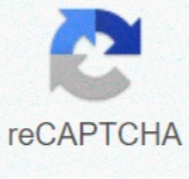




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## University of pennsylvania endowment report

Are applicants for a driver's license asked questions about diabetes? Yes. Applicants must indicate on the application form if they have ever been issued a driver's license. Penn. Dep't. of Transp. "Application for Change from a Junior Driver's License to a Regular Non-Commercial License," Form DL-180R (Rev. 12/2010). First-time applicants must submit to an examination by a licensed health care professional. 67 Pa. Code § 75.6 (2013). This physician, nurse, or physician's assistant must report the findings of the physical examination to the licensing agency. 67 Pa. Code § 75.6 (2013). Renewal applicants must state whether they have a number of conditions, including "uncontrolled diabetes" or "conditions causing repeated lapses of consciousness." Penn. Dep't. of Transp. "Application for Pennsylvania Non-Commercial Driver's License," Form DL-180R (Rev. 05/2013). Applicants that check "yes" for any of these conditions must undergo a physical examination. 67 Pa. Code § 83.3 (2013); 75 Pa. C.S. § 1514 (2013). What other ways does the state have to find out about people who may not be able to drive safely because of a medical condition? Pennsylvania receives reports of unsafe drivers from physicians, other health professionals, hospitals, police officers, courts family, friends, and other members of the public. 75 Pa. C.S. § 1514 (2013) (reports from courts and other reasonable sources); 67 Pa. Code § 82.2 (2013) (reports received from health providers); 67 Pa. Code § 82.8 (2013) (reports received from other sources). The Medical Unit of the licensing agency investigates reports from all these sources. 67 Pa. Code § 82.8 (2013). Reports are anonymous, and the source may not be revealed, even to the patient. Penn. Dep't. of Transp., "Medical Reporting Fact Sheet," FS Pub. 7212 (Rev. 02/2011). Licensing agency staff may report drivers if they show physical or mental disabilities during the licensing examination process, or through any other knowledge of the person. 75 Pa. C.S. § 1514(b) (2013). Agency staff can also use statistical inferences to determine that person is a safety hazard. 75 Pa. C.S. § 1514(b) (2013). For more information see the Penn. Dep't. of Transp. website, "Medical Reporting." (Accessed Sept. 2013).What is the process for medical evaluations of drivers? When the licensing agency receives a report that a driver may be medically unsafe, agency personnel review the medical information provided in the report and may make a licensing decision based solely on that information. If more information is needed, medical forms are sent to the individual, which must be completed by a physician. These forms must be returned to the licensing agency, where they are evaluated and a licensing decision is made. Periodic follow-up evaluations may be required. Who makes decisions about whether drivers are medically qualified? If the licensing agency receives information from any of the above sources, it may investigate the information, and conduct a medical evaluation. 75 Pa. C.S. § 1508(a) (2013). In addition, first-time applicants must submit a medical report based on an examination by a licensed health professional. 67 Pa. Code § 75.6 (2013). Examining physicians may fill out an initial report form. This form asks the physician to state if the patient has any of a list of conditions, including "diabetes mellitus" and "loss of consciousness." Penn. Dep't. of Transp., "Initial Reporting Form," DL-13 (Rev. 04/2012). A special section covers seizure disorders. Finally, the health provider may indicate if the person should cease driving immediately, or if the condition warrants further investigation of driving competency by the licensing agency. These forms must be submitted to the licensing agency. Penn. Dep't. of Transp., "Initial Reporting Form," DL-13 (Rev. 04/2012). The Medical Unit of the licensing agency receives these medical reports, and any other relevant information. It then makes a case-by-case determination whether the driver is competent to drive. The unit follows guidelines established by the state Medical Advisory Board. 67 Pa. Code § 82.2 – 82.7 (2013). The Medical Unit may immediately suspend all driving privileges, restore driving privileges, add medical restrictions, request additional medical evaluations or driver's tests, or take no action. 67 Pa. Code § 82.2 (2013). If a person's license is suspended, the agency may require follow-up examinations before the person may regain a license. 