

Reporting of Medical Conditions Affecting Driver Safety

Physician and State Roles in this
Important Public Safety Program

*Sponsored by the Pennsylvania Department of Transportation
Bureau of Driver Licensing*

In cooperation with Allegheny General Hospital

(5-08)

Overview

It is the law in the Commonwealth of Pennsylvania that all physicians and other persons authorized to diagnose or treat disorders and disabilities must report to PennDOT any patient 15 years of age or older who has been diagnosed as having a condition that could impair his or her ability to safely operate a motor vehicle. To improve highway safety for everyone, physician reporting assists PennDOT in determining whether those individuals who are applying for a driver's license or those individuals already possessing a driver's license are medically qualified to safely operate a motor vehicle. Without the cooperation of these medical providers, thousands of medically impaired drivers would remain undetected by PennDOT. The public has a right to protection from death, injury or property loss caused by drivers with medical conditions that limit their ability to drive safely. Physician reporting plays a vital role in providing this protection.

What is the purpose of physician reporting?

Physician reporting assists PennDOT in determining whether those individuals applying for a driver's license or those individuals already possessing a driver's license are medically qualified to safely operate a motor vehicle. It is a physician's duty by law to report when a patient is at risk for inability to drive safely due to a medical condition.

How effective is physician reporting?

Physician reporting is a very effective mechanism for identifying medically impaired drivers. Approximately 27,000 new reports are submitted each year to PennDOT. Overall, approximately 22 percent of these individuals have medical impairments significant enough to merit recall of their driving privilege. An additional 21 percent of reports result in restrictions placed on the individual's driving privilege. These reports also cross the age spectrum – 45 percent involve drivers under 65 years of age.

What occurs when a report is made?

The receipt of a report triggers an evaluation process. This evaluation process is performed by PennDOT's Medical Unit. Based on the information submitted, restrictions to the person's driving privilege may be added or deleted; the person's license may be recalled

or restored; the person may be asked to provide more specific medical information or to complete a driver's examination; or, no action may be taken. Although PennDOT may request further information from the physician, it is PennDOT, not the physician, that determines if a license should be recalled or restored. The state has the option of placing restrictions on driving (i.e. no night driving) and the patient may also be asked to have an additional medical evaluation or driver's test.

Are there other options?

No other options are as effective as physician reporting. Some states have statutory requirements for self-reporting, but research indicates an extremely high rate of noncompliance.

Given the enormous social and economic pressure to drive, the impaired driver has a vested interest in not reporting conditions that impair the ability to drive safely when it will result in the recall of the driving privilege. In addition, the driver is not the most objective judge of his or her own level of impairment.

Are these reports confidential?

Reports submitted to PennDOT are confidential and used solely to determine the qualification of an individual to drive a motor vehicle. PennDOT is compelled by law to honor this provision and will not release information regarding the source or content of the report, even when the inquiry is from the patient.

How do these reports affect patient/physician confidentiality?

There are many circumstances under which the obligation to maintain patient confidentiality must give way to a duty to protect other persons from harm (e.g., reporting gunshot wounds, child abuse, venereal disease, etc.).

The current statement of ethics of the American Medical Association contains the following provision:

“A physician may not reveal the confidences entrusted to him in the course of medical attendance, or the deficiencies he may observe in the character of patients, unless he is

required to do so by law or unless it becomes necessary in order to protect the welfare of the individual or of the community.”

Pennsylvania’s Physician Reporting Program is clearly consistent with this statement.

What is my liability if I do or do not report?

If you **DO** report, you are exempt from any civil or criminal liability. No action may be brought against any person or agency for providing the required information; however, if you **DO NOT** report, there is a possibility that you could be held responsible as a proximate cause of an accident resulting in death, injury or property loss caused by your patient. Also, providers who do not comply with their legal requirement to report may be convicted of a summary criminal offense.

Are there established medical criteria?

PennDOT has a Medical Advisory Board (MAB) responsible for the formulation of physical and mental criteria, including vision standards, for the licensing of drivers. The MAB consists of a neurologist, a cardiologist, an internist, a general practitioner, an ophthalmologist, a psychiatrist, an orthopedic surgeon, an optometrist, and members from PennDOT, Department of Justice, Department of Health, and the Pennsylvania State Police. The formulation of these regulations is open for public review and comment through the Commonwealth’s Regulatory Review process and can also be found online at www.pacode.com.

How do I submit reports to PennDOT?

All physicians, chiropractors, physician assistants, certified registered nurse practitioners and other persons authorized to diagnose or treat disorders and disabilities shall report within 10 days, in writing, the full name, address and date of birth of every person diagnosed as having a condition that could impair his/her ability to drive a motor vehicle safely. It is helpful to PennDOT in making a licensing determination if you include the conditions and any specific information about the condition. The report may be made by writing a letter or by using PennDOT’s Initial Reporting Form (DL-13).

Historically, physician reporting has provided a highly effective mechanism for removing impaired drivers from our roads. Without the cooperation of providers, thousands of impaired drivers would remain undetected by PennDOT.

For more information, please contact:

Bureau of Driver Licensing
Driver Qualifications Section
P.O. Box 68682
Harrisburg, PA 17106-8682
(717) 787-9662

www.dmv.state.pa.us

Pennsylvania Code:

CHAPTER 83. PHYSICAL AND MENTAL CRITERIA,
INCLUDING VISION STANDARDS RELATING TO
THE LICENSING OF DRIVERS

<http://www.pacode.com/secure/data/067/chapter83/chap83toc.html>
