Driver Medical Fitness Program Overview

RoadSafetyBC

BRITISH COLUMBIA RoadSafetyBC

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- RoadSafetyBC
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- Driver Medical Fitness Program & Statistics
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- Decision Making Process
- Enforcement Options

Purpose of this Overview

1. To increase health professionals’ awareness of Driver Medical Fitness assessment requirements
2. To improve efficiencies in submission of medical information for both RoadSafetyBC and medical practitioners
3. To improve reporting of medically at-risk drivers

RoadSafetyBC

- RoadSafetyBC – previously the Office of the Superintendent of Motor Vehicles (OSMV) – is the lead Provincial agency responsible for road safety in BC, and is part of the Ministry of Public Safety and Solicitor General.
- The Superintendent of Motor Vehicles is the head of RoadSafetyBC.
- RoadSafetyBC has several programs to accomplish its road safety mandate, including Driver Medical Fitness.

Driver Medical Fitness Helpful Links

(all hyper-links are accessible in slideshow mode only)

- Driver Medical Fitness Professionals Page
- Report of a condition affecting fitness and ability to drive
- CCMTA Medical Standards with B.C. Specific Guidelines (BC Guide)
- Dedicated phone line for physicians and other health professionals (250) 953-8612
- Enhanced Road Assessment
- ICBC

Driver Medical Fitness Program

- The Driver Medical Fitness Program team adjudicates information to determine fitness to drive using:
  - CCMTA medical Standards for Driving with BC Specific Guidelines
  - Administrative fairness principles and case law
  - **Evidence** of public safety risk and current medical information
- Information received is triaged according to risk

Driver Medical Fitness Statistics

Approximate Annual Volumes:

- 150,000 medical assessments each year
  - 11,00 unsolicited reports
  - 4,000 drivers found unfit
  - 2,000 drivers do not comply and their Driver Licence is cancelled
  - 800 drivers voluntary surrender their Driver Licence

Understanding Driver Medical Fitness

Right click on the flow chart to download a printable copy.

driver medical fitness

understanding the driver examination process

BRITISH COLUMBIA RoadSafetyBC

Reports:
From medical professionals, police, concerned citizens or others

Driver Medical Examination Reports are required:
- At age 80 and every 2 years thereafter
- Driver applies for commercial licence or is due for routine screening
- Scheduled reassessment is due or at RoadSafetyBC request

RoadSafetyBC
Conducts driver fitness review adjudicates decision

RoadSafetyBC determines that driver is medically fit:
Driver to maintain licence, no further action required until next medical examination

RoadSafetyBC determines that driver is not medically fit:
Drivers licence cancelled and driver provided remedy to have decision reviewed

RoadSafetyBC requires more information to determine medical fitness:
Driver will be notified of what information or assessment is required

Enhanced Road Assessment (ERA) required

Further medical information or testing required:
e.g. Additional info from GP, specialist assessment, functional assessment with occupational therapist, or ICBC road test re-examination (for commercial Class 1-4 or Class 6)

ERA results reviewed by RoadSafetyBC, along with all other relevant information

- **Maintain driver's licence** — No further action required (may include restrictions added to licence)
- **Driver's licence cancelled** — Driver informed by RoadSafetyBC that licence has been cancelled
- **Further information or assessment required** — May include another ERA, medical information or testing, etc.

Medical information or test results reviewed by RoadSafetyBC, along with all other relevant information

- **Maintain driver's licence** — No further action required (may include restrictions added to licence)
- **Driver's licence cancelled** — Driver informed by RoadSafetyBC that licence has been cancelled or downgraded
- **Further information or assessment required** — May include medical information or testing, ICBC road test re-exam, etc.

*Anytime RoadSafetyBC cancels a drivers licence, the individual is advised in writing why the cancellation has occurred and what information is required to have the decision reviewed.