67 Pa. Code § 82.3 (2013). For more information on the medical review process, see the following diagram by the Pennsylvania Department of Transportation: 20Review%20Process.pdf (Accessed Sept., 2013). Are physicians required by law to report drivers who have medical conditions that could affect their ability to drive safely? Yes. All health care personnel, including physicians, chiropractors, physicians assistants, registered nurses, and any other person authorized to diagnose or treat disabilities must report unsafe conditions. 75 Pa. C.S. § 1518(b) (2013). These reports must be made within 10 days, and must include the patient's name, address, and medical condition. 67 Pa. Code § 83.6 (2013). All reports are confidential and anonymous, and may only be used as evidence for incompetency. They may not be used in any other civil or criminal trials. 75 Pa. C.S. § 1518(d)-(e) (2013). Physicians are not required to report a patient merely because of hypoglycemia or hyperglycemia, even if the patient experienced some confusion, loss of attention, or an altered state of perception. The physician should err on the side of caution, but may make a medical decision whether or not the patient is safe to drive. Physicians must, however, report any severe loss of consciousness that requires outside intervention or assistance. Penn. Dep't. of Transp., "Reporting Drivers with Diabetes Mellitus to PennDot Frequently asked Questions," Nov. 2011.Are physicians who report drivers with medical conditions immune from legal action by the patient? Yes. "No civil or criminal action may be brought against any person or agency for providing the information required under this [medical reporting] system." 75 Pa. C.S. § 1518(f) (2013). Who makes decisions about whether drivers are medically qualified? Most decisions are made by licensing agency staff through a special medical review unit. 75 Pa. C.S. § 1519(c) (2013) (authorizing licensing agency to recall or suspend license). 67 Pa. Code § 82.2 (2013) (describing review process and authorizing Medical Unit to suspend or restore privileges, add restrictions, or take no action). A Medical Advisory Board advises the licensing agency and reviews regulations concerning physical and mental standards for licensing drivers.75 Pa. C.S. § 1517(b) (2013). It is not authorized to make licensing decisions. What are the circumstances under which a driver may be required to undergo a medical evaluation? First-time applicants must submit to an examination by a licensed health care professional. 67 Pa. Code § 75.6 (2013). An addition, an individual may be required to undergo a medical evaluation if he or she gives affirmative answers to medical questions on the license application. 67 Pa. Code § 83.3 (2013); 75 Pa. C.S. § 1514 (2013). An individual also may be required to undergo a medical evaluation if he or she has been reported to the licensing agency as a potentially unsafe driver, or if he or she has an impairment that licensing agency personnel observe during the licensing process. 75 Pa. C.S. § 1514 (2013) (reports from courts and other reasonable sources); 67 Pa. Code § 82.2 (2013) (reports received from health providers); 67 Pa. Code § 82.8 (2013) (reports received from other sources). Has the state adopted specific policies about whether people with diabetes are allowed to drive? Yes. A driver must be free from "unstable diabetes mellitus leading to severe hypoglycemic reactions or symptomatic hyperglycemia" for at least six months. 67 Pa. Code § 83.5(a)(1) (2013). Hypoglycemic reactions are classified as mild if they signal a blood glucose drop, and the individual is able to self-correct with oral carbohydrates. They are "severe" if they require outside intervention or assistance of others, or if they produce confusion, loss of attention, or loss of consciousness. 67 Pa. Code § 83.2 (2013). Symptomatic hyperglycemia means high blood glucose levels that cause loss of consciousness or an altered state of perception. An altered state includes, but it is not limited to, decreased reaction time, impaired vision or hearing, or confusion. 67 Pa. Code § 83.2 (2013). Physicians are not required to report a patient merely because of hypoglycemia or hyperglycemia, even if the patient experienced some confusion, loss of attention, or an altered state of perception. However, physicians must report any severe loss of consciousness that requires outside intervention or assistance. Penn. Dep't. of Transp., "Reporting Drivers with Diabetes Mellitus to PennDot Frequently asked Questions," Nov. 2011. Any person with the above symptoms is not qualified to drive and will normally have his or her license suspended for at least six months. 