

MEDICAL REPORTING FACT SHEET

Historically, medical reporting by health care personnel has provided a highly effective mechanism for removing medically impaired drivers from our roads. In accordance with Section 1518(b) of the Pennsylvania Vehicle Code, 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/her ability to safely operate a motor vehicle.

These are some of the most frequently asked questions about medical reporting:

WHAT IS THE PURPOSE OF MEDICAL REPORTING?

Medical reporting by health care personnel 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.

HOW EFFECTIVE IS MEDICAL REPORTING?

Medical reporting by health care personnel is a very effective mechanism for identifying medically impaired drivers. Over 22,000 new reports are submitted each year to PennDOT. Of those new reports, over 50 percent of these individuals have medical impairments significant enough to merit recall of their driving privilege. These reports also cross the age spectrum - half involve drivers younger than 65 years of age.

WHAT OCCURS WHEN A REPORT IS MADE?

The receipt of a report triggers an evaluation process. 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.

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/HEALTH CARE PROVIDER 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 Medical Reporting Program clearly is consistent with this statement.

The Health Insurance Portability and Accountability Act (HIPAA) <http://www.hhs.gov/ocr/hipaa/> does not restrict health care personnel from disclosing a patient's protected health information when disclosure to a state agency is required by law. Therefore, HIPAA regulations DO NOT apply to medical reporting to PennDOT and no individual consent to release of health information is necessary.

WHAT IS MY LIABILITY IF I DO OR DO NOT REPORT?

If you DO report, you are immune 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 a crash 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 that is responsible for the formulation of physical and mental criteria, including vision standards, for the licensing of drivers. The board consists of a neurologist, a cardiologist, an internist, a general practitioner, an ophthalmologist, a psychiatrist, an orthopedic surgeon, an optometrist, and members from PennDOT, PA Department of Health, and the Pennsylvania State Police. The meetings are public and the formulation of these regulations is open for public review and comment through the Commonwealth's Regulatory Review Process.

Below is a brief list of reporting criteria outlined in PA Code 67, Chapter 83. For a complete list, including a summary of the regulations, visit PennDOT's Medical Reporting Information Center at www.dmv.state.pa.us.

Physical Criteria:

- Visual acuity less than 20/70 (after correction) and field of vision standards
- Hearing requirements (for school bus drivers only)
- Seizure disorder
- Unstable diabetes
- Cardiovascular conditions
- Cerebral vascular insufficiency
- Periodic episodes of loss of consciousness and/or awareness
- Loss or impairment of joint or extremity
- Rheumatic, arthritic, orthopedic, muscular, vascular or neuromuscular disease expected to last longer than 90 days
- Use of any drug or substance that is known to impair skill or function

Mental Criteria:

- Cognitive impairments
- Inattentiveness to the task of driving because of, for example, preoccupation, hallucination or delusion
- Contemplation of suicide, as may be present in acute or chronic depression or in other disorders
- Excessive aggressiveness or disregard for the safety of self or others or both, presenting a clear and present danger

ARE THERE OTHER OPTIONS?

No other options are as effective as Medical Reporting by health care personnel. Some states have statutory requirements for self-reporting, but research indicates an extremely high rate of non-compliance. Given the enormous social and economic pressures 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 his/her driver's license. In addition, the driver is not the most objective judge of his/her own level of impairment.

HOW DO I SUBMIT REPORTS TO PENNDOT?

According to Section 1518(b) of the Pennsylvania Vehicle Code all physicians, chiropractors, physician assistants, and 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 over 15 years of age diagnosed as having a condition that could impair his/her ability to drive. 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, using PennDOT's Initial Reporting Form (DL-13) or by completing a condition specific form (available to all health care personnel with online access.) Without the cooperation of health care personnel, 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 impaired drivers. Medical reporting by health care personnel plays a vital role in providing this protection.

Send your Medical Reports to PennDOT's Medical Unit at:

Bureau of Driver Licensing
Driver Qualifications Section
P.O. Box 68682
Harrisburg, Pennsylvania 17106-8682
Fax: (717) 705-4415

For more information visit www.dmv.state.pa.us - Medical Reporting Information Center or call us at: (717) 787-9662