



HIPAA & Confidentiality...

- **DMV is HIPAA compliant.** DMV stores submitted Mandatory Impairment Referrals and any associated documentation in compliance with HIPAA regulations for the release of medical information.
- **Reports are confidential*** by law (ORS 807.710(6)). Once DMV receives the report, it cannot be released to anyone – including the driver or reporter – outside of a court order or administrative hearing. DMV may only use a report to determine a driver's medical eligibility to drive.

** 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.*



For more information...

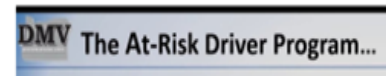
- **Video:** At-Risk Driver Reporting by Medical Professionals (12 mins)
<https://tinyurl.com/mrz5cpm9>



- **Webpage:** At-Risk Driver Program for Medical Professionals
<https://tinyurl.com/4p8nm6vm>
See patient support materials in the Related Resources box.



- **Video:** The At-Risk Driver Program
<https://tinyurl.com/3s23wdve> (7 mins)



- **Webpage:** Reporting an Unsafe/At-Risk Driver (for non-medical reporting)
<https://tinyurl.com/ywk49mpu>



Driver and Motor Vehicle Services At-Risk Program Coordinator

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Form 735-7244 (9-25)

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, so long as it is possible to do so without risk to oneself or to others.

Who must report...

Per OAR 735-074-0080(4), 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:

- Any physician licensed in Oregon who holds 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” – including chiropractic physicians, nurse practitioners, occupational therapists, physical therapists, optometrists, physician associates, podiatric physicians or surgeons and mental health providers.

Who may report...

Any licensed physician or health care provider may report a patient at any time when they make observations during clinical contact which gives them reason to believe the patient may no longer be able to drive safely due to a health condition or impairment.

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 Instrumental 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.”

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. (see webpage: Reporting an Unsafe/At-Risk Driver)

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

When to report...

As soon as you become aware, based on clinical contact, that a patient may no longer be able to drive safely when

- The impairment(s) is both “severe” and “uncontrollable” (*Mandatory report*), or
- You have a serious concern about their ability to drive safely even if you’re unsure whether the impairment(s) is “severe” and “uncontrollable.”

DMV is authorized to accept a Mandatory report as a non-mandatory report when it does not meet mandatory reporting requirements including “severe” and “uncontrollable”.

How to report...

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

To be accepted, the report **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;
- Your name, signature (even if you are not a mandatory reporter) and professional license #;
- How you qualify as a mandatory reporter. (*If you don’t qualify, we can still accept the report if it contains enough information.*)