

STATE OF NEW YORK

9065

IN SENATE

June 15, 2018

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT authorizing and directing the department of health to conduct a study on physicians and other licensed healthcare professionals reporting medical conditions that may impair the ability of a motorist to drive a motor vehicle

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The department of health, in consultation with the depart-
2 ment of motor vehicles, division of state police, medical society of the
3 state of New York, the nurse practitioner association of New York state
4 and any other agencies or political subdivisions or parties with exper-
5 tise it deems necessary, shall conduct a study and make recommendations
6 regarding physicians and other licensed healthcare professionals report-
7 ing medical conditions that may impair the ability of a motorist to
8 drive a motor vehicle to the department of health and department of
9 motor vehicles. Such recommendations shall include, but not be limited
10 to: (a) methods for licensed healthcare professionals to identify condi-
11 tions that pose a significant risk to the safe operation of a motor
12 vehicle; (b) the use of uniform validated measures for determining the
13 degree of impairment of the motorist; (c) a mechanism, including the use
14 of existing mechanisms, for healthcare professionals to report such
15 conditions to the department of motor vehicles while protecting patient
16 confidentiality; and (d) the development of a professional standard of
17 performance for physicians and other licensed healthcare professionals
18 reporting conditions that may pose a significant risk to the safe opera-
19 tion of a motor vehicle. The study shall also include recommendations
20 for improving and expanding use of the department of motor vehicles
21 medical review program regarding the reexamination of currently licensed
22 motorists that may not be qualified to drive a motor vehicle due to a
23 chronic, ongoing condition that may cause loss of consciousness, aware-
24 ness or body control and proper reporting of accidents in which a
25 medical condition contributed to causation. The report may also include
26 recommendations on additional mechanisms, including without limitation

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 administrative or statutory remedies and public outreach campaigns, to
2 increase self-reporting of medical conditions that may impair a motor-
3 ist's ability to operate a motor vehicle.

4 § 2. The study shall be completed and a report with any recommenda-
5 tions, including findings and justification for the development of the
6 professional standard of performance, shall be submitted to the gover-
7 nor, the temporary president of the senate, the speaker of the assembly,
8 the chair of the senate transportation committee, the chair of the
9 assembly transportation committee, the chair of the senate health
10 committee and the chair of the assembly health committee within one year
11 of the effective date of this act.

12 § 3. This act shall take effect immediately.