

Safe Driving With Medical Conditions

Question

I have a patient whose medical condition makes driving a potential safety hazard; yet, the patient continues to drive. I am concerned not only for the patient's safety, but also for the safety of others. Should I report my findings to the state motor vehicle department?

Answer

The obligation to report an unsafe driver varies by state, so you should be aware of your state's regulations – or the regulations of the state(s) in which you practice. Regulations may (a) address mandatory or voluntary reporting (which triggers HIPAA considerations); (b) outline specific medical conditions that require reporting; and/or (c) address the reporter's liability protection.

Ultimately, you should make the decision that best protects the patient and others while balancing the patient's right to confidentiality. After reviewing your state's regulations, discuss the following with the patient, provide written instructions, and be certain to document the conversation:

- Medications or medical conditions that impair driving
- Circumstances in which the patient should not drive (e.g., at night, without corrective lens, when experiencing certain symptoms, in the absence of a medical device or assessment, etc.)
- Available transportation alternatives
- Your state obligation (if any) to report unsafe drivers

Resources

- [AMA Journal of Ethics: Physicians' Legal Responsibility to Report Impaired Drivers](#)
- [National Highway Traffic Safety Administration: Physician's Guide to Assessing and Counseling Older Drivers](#)
- [National Highway Traffic Safety Administration: The Effects of Medical Conditions on Driving Performance: A Literature Review and Synthesis](#)
- [National Highway Traffic Safety Administration: The Contribution of Medical Conditions to Passenger Vehicle Crashes](#)

This document does not constitute legal or medical advice and should not be construed as rules or establishing a standard of care. Because the facts applicable to your situation may vary, or the laws applicable in your jurisdiction may differ, please contact your attorney or other professional advisors if you have any questions related to your legal or medical obligations or rights, state or federal laws, contract interpretation, or other legal questions.

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