

INFORMATION SHEET AT-RISK DRIVER PROGRAM MANDATORY REPORTING FOR MEDICAL PROFESSIONALS

Oregon law now requires that certain physicians and health care providers report to DMV persons age 14 and older with certain functional and/or cognitive impairments that are **severe and uncontrollable***, and as such are likely to render it unsafe for the person to operate a motor vehicle. This mandatory medical reporting process, effective June 1, 2004, replaced the previous mandatory reporting of persons diagnosed as having a disorder characterized by momentary or prolonged lapses of consciousness.

Please discard all unused copies of the *Report of Disorders Affecting Consciousness*. This form and reporting process is obsolete. If you believe the patient's impairment meets the definition of severe and uncontrollable and you are the required reporter, please submit a *Mandatory Impairment Referral Form*.

ARE YOU REQUIRED TO REPORT?

You are required to report a patient under this program if you are a physician** or **health care provider***** practicing in the state of Oregon, and you:

- Function as the person's **primary care provider (PCP)**.****
- Are providing specialized or emergency services to a person who does not have a PCP.
(If you are providing specialized or emergency services to a patient who has a PCP, then your findings should be reported to the patient's PCP, who has the responsibility to report if they determine that the person's impairment meets the reporting threshold).
- Are an ophthalmologist or optometrist providing health care services to a person whose vision (with corrective lenses or devices) does not meet DMV vision standards. You must either report to DMV, or provide the findings or test results to the person's primary care provider.

WHO ARE YOU REQUIRED TO REPORT?

If you are required to report, you must report any patient 14 years of age or older if they have one or more of the functional and/or cognitive impairments listed below and the impairment is both severe **and** uncontrollable.

Functional Impairments: vision, peripheral sensation of the extremities, strength, flexibility, motor planning and coordination

Cognitive Impairments: attention, judgment and problem solving, reaction time, planning and sequencing, impulsivity, visuospatial, memory, recurrent uncontrollable losses of consciousness or control

WHAT IS THE PROCESS FOR REPORTING?

If you believe that a patient's condition/impairment meets the definition of severe and uncontrollable and you are the patient's primary care provider (PCP), or the patient does not have a PCP, please complete a *Mandatory Impairment Referral Form* and fax or mail the form to DMV.

***Severe** means that the impairment substantially limits a person's ability to perform many daily activities, including driving, and **uncontrollable** means that the impairment cannot be corrected or compensated for by medication, therapy, surgery or adaptive devices. Severe and uncontrollable does not include a temporary impairment for which the person is being treated by a physician or health care provider and which is not expected to last more than 6 months.

** A "**physician**" is a medical doctor or doctor of osteopathic medicine licensed to practice medicine in the State of Oregon by the Board of Medical Examiners or a doctor of naturopathic medicine licensed to practice naturopathic medicine in the State of Oregon by the Board of Naturopathic Examiners.

***A "**health care provider**" is a person licensed, certified or otherwise authorized or permitted by law to administer health care in the State of Oregon. For purposes of the Medically At-Risk Driver Program, the term health care provider is limited to: a chiropractic physician, nurse practitioner, occupational therapist, physical therapist, optometrist, physician assistant and podiatric physician or surgeon.

**** "**Primary care provider**" means a physician or health care provider who is responsible for supervising, coordinating and providing a person's initial and ongoing health care. A primary care provider initiates referrals for health care outside of his or her scope of practice, consultations and specialist care to assure continuity of a person's medically appropriate health care.

Reporting forms and additional information can be found at www.oregondmv.com (click on "Medical Professionals")
DMV Driver Programs, (503) 945-5295

FREQUENTLY ASKED QUESTIONS

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◆ ***My patient has been diagnosed with early Alzheimer's disease. Am I required to report?***

The mandatory medical reporting law does not require that a person be reported to DMV solely on the basis of a medical diagnosis, but on how cognitive and functional impairments affect driving ability. Many people with early Alzheimer's disease are still safe drivers. A doctor is only required to report a cognitive impairment that is severe and uncontrollable. However, now may be a good time to begin a dialogue with the patient and/or family members regarding eventual retirement from driving.