BRITISH COLUMBIA RoadSafetyBC

Ministry of Public Safety and Solicitor General

Revised: Nov 2017

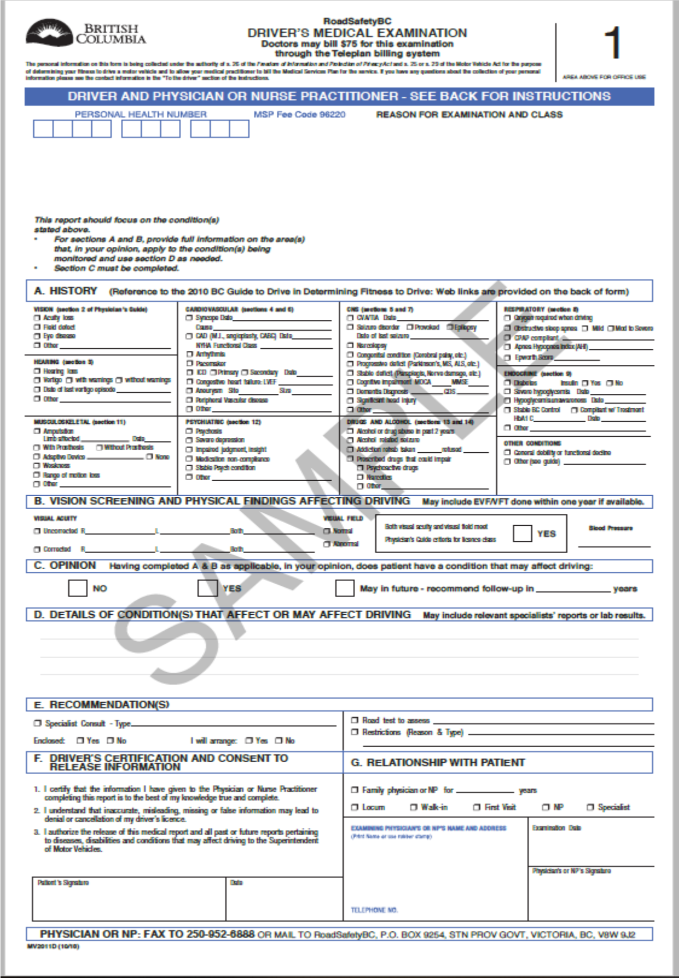
P.O. Box 9254 STN PROV GOVT
Victoria, BC V8W 9J2
Phone: 250-387-7747
Fax: 250-356-6544
www.gov.bc.ca/roadsafetybc

When does a driver get a Driver Medical Examination Report (DMER)?

- RoadSafetyBC receives an unsolicited report of concern from a police, family member or public
- RoadSafetyBC receives an unsolicited report of concern from a medical professional
- Driver discloses a medical condition to a Licensing Office
- A scheduled reassessment interval is due
- A driver turns 80, and every two years thereafter
- A driver applies for a commercial class licence, or a routine commercial class screening is due

Link to DMER

Driver Medical Examination Reports (DMER)



RoadSafetyBC
DRIVER'S MEDICAL EXAMINATION
Doctors may bill $75 for this examination
through the Teleplan billing system

1

DRIVER AND PHYSICIAN OR NURSE PRACTITIONER - SEE BACK FOR INSTRUCTIONS

PERSONAL HEALTH NUMBER | MSP Fee Code 96220 | REASON FOR EXAMINATION AND CLASS

This report should focus on the condition(s) stated above.
- *For sections A and B, provide full information on the area(s) that, in your opinion, apply to the condition(s) being monitored and use section D as needed.*
- *Section C must be completed.*

A. HISTORY (Reference to the 2010 BC Guide to Drive in Determining Fitness to Drive: Web links are provided on the back of form)

B. VISION SCREENING AND PHYSICAL FINDINGS AFFECTING DRIVING May include EVF/VFT done within one year if available.

C. OPINION Having completed A & B as applicable, in your opinion, does patient have a condition that may affect driving:
NO | YES | May in future - recommend follow-up in ______ years

D. DETAILS OF CONDITION(S) THAT AFFECT OR MAY AFFECT DRIVING May include relevant specialists' reports or lab results.

E. RECOMMENDATION(S)

F. DRIVER'S CERTIFICATION AND CONSENT TO RELEASE INFORMATION

G. RELATIONSHIP WITH PATIENT

PHYSICIAN OR NP: FAX TO 250-952-6888 OR MAIL TO RoadSafetyBC, P.O. BOX 9254, STN PROV GOVT, VICTORIA, BC, V8W 9J2

SAMPLE

Known or Suspected Medical Condition

RoadSafetyBC
DRIVER'S MEDICAL EXAMINATION

2

DRIVER AND PHYSICIAN OR NURSE PRACTITIONER - SEE BACK FOR INSTRUCTIONS

REASON FOR EXAMINATION AND CLASS

Driver requires a complete physical examination.
- *Sections B and C must be completed.*
- *Use sections A and D to provide details of any condition(s) that in your opinion may affect driving.*

