

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 3258

To require the Administrator of the Federal Aviation Administration to publish the list of medications that the Administrator has compiled for purposes of the medical certification of airmen and air traffic control specialists, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. DUCKWORTH

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Aviation Medication
5 Transparency Act of 2026”.

6 **SEC. 2. AVIATION MEDICATION TRANSPARENCY; LIST OF**
7 **APPROVED MEDICATIONS.**

8 (a) PURPOSE.—The purpose of this Act is to ensure
9 that aviation stakeholders, including airmen, air traffic
10 control specialists, and individuals training to become air-

1 men or air traffic control specialists, who are applicants
2 for medical certification or medical clearance, are in-
3 formed, in a user-friendly and accessible manner, of—

4 (1) the medications on the “Do Not Issue” or
5 “Do Not Fly” lists;

6 (2) the medications they may safely purchase
7 over-the-counter or be prescribed; and

8 (3) under what conditions the medications de-
9 scribed in paragraph (2) may be safely used in the
10 aviation environment, consistent with the informa-
11 tion provided in the Guide for Aviation Medical Ex-
12 aminers (including any update to such Guide), which
13 is updated monthly, or successor documents issued
14 by the Federal Air Surgeon.

15 (b) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Administrator of the
17 Federal Aviation Administration (in this section referred
18 to as the “Administrator”) shall publish and maintain on
19 a publicly available website of the Federal Aviation Ad-
20 ministration (in this section referred to as the “FAA”)
21 a list of medications that the Administrator, as of the date
22 of publication, has—

23 (1) determined may be safely prescribed to or
24 purchased over-the-counter by an applicant for med-

1 ical certification or medical clearance to treat med-
2 ical conditions; and

3 (2) approved for purposes of the issuance of a
4 medical certification or medical clearance to—

5 (A) an airman who requires a medical cer-
6 tificate or a medical clearance; or

7 (B) an air traffic control specialist who re-
8 quires medical clearance.

9 (c) REQUIREMENTS.—To ensure information trans-
10 parency, user-friendliness, and appropriate dissemination,
11 the list required under subsection (b) shall—

12 (1) incorporate, prior to dissemination, con-
13 sultation with—

14 (A) the Aeromedical Innovation and Mod-
15 ernization Working Group (established under
16 section 411(a) of the FAA Reauthorization Act
17 of 2024 (49 U.S.C. 44703 note)) (in this sec-
18 tion referred to as the “Working Group”);

19 (B) organizations representing collective
20 bargaining representatives of airline pilots;

21 (C) the certified exclusive bargaining rep-
22 resentatives of air traffic controllers of the FAA
23 certified under section 7111 of title 5, United
24 States Code;

1 (D) institutions of higher education that
2 are accredited by the Aviation Accreditation
3 Board International;

4 (E) professional pilot flight training
5 schools certified under part 141 of title 14,
6 Code of Regulations;

7 (F) the Civil Aviation Medical Association;

8 (G) organizations representing general
9 aviation operators and pilots; and

10 (H) any other stakeholder determined rel-
11 evant by the Administrator;

12 (2) regarding treatment of medical conditions
13 that may impact the performance of duties or the
14 exercise of privileges of an airman certificate, in-
15 clude—

16 (A) medications allowed by the Adminis-
17 trator, including prescription medications and
18 over-the-counter medications;

19 (B) contra-indications associated with the
20 medications described in subparagraph (A); and

21 (C) whether such medications may require
22 review by the FAA;

23 (3) be drafted in a user-friendly and accessible
24 manner and, in addition to being made publicly
25 available pursuant to subsection (b), made available

1 on MedXPress for airmen, air traffic control special-
2 ists, and individuals training to become airmen or
3 air traffic control specialists at the time when any
4 such individual first seeks a medical certification or
5 medical clearance;

6 (4) if practicable, indicate the minimum period
7 of time an airman, air traffic control specialist, or
8 individual training to become an airman or air traf-
9 fic control specialist is required to have limited or no
10 duties to stabilize on a medication allowed by the
11 Administrator;

12 (5) include the list of medications that the Ad-
13 ministrator has designated as "Do Not Issue" or
14 "Do Not Fly";

15 (6) include information for doctors or medical
16 providers to contact the FAA regarding questions
17 related to the list published under subsection (b), in-
18 cluding through a new or existing mechanism that is
19 accessible to such doctors and medical providers;
20 and

21 (7) include any other information or clarifica-
22 tion that the Administrator determines appropriate.

23 (d) LIST UPDATE.—Not later than 1 year after the
24 date of publication of the list required under subsection
25 (b), and when relevant information in the Guide for Avia-

1 tion Medical Examiners (or any successor document) or
2 other relevant FAA medical certification policy is updated,
3 the Administrator shall update such list, as appropriate.

4 (e) SAVINGS CLAUSE.—The publication of the list de-
5 scribed in subsection (b) shall not be construed as assign-
6 ing liability to the Administrator for any situation in
7 which an airman, air traffic control specialist, or applicant
8 relies on such list in deciding whether to use a medication
9 on the list and—

10 (1) experiences an adverse medical reaction
11 from the use of such medication;

12 (2) causes harm or injury to persons or prop-
13 erty after using such medication; or

14 (3) is deemed by an aviation medical examiner
15 or the FAA to be ineligible for a medical certifi-
16 cation or medical clearance.