◆ ***My patient is on _____ medication. Am I required to report?***

DMV will not suspend a person's driving privileges based solely on the medication a person is taking. If the medication is a controlled substance, or will otherwise impair the patient's ability to safely operate a motor vehicle, they should be advised not to drive while taking the medication. A person may be cited for driving under the influence of intoxicants, even if the medication has been legally prescribed by a physician.

◆ ***Is drug and alcohol abuse included in the mandatory reporting program?***

Drug and alcohol abuse may result in cognitive and/or functional impairments that are severe. However in order to meet the mandatory reporting threshold, the impairment(s) must also be uncontrollable. In many cases, impairments related to drug and alcohol abuse will improve or be resolved if a person abstains from abuse of the drug(s) and/or alcohol. In those cases, a person would not be reported to DMV under this program. However, a person should be reported when, based on the abuse of alcohol or drugs, they have developed permanent impairments that are severe and uncontrollable. A doctor may choose to report if they determine that the person's impairment(s) are severe and uncontrollable because the person refuses or has not responded to treatment. In addition, DMV's mandatory referral form specifically asks doctors to provide information about drug and alcohol abuse if it is a contributing factor to the impairment being reported.

◆ ***My patient had a loss of consciousness and control. Am I required to report?***

No. Under the mandatory reporting system a person would only be reported if the patient has recurring losses of consciousness which are severe and cannot be controlled. To illustrate, under the previous mandatory "loss of consciousness and control" reporting system, a person diagnosed with epileptic seizures would be reported to DMV. Under the new mandatory reporting rules effective statewide June 1, 2004, the person would only be reported if the seizures cannot be controlled.

◆ ***What will happen to my patient after I submit the mandatory report?***

DMV evaluates each mandatory report to ensure all mandatory reporting requirements are met. If accepted as a mandatory report, the person's driver license will be suspended. They will receive a Notice of Suspension in the mail, and their license suspension will take effect 5 days from the date on the notice. In most cases, they can contact DMV and request the opportunity to demonstrate that they can still safely drive by taking vision, knowledge and drive tests. Review and clearance by DMV's Medical Determination Officer maybe required before testing is allowed. The person's driver license will be reinstated after demonstrating that they meet the vision requirement and passing the required tests. If not accepted as a mandatory report, the information will be evaluated as a non-mandatory report under the provisions of the At-Risk Driver Program.

◆ ***What is a non-mandatory report? How do I make a non-mandatory report? What will happen to my patient after I submit a non-mandatory report?***

DMV is required to review all information received and determine the impact on the person's ability to safely operate a motor vehicle. A non-mandatory report may be one that was originally submitted as a mandatory report but DMV determined it did not meet all the mandatory reporting requirements (i.e. submitted by a required reporter and impairments meet reporting threshold of severe and uncontrollable). Most often, a non-mandatory report is one that was voluntarily submitted by law enforcement, family members, physicians and others to report concerns about the impact a medical condition and/or driving behavior may have on a person's ability to drive safely.

Non-mandatory reports may be made by either completing a Driver Evaluation Request Form or writing a letter to DMV describing the person's medical condition and/or unsafe driving behavior. Sufficient information must be provided to give DMV reason to believe the driver may no longer be able to drive safely. DMV will not honor reports made solely on age or diagnosis. Depending on the type of information contained in the report, DMV may immediately suspend driving privileges if the person is a risk to safety. However, a driver will normally be given 60 days to take and pass a vision, knowledge, and drive test. In some cases, a driver may be asked to provide current medical information for review and medical clearance by DMV's Medical Determination Officer.

◆ ***My patient's impairments may not be severe and uncontrollable, but I am concerned about their impact on the patient's ability to safely operate a motor vehicle. Can I request a driving evaluation?***

Yes. Your concerns may be reported to DMV as a non-mandatory report. A report can be made by either completing a *Driver Evaluation Request Form* or writing a letter to DMV describing the patient's health problem and/or unsafe driving behavior. Your name and address and the patient's name and address must be included in the letter.