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DRIVING FACT SHEET FOR MEDICAL PROVIDERS

Provided by Functional Stability and Mobility, LLC

Guide for Determining Driver Limitations

https://www.texmed.org/uploadedFiles/Current/2016_Public_Health/MABDriverLimitationGuide.pdf

- Established by the Texas Medical Advisory Board (MAB)
- Features rules for driving restrictions for those with medical conditions, such as seizures, dementia, sleep disorders, and cardiac disease
- When a physician refers a patient case to MAB for evaluation, the board reviews the medical facts and reaches an opinion. At that time, the board forwards a written recommendation to the DPS Driver License Division, which informs the individual of the decision.

Liability

- A physician who reports to the medical advisory board or a panel under Section 12.096 is not liable for a professional opinion, recommendation, or report made under this subchapter.
- “Neither the MAB nor the attending physician are legally liable for the decisions or actions taken by DPS in the licensing or un-licensing of drivers.”

Texas Reporting Guidelines

- The release of information under Section 12.096 is an exception to the patient-physician privilege requirements imposed under Section 159.002, Occupations Code.
- Texas does not have a mandatory reporting law, but physicians do have an ethical duty to discuss driving.
- Texas Department of Public Safety (DPS) is solely responsible for all actions taken with regard to licensing.

TO REPORT AN UNSAFE DRIVER OR TO DOCUMENT MEDICAL CLEARANCE TO DRIVE

- Voluntary reporting under Health & Safety Code, Title 2 Subchapter H, Section 12. 096
- Use Form Medical Advisory Board (MAB) Physician Referral Form
- An electronic version can be found at: <https://www.dshs.state.tx.us/medical-advisory-board/physicians.aspx>



Options for On Road Testing:

DRIVER REHAB SPECIALIST (DRS) EVALUATION

- Performed by an occupational therapist with knowledge of medical conditions
- Considers client's individual circumstances and goals
- Assesses physical, visual and cognitive skills in the clinic
- 60 minute behind the wheel assessment in various traffic environments
- Evaluates rehab potential and/or need for future re-evaluation
- Alternative outcomes are considered such as adaptive equipment needs, appropriate restrictions or driving cessation

DPS TEST

- Vision test required
- Written test required
- 15-20 minute Basic Operator Skills Test in client's vehicle
- Failure on this test results in loss of license
- Low cost

