STATE OF NEW YORK

3572

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Transportation

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:

Section 1. The department of health, in consultation with the department of motor vehicles, division of state police, medical society of the state of New York, the nurse practitioner association of New York state and any other agencies or political subdivisions or parties with expertise it deems necessary, shall conduct a study and make recommendations regarding physicians and other licensed healthcare professionals reporting medical conditions that may impair the ability of a motorist to drive a motor vehicle to the department of health and department of motor vehicles. Such recommendations shall include, but not be limited to: (a) methods for licensed healthcare professionals to identify conditions that pose a significant risk to the safe operation of a motor vehicle; (b) the use of uniform validated measures for determining the degree of impairment of the motorist; (c) a mechanism, including the use of existing mechanisms, for healthcare professionals to report such conditions to the department of motor vehicles while protecting patient confidentiality; and (d) the development of a professional standard of performance for physicians and other licensed healthcare professionals reporting conditions that may pose a significant risk to the safe operation of a motor vehicle. The study shall also include recommendations for improving and expanding use of the department of motor vehicles medical review program regarding the reexamination of currently licensed motorists that may not be qualified to drive a motor vehicle due to a chronic, ongoing condition that may cause loss of consciousness, aware-

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

LBD01995-01-9

ness or body control and proper reporting of accidents in which a medical condition contributed to causation. The report may also include recommendations on additional mechanisms, including without limitation administrative or statutory remedies and public outreach campaigns, to increase self-reporting of medical conditions that may impair a motorist's ability to operate a motor vehicle.

§ 2. The study shall be completed and a report with any recommendations, including findings and justification for the development of the professional standard of performance, shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate transportation committee, the chair of the assembly transportation committee, the chair of the senate health committee and the chair of the assembly health committee within one year of the effective date of this act.

§ 3. This act shall take effect immediately.