

MedChi

The Maryland State Medical Society

1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Maggie McIntosh, Chairman
Members, House Environmental Matters Committee
The Honorable Dana Stein

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: March 4, 2014

RE: **OPPOSE** – House Bill 1339 – *Drivers' Licenses – Disorder, Disease, or Physical Disability – Defining, and Reporting*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, opposes House Bill 1339.

House Bill 1339 makes a number of changes to existing law governing the limitations on the renewal of driver's licenses when certain health issues exist with the driver.

MedChi recognizes the need to identify drivers who may have diseases, disabilities or disorders which impair their ability to drive. However, this legislation expands considerably the potential diseases, disorders and disabilities which can be identified and which could result in the non-renewal of driver's licenses. Currently, the list includes disorders involving lapses of consciousness and vision. House Bill 1339 expands that to include "other diseases or physical disabilities that may render an individual unable to exercise reasonable control over a motor vehicle." This would bring in a much broader range of health problems, including diabetic and allergy patients, to name just a couple. When properly managed, these diseases do not generally pose any risk, yet under the legislation they *could* be the basis for non-renewal.

Secondly, MedChi is concerned with the apparent exception made to the physician-patient privilege. On page 4, at lines 20-25, the bill would allow all health care practitioners - except psychiatrists, psychologists and certain nursing specialists - to make a report to the

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Medical Advisory Board about a patient and their disease. Current law appears to restrict the providers' ability to make that report to circumstances where the patient has authorized the report in writing.

MedChi appreciates that there may be diseases and disabilities beyond those identified in current law which may affect a person's ability to drive, but believes the expansion set forth in the bill goes too far in that regard.

For these reasons, MedChi opposes House Bill 1339 as it is currently drafted.

For more information call:

Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000