A. HISTORY (Reference to the 2010 BC Guide to Drive in Determining Fitness to Drive: Web links are provided on the back of form)

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SAMPLE

Age Related or Commercial Reassessment

Driver Medical Fitness Decisions

Driver Medical Fitness Decisions

Information from Health Professionals

Administrative Law

Information from Other Sources

BC Guide

Information from Health Professionals

To meet the obligations of administrative fairness and case law, Health Professional assessments should include:

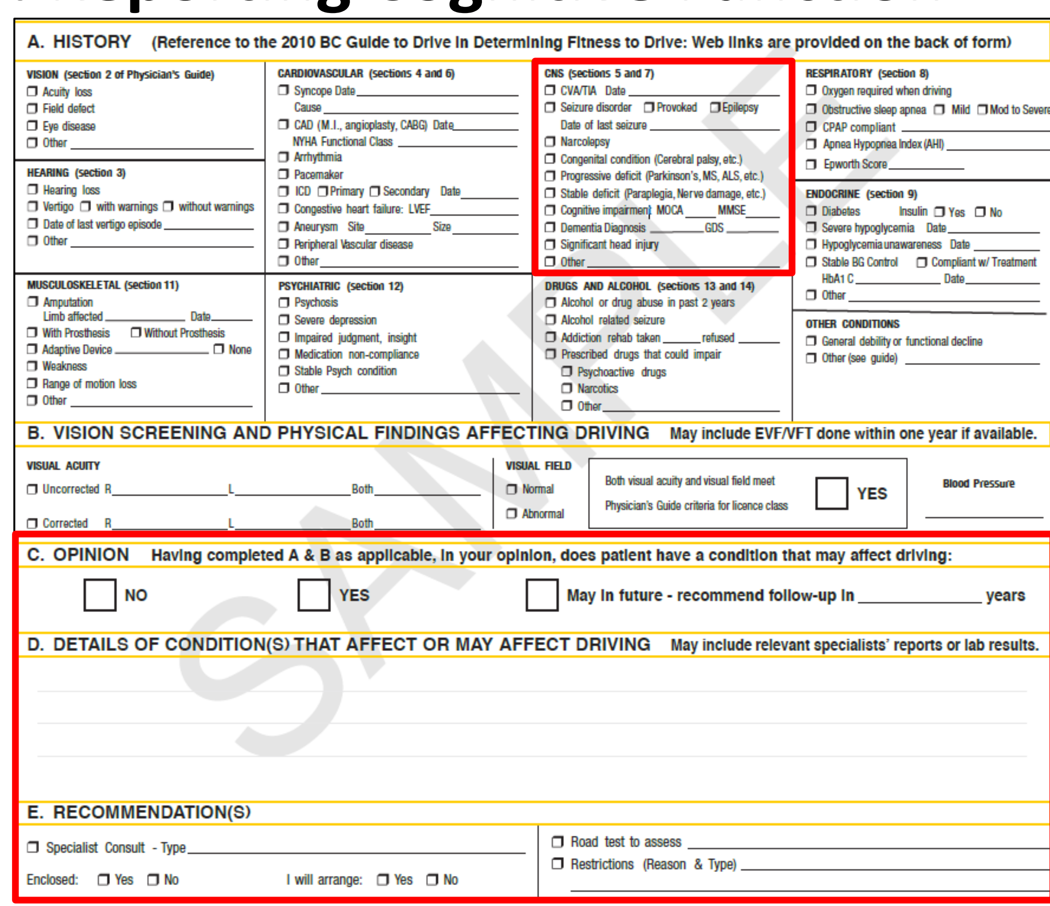
- Diagnosis (alone does not suffice)
- Associated symptoms, co-morbidities
- Level of severity, stability, acute/chronic
- Treatment compliance
- Collateral information (assessments, tests, specialist reports, reports from family, police reports)

Information from Health Professionals

Example: Reporting Cognitive Function

Should include:

- A cognitive test score
- Associated clinical attributes and history
- Education level, learning disability
- Language barriers
- Family concerns



