical file.

d. Guide for Airman Medical Examiners at:
http://www.faa.gov/about/office_org/headquarters_offices/avs/offices/aam/ame/guide/

6. Explanation of Policy Changes. This revision includes the following changes:

a. Defines the Federal Air Surgeon (FAS), Manager, AAM-300 and Regional Flight Surgeons (RFSs) as "authorized officials" in accordance with §67.407(c).

b. Clarifies procedure for affirmed certificate holders when medical qualification is in doubt of §67. 413(a).

c. Adds deadlines for response to letters requesting additional medical information; eliminated timeliness paragraph.

d. Eliminates representation of the Federal Aviation Administration letterhead.

e. Eliminates reference to letter templates in the Aeromedical Certification Reference Manual. Letter templates are found in DIWS.

f. Changes the requirement to prepare a medical file abstract for the FAS to enter a case summary note in the agency electronic medical file.

g. Adds Authorization and Delegation of Authority section to consolidate all authorizations and delegations of authority in one section.

7. Authorizations and Delegation of Authority. The general and specific authorities of the Administrator are in accordance with 49 U.S.C. §§ 106(g), 40113(a), 44701- 44703, and 44709.

a. The Administrator may:

(1) Issue or deny an airman medical certificate in accordance with 49 U.S.C. §§ 44702 and 44703; issue and withdraw Authorizations for Special Issuance of a Medical Certificate and Statements of Demonstrated Ability (SODAs) in accordance with 44701(f).

(2) Reconsider the action of an Aviation Medical Examiner (AME) in accordance with 49 U.S.C. § 44702.

(3) Re-examine the medical qualifications of an airman holding an affirmed certificate, and on the basis of a disqualifying medical cause issue an order in accordance with 49 U.S.C. § 44709 amending, modifying, suspending, or revoking a certificate after its issuance.

b. The Administrator may delegate authority in accordance with 14 CFR part 67.407.

(1) Issue or deny medical certificates: delegated to the FAS, to authorized representatives of the FAS within the FAA and to AMEs.

(2) Reconsider the actions of AMEs: delegated to the FAS, the Manager of the Aerospace Medical Certification Division (AAM-300), and RFS, who all are defined as authorized officials in subparagraph (c).

(3) Re-examine airman to determine qualification to continue to hold an airman medical certificate: delegated to authorized officials in the FAA (see 7.b.(2) above).

c. The FAS to issue, renew, deny, and withdraw Authorizations and SODAs is delegated to the FAA authorized officials in accordance with §67.401(h).

8. Denials. A denial of a medical certificate must be supported by sufficient documentation to justify the basis for the denial. Documentation includes the information supplied on the medical application FAA Form 8500-8, results of the physical examination recorded on Form 8500-8, any supplemental medical records or other information supplied by the airman in support of his or her medical application, and information from any reliable and identifiable source such as reports of investigation, police reports, court records, National Driver Register, etc. Documents that contain obviously

inaccurate or illegible information, or information in a foreign language, must be returned to the information source for clarification or translation before a certification decision is made.

a. Denial by an AME. If the applicant does not meet the medical standards of part 67, the AME may deny or defer issuance of a medical certificate. A sample denial letter is in the AME Guide. A denial by an AME is not a final FAA denial action and is subject to reconsideration by the Manager of AAM-300, RFS, or the FAS.

b. Denial by Authorized Officials. If the applicant does not meet the medical standards of part 67, authorized officials may, based upon case review:

(1) Deny issuance of a medical certificate and issue the applicable denial letter;

(2) Request additional information;

(3) Issue a medical certificate in accordance with the special issuance provisions of §67.401(h).

c. Reversal of Issued Certificate. Authorized officials may reverse the issuance of a medical certificate issued by an AME within 60 calendar days of issuance. During the 60 day period, an authorized official may request additional medical information from the airman. Within 60 days of the receipt of the requested information, an authorized official may request further information or reverse the issuance of the medical certificate. A reversal constitutes a denial.

