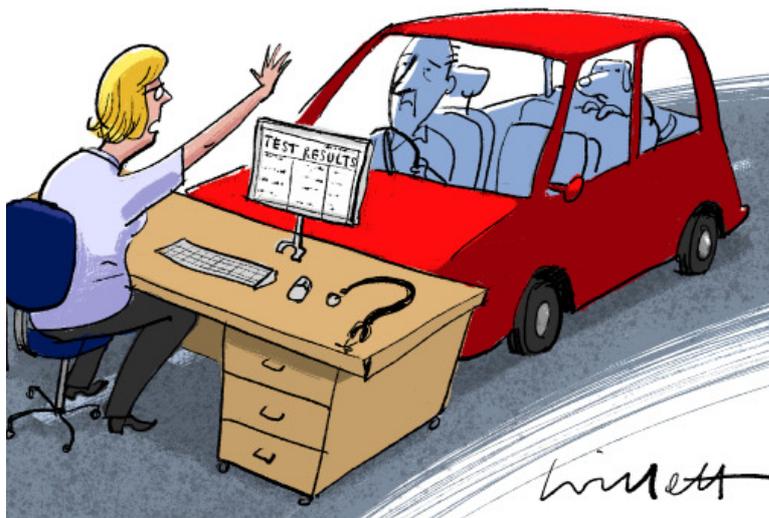


What should I do when my patient is not fit to drive?

It can be difficult if a motorist ignores your medical advice to stop driving, but guidance is available, experts tell **Abi Rimmer**



Keep records of your discussions with the patient

Edward Farnan, Medical Defence Union medico-legal adviser

“The Driver and Vehicle Licensing Agency (DVLA) guidance *Assessing fitness to drive: a guide for medical professionals* will help you decide if a patient’s ability to drive might be impaired by a medical condition, treatment, certain medication (particularly affecting the central nervous system), or alcohol/drug misuse. Be aware that different standards apply to professional drivers, such as HGV drivers and bus drivers.

If you are unsure if a condition reaches the threshold, get advice from an experienced colleague or your defence organisation. Alternatively discuss the case anonymously with a medical adviser at the DVLA or DVA.

“Advise the patient their condition or treatment may affect their ability to drive and they have a legal obligation to inform the relevant licensing agency, and to stop driving.

“If the patient refuses to accept your assessment and advice, suggest they seek a second opinion and advise them they must not drive while waiting for that.

“If you become aware the patient is still driving, try to persuade them to stop, and warn them you may be obliged to disclose relevant medical information if they persist. If you believe their refusal to stop driving leaves others exposed to a risk of death or serious harm or they do not understand your advice, you should contact the relevant agency promptly. Ideally, inform the patient of your intention to disclose information and consider any objections.”

“Keep clear and comprehensive records of your discussions with the patient.”



Consider how to support safe driving

Desmond O'Neill, director of the National Office for Traffic Medicine, Dublin

“The UK and Ireland have helpful guidelines on medical fitness to drive. These are supportive of continued safe driving and over recent decades have reduced restrictions. This is in recognition of how many medical interventions can improve driving safety.

“The first step is to check the guidelines on medical fitness to drive on the website of the DVLA. It’s worth remembering that certain conditions may involve several elements of the guidelines, such as vision and neuropathy problems for drivers with diabetes. Equally, it’s important to factor in multimorbidity.

“The resulting discussion with the patient will be based on the understanding that they can only continue to drive for as long as they follow medical advice, comply with treatment, and maintain their health. This includes a declaration of their medical condition to the relevant licensing agency, as required.

“Consider what care elements may support safe driving, from drug compliance to car adaptations. If in doubt, a further opinion from another specialist, such as an occupational therapist or driving assessor, may be helpful. The DVLA also offers advice.

“Relatively small numbers of patients refuse to follow medical advice and DVLA guidance gives useful advice on how to proceed when there is a significant risk to the driver and the public.”



Remember your duty to protect the public

Colin Melville, director of education and standards for the GMC

“Doctors have a vital role in public protection and should keep up to date with disorders and conditions that can impair a person’s fitness to drive.

“If a patient’s condition or treatment could affect their safety as a driver, you should alert them to their legal duty to inform the relevant licensing agency, and encourage them to act on it.

“If a patient disputes the diagnosis, you can suggest they seek a second opinion and help them to arrange this but be clear they should not drive in the meantime. Ultimately, it’s for the DVLA advisers to determine whether someone is fit to drive.

“If you learn that a patient has continued to drive, you should make every reasonable effort to persuade them to stop. If those warnings are ignored, you should consider the risk of the patient’s actions—to themselves and to the wider public.

“If you think their refusal to stop driving leaves others exposed to a risk of death or serious harm, contact the DVLA and disclose any relevant medical information, in confidence, to the medical adviser.

“Wherever and whenever possible, inform the patient before you make your disclosure and consider any objections they raise. You should also advise your patient in writing once you have done so, and make a note in their record.

While respecting patient confidentiality is important, you also have a wider duty to protect the patient and the public.”

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