



**TESTIMONY
OF
CONNECTICUT HOSPITAL ASSOCIATION
TRANSPORTATION COMMITTEE
Monday, February 24, 2003**

**HB 597, An Act Allowing Physicians To Report Unsafe Motor Vehicle Operators To
The Department Of Motor Vehicles**

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony concerning **HB 597, An Act Allowing Physicians To Report Unsafe Motor Vehicle Operators To The Department Of Motor Vehicles**, which would clarify that physicians who report unsafe drivers to the Department of Motor Vehicles have not violated patient confidentiality requirements.

Connecticut General Statutes Section 14-46 et seq. already creates a system that allows physicians to report unsafe drivers, but there are some improvements that could be made to the existing system. For example, Section 14-46b creates a Motor Vehicle Operator's License Medical Advisory Board that advises the Department of Motor Vehicles on medical issues and evaluates the fitness of individual drivers. The statute requires members of the Board to include physicians in seven specialties, but does not require emergency department physicians. We recommend that Section 14-46b be amended to mandate that emergency department physicians be included on the Board.

In addition, we recommend that the immunity provisions in Section 14-46f be clarified to include reports made in good faith by physicians. Currently, Section 14-46f provides immunity for good faith reports made pursuant to Section 14-46a through 14-46g, but the statute authorizing the initial physician report is 14-46. We respectfully suggest that Section 14-46f be amended to include Section 14-46 itself, as well as Sections 14-46a through 14-46g.

Finally, because a determination of whether a patient will be an unsafe driver is inherently subjective, we recommend that the Legislature preserve the existing voluntary reporting system, rather than imposing a mandatory reporting system. The current system allows a physician to report a patient diagnosed with a "chronic health problem, which, in the physician's judgment will significantly affect the person's ability to safely operate a motor vehicle," but does not mandate such reports.

Thank you for your consideration of our position.