d. Non-Final Denial. For a disqualifying medical condition categorized in accordance with §§67.107(b)(3) and (c), 67.109(b), 67.113(b) and (c), 67.207 (b)(3) and (c), 67.209(b), 67.213(b) and (c), 67.307(b)(3) and (c) and 67.309(b), or 67.313(b) and (c), a denial by anyone other than the FAS is a not a final denial and is subject to reconsideration by the FAS. These are conditions that are not specifically named in part 67.

e. Final Denial. A final denial is considered the final FAA action and is subject to review by the National Transportation Safety Board (NTSB). All denials by the FAS are final denials by the FAA.

f. Failure to Provide Information. A final denial may be issued in accordance with §67.413 when an applicant fails to provide requested information necessary to establish eligibility for a medical certificate within the time frame specified in the letter requesting the medical information. The Manager of AAM-300 and each RFS have the authority to issue a final denial based on an applicant's or holder's failure to provide the requested information.

9. Action following Denial or Deferral

a. Denial Reconsideration. When an AME denies a medical certificate to an applicant, the AME advises the applicant by letter of the denial and that he or she has 30 calendar days from the date of the letter to apply for reconsideration to the FAS. If the applicant fails to apply for reconsideration, it is considered a withdrawal of the application for medical certification in accordance with § 67.409.

b. Additional Information Determination. Authorized officials who receive a deferral from an AME or a request from the applicant for reconsideration of a denial, must determine within 30 days of receipt whether additional information is required.

(1) If no additional information is necessary the authorized official must send a letter notifying the applicant of the appropriate determination.

(2) If additional information is required for further review, within 15 days of this determination, the authorized official must send a letter to the applicant. The letter will request the required medical information and a date that information must be received by the authorized official.

c. Information Received. Upon receipt of the requested information the authorized official will review the information within 30 days and will:

(1) Issue an appropriate medical certificate if eligibility is established; or

(2) Issue the appropriate denial letter if eligibility is not established.

(3) Request additional information if more is required.

d. Information Not Received. If the requested medical information is not received in the time frame specified, the authorized official will send a denial letter for failure to provide.

10. Reconsideration by the FAS following Non-final Denial.

a. If an authorized official issues a non-final denial in accordance with §67.409, that official must also advise the applicant that he or she has 30 days from the date of the denial letter to apply for reconsideration to FAS.

b. If the applicant requests reconsideration from the authorized agency official, that official must summarize the case in the agency medical file with recommended action to the FAS within 15 days of receipt of the request for reconsideration.

c. The FAS must take appropriate action within 60 days of receipt of the request for reconsideration from the authorized official (AAM-300 or RFS).

11. Amending, Modifying, Suspending, or Revoking an Affirmed Medical Certificate. If an authorized official has reason to believe or determines that a holder of an affirmed medical certificate is not medically qualified, the authorized official shall follow the following procedures:

a. If additional information is required to determine the eligibility of an airman holding an affirmed airman medical certificate, the authorized official shall advise the airman by certified mail and regular mail that:

(1) Additional medical information, history, or release authorizations of medical history is needed and must be sent to the FAA within 15 days of the date of service of the letter, and

(2) Failure to respond within the specified time will result in legal enforcement action; i.e., suspension or revocation of the airman medical certificate in accordance with §67.413

b. If the authorized official determines that an airman holding an affirmed airman medical certificate, has a disqualifying medical condition, within 7 days of the determination advise the airman by certified and regular mail:

(1) Of the reason for the medical disqualification,

(2) That the airmen file will be referred to the appropriate FAA legal office for certificate action in accordance with §67.413, and,

(3) That the airman may voluntarily surrender his or her medical certificate within 14 days of the date of service of the letter to avoid legal action.

c. Legal Enforcement Action.

(1) Information or Certificate Not Received. If no response is received by the suspense date indicated in the letter to the airman, the authorized official must send the airman's file to the appropriate FAA legal office within 7 days from the suspense date.

(2) If a medical certificate is suspended through legal enforcement action, the suspension or modification remains in effect until all requested information, history, or authorizations are provided to the FAA and the FAS determines the airman's eligibility to hold a certificate.