A. HISTORY (Reference to the 2010 BC Guide to Drive in Determining Fitness to Drive: Web links are provided on the back of form)

VISION (section 2 of Physician's Guide)
- ❒ Acuity loss
- ❒ Field defect
- ❒ Eye disease
- ❒ Other ______

HEARING (section 3)
- ❒ Hearing loss
- ❒ Vertigo ❒ with warnings ❒ without warnings
- ❒ Date of last vertigo episode ______
- ❒ Other ______

CARDIOVASCULAR (sections 4 and 6)
- ❒ Syncope Date ______ Cause ______
- ❒ CAD (M.I., angioplasty, CABG) Date ______ NYHA Functional Class ______
- ❒ Arrhythmia
- ❒ Pacemaker
- ❒ ICD ❒ Primary ❒ Secondary Date ______
- ❒ Congestive heart failure: LVEF ______
- ❒ Aneurysm Site ______ Size ______
- ❒ Peripheral Vascular disease
- ❒ Other ______

CNS (sections 5 and 7)
- ❒ CVA/TIA Date ______
- ❒ Seizure disorder ❒ Provoked ❒ Epilepsy
  Date of last seizure ______
- ❒ Narcolepsy
- ❒ Congenital condition (Cerebral palsy, etc.)
- ❒ Progressive deficit (Parkinson's, MS, ALS, etc.)
- ❒ Stable deficit (Paraplegia, Nerve damage, etc.)
- ❒ Cognitive impairment MOCA ______ MMSE ______
- ❒ Dementia Diagnosis ______ GDS ______
- ❒ Significant head injury
- ❒ Other ______

RESPIRATORY (section 8)
- ❒ Oxygen required when driving
- ❒ Obstructive sleep apnea ❒ Mild ❒ Mod to Severe
- ❒ CPAP compliant ______
- ❒ Apnea Hypopnea Index (AHI) ______
- ❒ Epworth Score ______

ENDOCRINE (section 9)
- ❒ Diabetes Insulin ❒ Yes ❒ No
- ❒ Severe hypoglycemia Date ______
- ❒ Hypoglycemia unawareness Date ______
- ❒ Stable BG Control ❒ Compliant w/ Treatment
  HbA1 C ______ Date ______
- ❒ Other ______

MUSCULOSKELETAL (section 11)
- ❒ Amputation
  Limb affected ______ Date ______
- ❒ With Prosthesis ❒ Without Prosthesis
- ❒ Adaptive Device ______ ❒ None
- ❒ Weakness
- ❒ Range of motion loss
- ❒ Other ______

PSYCHIATRIC (section 12)
- ❒ Psychosis
- ❒ Severe depression
- ❒ Impaired judgment, insight
- ❒ Medication non-compliance
- ❒ Stable Psych condition
- ❒ Other ______

DRUGS AND ALCOHOL (sections 13 and 14)
- ❒ Alcohol or drug abuse in past 2 years
- ❒ Alcohol related seizure
- ❒ Addiction rehab taken ______ refused ______
- ❒ Prescribed drugs that could impair
  - ❒ Psychoactive drugs
  - ❒ Narcotics
  - ❒ Other ______

OTHER CONDITIONS
- ❒ General debility or functional decline
- ❒ Other (see guide) ______

B. VISION SCREENING AND PHYSICAL FINDINGS AFFECTING DRIVING May include EVF/VFT done within one year if available.

VISUAL ACUITY
- ❒ Uncorrected R ______ L ______ Both ______
- ❒ Corrected R ______ L ______ Both ______

VISUAL FIELD
- ❒ Normal
- ❒ Abnormal

Both visual acuity and visual field meet Physician's Guide criteria for licence class ☐ YES

Blood Pressure ______

C. OPINION Having completed A & B as applicable, in your opinion, does patient have a condition that may affect driving:

☐ NO ☐ YES ☐ May in future - recommend follow-up in ______ years

D. DETAILS OF CONDITION(S) THAT AFFECT OR MAY AFFECT DRIVING May include relevant specialists' reports or lab results.

E. RECOMMENDATION(S)
- ❒ Specialist Consult - Type ______
  Enclosed: ❒ Yes ❒ No I will arrange: ❒ Yes ❒ No
- ❒ Road test to assess ______
- ❒ Restrictions (Reason & Type) ______

