

Checklist

Form and Function

How the Pilot's Bill of Rights Affects Application for a Medical Certificate

You will find a new electronic form to sign as you prepare for your next visit to the Aviation Medical Examiner (AME) to renew your FAA medical certificate.

Why another form, and what might it be? As you have probably seen in the media, in August 2012, the President signed Public Law 112-153, more commonly known as the Pilot's Bill of Rights. In accordance with this law, the FAA's Aerospace Medical Certification Division is now required to provide applicants for a medical certificate with written notification(s) related to the investigation of the applicant's qualifications for an airman medical certificate.

What the FAA Must Provide

Here's the gist of it. In accordance with the new law, the FAA is required to tell you explicitly that the FAA will use the information you submit on the FAA Form 8500-8, Application for an Airman Medical Certificate, as part of the basis for issuing an airman medical certificate to you under Title 49, United States Code (USC) section 44703(a). The FAA must also "investigate" your qualifications (e.g., via the medical examination that the AME performs on behalf of the FAA). If the investigation shows you to be qualified and physically able to safely perform the duties associated with the level of medical certificate that you seek, the AME will issue the appropriate medical certificate.

As you know from previous reporting, the use of the online MedXPress application system is now mandatory. The MedXPress registration and application process now includes several statements required by the Pilot's Bill of Rights:

The nature of the Administrator's investigation, which is precipitated by your submission of this application, is to determine whether you meet the medical standards for airman medical certification under Title 14, Code of Federal Regulations (CFR) part 67.

And, similar to the "Miranda rights" notification that you've seen on television shows, the FAA is also required to tell you that:

Any response to an inquiry by a representative of the Administrator by you in connection with this investigation of your qualifications for an airman medical certificate may be used as evidence against you.

The notification you receive on MedXPress will also advise you that you may obtain a copy of the releasable portions of your airman medical file upon written request to the Aerospace Medical Certification Division (AMCD) in Oklahoma City.

What You Must Provide

As part of the MedXPress initial registration and application process, you will also need to complete a "Certification of Receipt" statement acknowledging that you have received written notification of your rights under the Pilot's Bill of Rights. If you decline to complete and electronically sign this part of the form, the system cannot continue to process or submit your application for a medical certificate.

If you're new to the MedXPress system, check out Tom Hoffmann's *Take the XPress Lane* primer on p. 20. It's fast, it's easy, and it will greatly facilitate your next application for an FAA medical certificate.

Susan Parson (susan.parson@faa.gov or @avi8rix for Twitter fans) is editor of FAA Safety Briefing. She is an active general aviation pilot and flight instructor.

Learn More

Pilot's Bill of Rights
<http://www.faa.gov/pilots/rights/>