67 Pa. Code § (a)(1)83.2 (2013). After the condition stabilizes, and the driver is episode-free for at least six months, the license can be restored. The person must submit a medical evaluation, including an HbA1C test, a vision screening, and a certification from a physician that the patient is episode-free. Frequent follow-up examinations are mandatory. Six, twelve, and twenty-four months after this qualifying evaluation, the driver must submit follow-up examination with the same information. The individual and the physician must continue to certify on official forms that the driver is episode-free. More frequent evaluations may be required if recommended by the treating physician. After the final 24 month examination, the individual is free to drive unless he or she experiences another episode. 67 Pa. Code § 83.2 (a)(1)(i)-(vi) (2013). A health provider may grant a waiver from these requirements under the following circumstances: 1) the individual was free from "severe hypoglycemic reactions or symptomatic hyperglycemia" for at least six months; 2) these reactions or symptoms occurred while the person was under the treating health care provider's care; and 3) the symptoms happened "concurrent with a nonrecurring transient illness, toxic ingestion or metabolic imbalance." 67 Pa. Code § 83.5 (2013)(a)(2). The treating health care provider must submit a written certification stating this is a temporary condition or isolated incident and not likely to occur again. 67 Pa. Code § 83.5 (2013)(a)(2). What is the state's policy about episodes of altered consciousness or loss of consciousness that may be due to diabetes? See the above entry for the licensing agency policy regarding episodes of loss of consciousness due to diabetes. In addition, a person with an episode of consciousness of "unknown etiology or not otherwise categorized" is unqualified to drive unless episode-free for at least one year. A person with a seizure disorder must be seizure-free for six months, with exceptions for auras, nocturnal patterns of seizures, or seizures caused by changes of medication or transient illness or imbalance. 67 Pa. Code § 83.4(a) (2013). Does the state allow for waivers of this policy, e.g., a waiver for a one-time episode of severe hypoglycemia that has mitigating factors (e.g., recent change in medication, illness, etc.) or that has been addressed with a physician? Yes. A health provider may grant a waiver from these requirements under the following circumstances: 1) the individual was free from "severe hypoglycemic reactions or symptomatic hyperglycemia" for at least six months; 2) these reactions or symptoms occurred while the person was under the treating health care provider's care; and 3) the symptoms happened "concurrent with a nonrecurring transient illness, toxic ingestion or metabolic imbalance." 67 Pa. Code § 83.5 (2013)(a)(2). The treating health care provider must submit a written certification stating this is a temporary condition or isolated incident and not likely to occur again. 67 Pa. Code § 83.5 (2013)(a)(2). What is the process for appealing a decision of the state regarding a driver's license? Any person facing a recall or suspension of his or her driving privileges may appeal. The judicial review will be limited to whether the person is competent to drive according to the standards of the Medical Advisory Board. 75 Pa. C.S. § 1519 (2013). The standards for appeal are outlined in detail in 75 Pa. C.S. § 1550 (2013). May an individual whose license is suspended or denied because of diabetes receive a probationary or restricted license? Yes. The licensing agency may, with "good cause" impose any restrictions "suitable to the licensee's driving ability ... to assure the safe operation of a motor vehicle." 75 Pa. C.S. § 1510 (2013). The Medical Unit may add or delete restrictions based on medical information submitted by health care providers. 67 Pa. Code § 82.5(a)-(b) (2013). Restrictions can include special provision restrictions for mechanical equipment for a driver with an amputated foot, or vision restrictions for a driver with cataracts. 67 Pa. Code § 79.2, 79.5 (2013); 67 Pa. Code § 82.5 (2013). Is an identification card available for non-drivers? Yes, with proper identification and payment of a fee. The applicant must be a resident of Pennsylvania, at least 16 years of age, and not a licensed Pennsylvania driver. 67 Pa. Code § 91.3 (2013). The application fee is \$5 for most people, and the card expires after four years. 67 Pa. Code § 91.4. (2013). The state only accepts certain identification documents, as listed in Pa. Code § 91.4 (2013). Resources Driver licensing in Pennsylvania is administered by the Bureau of Driver Licensing within the State Department of Transportation. university of pennsylvania endowment report 2019





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