SAMPLE

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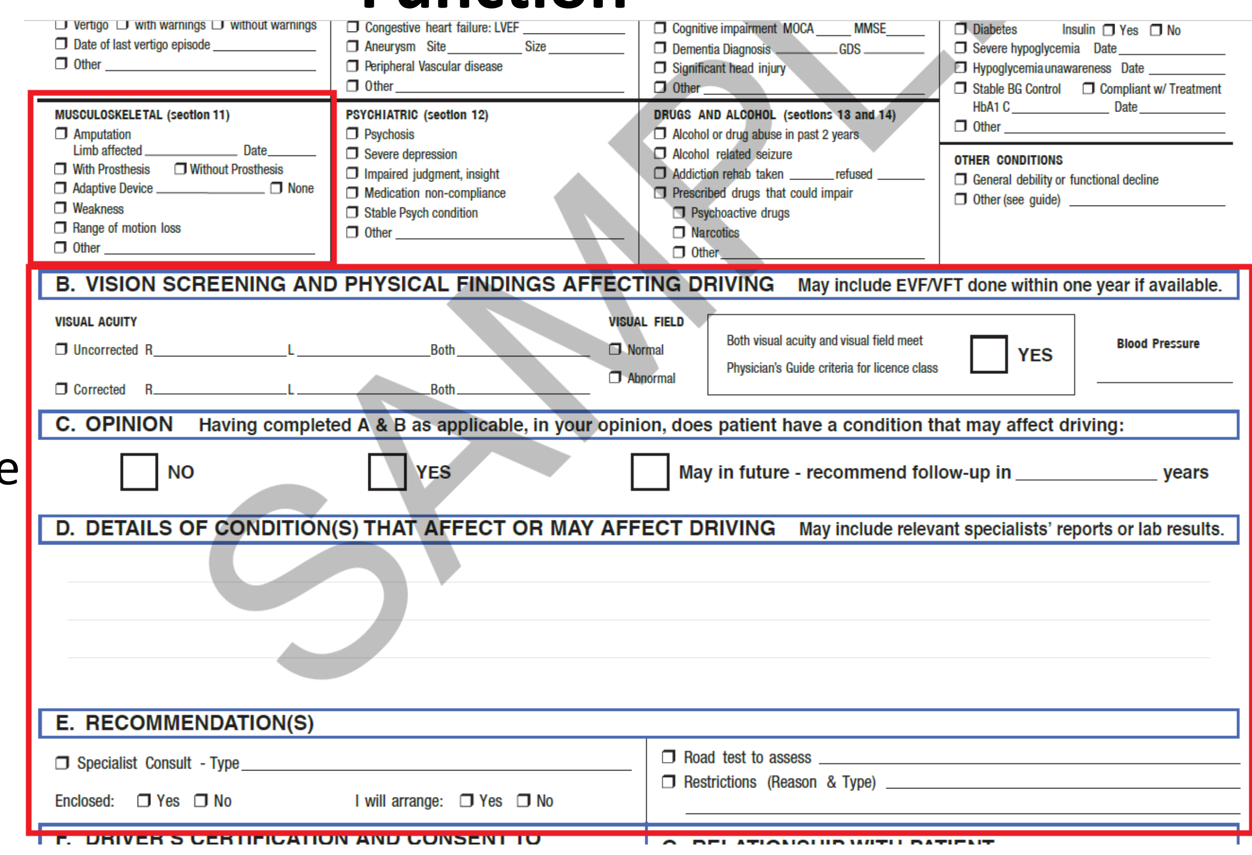
Information from Health Professionals

Example: Reporting Motor & Sensory Function

Should include:

- Diagnosis
- Specifics (date of event/loss of ability)
- Extent of ROM loss
- Specify which limbs are affected
- Severity
- Progressive, transient, stable



❒ Vertigo ❒ with warnings ❒ without warnings
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❒ Other ______

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❒ Aneurysm Site ______ Size ______
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❒ Other ______

❒ Cognitive impairment MOCA ______ MMSE ______
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Blood Pressure ______

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Enclosed: ❒ Yes ❒ No I will arrange: ❒ Yes ❒ No

❒ Road test to assess ______
❒ Restrictions (Reason & Type) ______

F. DRIVER'S CERTIFICATION AND CONSENT TO **G. RELATIONSHIP WITH PATIENT**

SAMPLE

Information from Other Sources

Unsolicited Reporting

- 11,000 reports sent in by medical personnel, police, family, and ICBC with concerns regarding the safety or fitness of a person to drive.
- The following conditions are of particular concern to road safety: declining cognitive abilities, seizures, psychiatric disorders, and problematic alcohol/substance use.