12. Authorization for Special Issuance of a Medical Certificate and Statement of Demonstrated Ability.

a. Authorization for Special Issuance of a Medical Certificate (Authorization). At the discretion of the FAS, in accordance with §67.401, an Authorization may be granted to an airman who does not meet the medical certification provisions of part 67. Authorization of a medical certificate is granted when the FAS determines based on a review of the information presented by the airman that the duties authorized by the class of medical certificate applied for can be performed without endangering public safety during the period in which the Authorization will be in force.

b. Statement of Demonstrated Ability (SODA). At the discretion of the FAS in accordance with §67.401, a SODA may be granted instead of an Authorization to an airman whose disqualifying condition is static or non-progressive, and the FAS has found capable of performing airman duties

without endangering public safety. Depending upon the nature of the disqualifying condition, operational limitations, such as equipment type, may be placed upon the SODA.

c. Causes for Withdrawal of Authorization or SODA. An Authorization or SODA may be withdrawn whenever the provisions of §67.401(f) are not met.

d. Withdrawal of Authorization or SODA. When an Authorization or SODA is withdrawn, the authorized official must send the holder of the Authorization or SODA a letter of withdrawal stating the reasons for the action. A holder who has an Authorization or SODA withdrawn may request the FAS to review the withdrawal. The request must be in writing and within 60 days of receiving a withdrawal letter.

e. Written Final Decision. An authorized official must provide the airman with a written final decision to either affirm or reverse the withdrawal decision within 60 days of receiving the written request for review and after receipt of all requested information.

f. No NTSB Review. A determination regarding an Authorization or a SODA is not subject to NTSB review. Therefore, any airman correspondence solely referencing §67.401 must not provide NTSB appeal rights.

g. Surrender Medical Certificate. The authorized official must direct the airman to surrender his or her medical certificate issued under an Authorization or SODA that has been invalidated through withdrawal of the Authorization or SODA. The airman must be notified that failure to surrender all medical certificates in his or her possession is:

(1) A violation of §67.401,

(2) A basis for referral to the appropriate FAA legal office for enforcement action.

13. Voluntary Surrender of an Airman Medical Certificate. Airmen who are in possession of an affirmed medical certificate and either know or should know they have a disqualifying medical condition, or who have been informed that their medical qualifications are under review, may wish to voluntarily surrender their medical certificate(s) to an AME, AAM-300, or a RFS.

a. Surrender to hold while the eligibility for medical certification is still under review.

(1) Care must be taken to explain to the airman that the surrender of the certificate is at his or her discretion and that the certificate will be held pending completion of the medical review process.

(2) Upon request by the airman, the certificate will be returned any time prior to a final determination of medical eligibility.

(3) AMEs must advise AAM-300 in all cases when a medical certificate is voluntarily surrendered for hold and the circumstances under which the medical certificate(s) were voluntarily surrendered.

(4) AAM-300 or RFSs must make an entry in the electronic medical file, describing the circumstances under which the medical certificate(s) were voluntarily surrendered.

b. Surrender for cancellation.

(1) Advise the airman that the certificate will be canceled and a new medical certificate can only be obtained through reapplication.

(2) AMEs must advise the Manager of AAM-300 of all cases of medical certificates voluntarily surrendered for cancellation and send the certificate to AAM-300 for cancellation.

(3) AAM-300 or RFSs must make an entry in the electronic medical file, describing the circumstances under which the medical certificate(s) were voluntarily surrendered and cancel the medical certificate(s).

14. Time Frames. The time frames in this order set goals for expeditious processing of airman medical certificate actions. Timeframes should be followed; however, they do not vest any rights in any person.

15. Distribution. This order is distributed to the branch level of the Headquarters Office of Aerospace Medicine, Civil Aerospace Medical Institute, and Regional Flight Surgeons; to the division level of the Headquarters Flight Standards Service, and Regional Flight Standards District Offices; to the division level of the Headquarters Office of the Chief Counsel, and Regional Counsel Offices.

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