

How to report...

Complete a Mandatory Impairment Referral (*preferably online for legibility*) and submit it to DMV according to the instructions included on the form.

For DMV to accept and take action, the Referral **must** include:

- The patient's name, address, date of birth, and sex;
- Checked Impairment boxes;
- A description, based on clinical contact, of how the person is affected by the impairments;
- How you qualify as a mandatory reporter (for consideration as a Mandatory report), your name, signature (even if you are not a mandatory reporter) and license #.

For more information, see the **At-Risk for Medical Professionals** webpage:

www.oregon.gov/odot/DMV/pages/at-risk_program_index.aspx

HIPAA & Confidentiality...

- DMV is HIPAA compliant. Submission of a Mandatory Impairment Referral and any associated documentation complies with HIPAA regulations for the release of medical information.
- Reports are confidential* and used by the department only to determine the qualifications of persons to drive safely.

* *When a driver requests a hearing or files a lawsuit against DMV, a report and related documentation becomes part of the case documents and the public record.*

After a report is submitted...

- The report is screened against criteria in statute and rule for acceptance or rejection.
- The provider is notified of acceptance or rejection.
- When accepted, the person will receive a suspension notice with the terms of the suspension including steps to take to regain driving privileges.
- When an Immediate Suspension occurs, a Driver Medical Report is included with the Suspension Notice for the driver to bring to their provider for completion. DMV's Medical Determination Officer will review it and make a determination of medical eligibility to regain driving privileges.

For more information:

Driver and Motor Vehicle Services At-Risk Program Coordinator

1905 Lana Ave. NE
Salem, OR 97314
(503) 945-5295
TTY Statewide Relay 7-1-1
www.oregondmv.com

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Transportation Driver
and Motor Vehicle
Services

Form 735-7244 (8-23)



At-Risk Drivers: Mandatory Reporting by Medical Professionals



Oregon Driver and Motor
Vehicle Services

Balancing Public Safety with Independence...

To preserve the independence, dignity and self-esteem derived from transportation independence

By basing determinations on the *actual effect* of a condition on a person's ability to drive safely.

Who must report...

Oregon licensed physicians and health care providers "required to report to the department a person whose cognitive or functional impairment affects that person's ability to safely operate a motor vehicle" include:

- Physicians licensed in Oregon who hold a degree of Doctor of Medicine, Doctor of Osteopathic Medicine, or Doctor of Naturopathic Medicine; and
- Health care providers "licensed, certified or otherwise authorized or permitted by the laws of this state to administer health care."

Who may report...

A designated physician or health care provider may at any time, based on clinical contact, report to the department a person whose cognitive or functional impairment affects that person's ability to safely operate a motor vehicle, without regard to whether that report is required by rules of the department.

Whom to report...

A Mandatory Impairment Referral **must** be submitted on any driver over the age of 14 whose impairment(s) is **both**:

- **"Severe"** – "the impairment substantially limits a person's ability to perform activities of daily living, including driving, because it is not controlled or compensated for by medication, therapy, surgery or adaptive devices" and
- **"Uncontrollable"** – "the impairment persists despite efforts to control or compensate for it by medication, therapy, surgery, or adaptive devices."

A Mandatory Impairment Referral **may** be submitted when:

- **You have serious concern about a patient's ability to drive safely**, absent severe and uncontrollable impairment(s). Rule allows DMV to accept a report as a Non-Mandatory Report when it **doesn't meet** the definitions of both "severe and uncontrollable".

Whom *not* to report...

Drivers whose impairment(s):

- Is temporary, being treated, and not expected to last more than six months;
- Is currently under evaluation; or
- Is of concern to their family but you have not seen evidence of the impairment(s). A *Driver Evaluation Request*** can be submitted by concerned family members.

A referral to a Driver Rehabilitation Specialist for assessment (www.aded.net) can be helpful to both families and DMV.

***On a Driver Evaluation Request, in order for DMV to take action, it **must** include specific driving behaviors as well as examples of the behaviors – such as when, where and under what circumstances those behaviors occurred.*

When to report...

As soon as you become aware of a patient who may no longer be able to drive safely based on clinical contact, even if:

- You're not sure whether the impairment(s) meet the definitions of "severe and uncontrollable", or
- You think or expect another provider or family member has, will, or should.

Note: DMV is authorized to process a Mandatory Impairment Referral as a non-mandatory report when it does not meet the mandatory reporting requirements.