Members of the Public Reporting a Concern about a Person's Fitness to Drive

BC Guide

Upon review of Evidence Received

Driver Medical Fitness Adjudicators may:

- Request further medical information
- Request a Functional Driving Evaluation:
  - Enhanced Road Assessment (ERA)
  - ICBC Road Test re-examination
  - Occupational Therapist/Specialist Driving Evaluation
- Cancel a driver's licence/downgrade
- Find the driver medically fit to drive

Administrative Law Considerations

- The Superintendent has ultimate responsibility under the *Motor Vehicle Act* for determining a person’s fitness to drive.

- The test to be met for Driver Medical Fitness decisions is reasonableness.

Administrative Law

Administrative Law Principles are applied in Driver Medical Fitness Determinations

A person affected by a statutory decision has the right to know the case against them and must be given an opportunity to respond to it.

The four basic principles of administrative law:

- The person has a right to notice of a decision that will affect them.
- The person has a right to make a response to that decision.
- The person has a right to have the decision made by an impartial and independent decision maker.
- The person has a right to know the reasons for the decision.

A reasonable decision is one which falls within a range of possible, acceptable outcomes which are defensible in respect of the facts and law.

Driver Medical Fitness Decisions

Cancellation of a Licence

If a Driver Medical Fitness decision is to cancel a licence it must be based on:

- Reasonably reliable evidence of medical issue
- Reasonably reliable evidence of road safety risk

Driver Medical Fitness Decisions

Urgent Cancellation

To urgently cancel a driver's licence, the information must meet the following:

1. Evidence of medical urgency
2. High threshold of public safety and immediate road safety concerns
3. Timeliness: date of the event/episode must be current (within 30 - 60 days, condition specific)

Driver Medical Fitness Decisions

Urgent Cancellation

IF the evidence meets the three criteria, then:

- The licence is cancelled immediately and the driver is sent a cancellation notice and letter via mail
- The driver is given 21 days to request reconsideration of the decision to urgently cancel their licence
- A remedy is provided in the letter (the information RoadSafetyBC will need to consider re-licensing)

Driver Medical Fitness Decisions

Notice to Cancel

- When all three urgent cancellation criteria are not met, a Notice to Cancel (NTC) is issued
- In NTC cases, the driver is notified in writing that RoadSafetyBC's preliminary assessment is that the driver's licence should be cancelled
- The driver has 30 days to respond to the concerns raised before a final decision is made

Enforcement Options

If you are aware that a driver is continuing to drive after their licence has been cancelled, you may:

- Complete the Report of a condition affecting fitness and ability to drive form or write a letter to RoadSafetyBC and fax to 250-952-6888
- Phone RoadSafetyBC at 250-953-8612 and speak to a Nurse Case Manager who can assist you with reporting
- Phone your local police or RCMP to report your concerns

RoadsafetyBC can then take steps to prohibit the driver.

Enforcement Options

If police encounter an unlicensed driver they may:

- Issue a violation ticket for the offense of no valid driver's licence, or warn the driver

If a driver is convicted of a no driver licence infraction:

- ICBC records will post driver as "Vehicle Impoundment candidate/serve prohibition". Police may then:
    - Issue a violation ticket to the driver again and police must:
        - give an Unlicensed Driver prohibition (driver is prohibited indefinitely)
        - impound vehicle for 7 days (time increases with subsequent violations)

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Enforcement Options

If a prohibited driver is stopped by police:

- Driver can be charged and is subject to arrest
- Driver can be issued with a Provincial Appearance Notice resulting in a mandatory court appearance
- Vehicle must be impounded for 7 days
- Documents and report will be submitted to Crown for approval
- If convicted in court – minimum penalty is $500 with a mandatory 12 month automatic driving prohibition

Thank you

If you would like to provide feedback on this presentation, please send your comments or questions to:
RoadSafetyBC@gov.bc.ca