

# DMV Medical Advisory Board

<b>TYPE OF MEETING</b>	DMV Medical Advisory Board
<b>FACILITATOR</b>	Dr. Susan DiGiovanni, Rebecca Parsio
<b>MEETING DATE</b>	Saturday April 16, 2022
<b>MEETING TIME</b>	9:00 AM – 12:00 PM
<b>MEETING LOCATION</b>	Conference Room 702
<b>NOTE TAKER</b>	Rebecca Parsio

## ATTENDEES

<b>Name</b>	<b>Agency, Company or Association</b>
Dr. Susan DiGiovanni	DMV Medical Advisory Board
Dr. Mark Sochor	DMV Medical Advisory Board
Dr. Firas Beitinjaneh	DMV Medical Advisory Board
Dr. Surbhi Bansal	DMV Medical Advisory Board
Dr. Lisa Jenkins Haynie	DMV Medical Advisory Board
Dr. Jawad Wazir Bhatti	DMV Medical Advisory Board
Cam Gutshall	Department of Motor Vehicles
Janet Baugh	Office of the Attorney General
Sharon Brown	Department of Motor Vehicles
Toni Boyd	Department of Motor Vehicles
Rebecca Parsio	Department of Motor Vehicles

## CALL TO ORDER

The DMV Medical Advisory Board meeting was called to order by Dr. Susan DiGiovanni at 9:08 AM to address the agenda as posted on the Commonwealth Calendar (Document #1).

## PUBLIC COMMENT PERIOD

Dr. DiGiovanni opened the public comment period by reading the following information into the record. "The first item on the agenda is the public comment period. At this time citizens are invited to address the board on any matter related to the board's statutory role pursuant to Va. Code § 46.2-204. The code provides that the board assists the commissioner through the development of medical and health standards for use in the issuance of driver's licenses; and the commissioner may refer to the board for an advisory opinion the case of any person applying for a driver's license or renewal, or of any person

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whose license has been suspended or revoked, or of any person he has cause to believe suffers from a physical or mental disability or disease which will prevent his exercising reasonable or ordinary control of a motor vehicle while driving it on the highways.

This is a time for the board to hear from you and listen to your comments. While this is not intended to be a conversation with the board, the board may ask clarifying questions. Please be aware that the board has a lengthy agenda and limit your comments to 10 minutes or less."

There were no members of the public present. No comments were made to the board.

## APPROVAL OF MINUTES

The minutes, sent in advance for review, were approved.

Dr. Sochor made the motion

Dr. Beitinjaneh 2<sup>nd</sup> the motion

All approved

## PROGRAM UPDATES

### Blood Type and the Driver's License

Sharon Brown shared the recent legislation to place a person's blood type on their driver's license. This would be voluntary and DMV will not require a lab report, just the driver's report. This legislation was passed by both the House and Senate, however, the Governor sent it back with a proposed amendment. It won't take place until next year. Dr. Sochor stated that he keeps O positive and O negative in the ER. He would administer that while waiting for the blood test to confirm the patient's blood type. He would not use the information on a driver's license because many people are incorrect about their blood type. The other board members agreed.

### FMCSA Waiver Changes/Vision

Rebecca reported that FMCSA has eliminated the vision waiver program and pushed that approval to the DOT examiner (Document #2). DMV will follow suit with drivers who receive waivers from the state of Virginia. The only drivers who will remain on the waiver program will be excepted drivers (EI and EA self-certifications).

### CDRS providers

Rebecca shared the updated listing of CDRS providers (Document #3). There is one less provider in the Richmond area, but additions in Fredericksburg and Greater Tidewater.

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## VISUAL FIELD TESTING

Dr. Bansal presented to the board 6 visual field cases and discussed how they are evaluated. (Document #4). She touched on details provided by DMV, the limitations of the testing modality and concerns about reporting.

Dr. Bansal stated that most vision providers believe that they are prohibited from reporting a patient to DMV due to HIPAA concerns. Janet Baugh stated that *Code of Virginia* provides immunity for providers reporting to DMV. They are not violating HIPAA when a driver who does not meet the vision standards are reported to DMV. The group discussed ways to communicate with providers this fact. VSEPS, Board of Medicine, and the Medical Society are suggested avenues of communication.

Dr. Jenkins Haynie asked if DMV could consider a method of electronic submission. If the Med 3 were an online form that could be completed and submitted, there would be much better reporting. DMV will look at a possible way of doing this.

## COGNITIVE IMPAIRMENT POLICY ISSUES

Dr. Beitinjaneh expressed concern that not everyone with mild cognitive impairment needs to be reported to DMV. Drivers with memory loss but intact processing should not have driving impacted.

The tests performed that would indicate a possible impact to driving are Trail B, Clock drawing and the Maze test. If there is a decline in processing, these individuals should be evaluated further.

## MEDICAL REVIEW POLICIES

The Board reviewed the DMV medical policies and made recommendations in accordance with Va. Code § 46.2-204. Rebecca Parsio introduced the suggested policy changes provided by various members of the board between meetings. Changes were made to each policy. Each policy with changes was discussed to determine whether further amendments should be made. Please see the table below for a synopsis of the amendments. The updated policies with their amendments will be posted to DMV's medical webpage. Dr. DiGiovanni asked for a motion to approve policies with further revisions suggested at the meeting.

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Policy	Revisions
DMV Cognitive Impairment Policy Document #5	Approved without changes Dr. Bietinjaneh 1 <sup>st</sup> Dr. Sochor 2 <sup>nd</sup> All approved
DMV Policy for Drivers Experiencing a Crash Due to a Pedal Application Error Document #6	Approved without changes Dr. Sochor 1 <sup>st</sup> Dr. Bansal 2 <sup>nd</sup> All approved
DMV Heart-Assist Device Policy Document #7	Approved without changes Dr. Haynie 1 <sup>st</sup> Dr. Bietinjaneh 2 <sup>nd</sup> All approved
DMV Policy for Adaptive Equipment and Certified Driving Rehabilitation Specialist (CDRS) Referral Document #8	Approved without changes Research pedal extenders for discussion in October Dr. Sochor 1 <sup>st</sup> Dr. Haynie 2 <sup>nd</sup> All approved
DMV Policy for Drivers with Respiratory Conditions Requiring Supplemental Oxygen and/or Sleep Disorders Document #9	Add "and other sleep disorders" Dr. Bietinjaneh 1 <sup>st</sup> Dr. Bansal 2 <sup>nd</sup> All approved
DMV Visual Field Policy Document #10	Add to last section direction on DMVs measurement of VF  Dr. Bansal 1 <sup>st</sup> Dr. Bhatti 2 <sup>nd</sup> All approved

CLOSED SESSION

Dr. DiGiovanni read the code information regarding closed sessions and asked if there was

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a motion for the Board to enter into a closed session to discuss matters covered under §§ 2.2-3711 (a)(4) and 2.2-3711(a)(15) of the Code of Virginia, 1950, as amended, pertaining to consideration of medical or mental health records relating to specific individuals; and discussion of personal matters not related to public business.

Dr. Sochor made a motion to convene into the closed session. The motion was seconded by Dr. Bhatti. The motion carried unanimously.

## REVIEW OF CASES

### CERTIFICATION OF CLOSED EXECUTIVE SESSION

Whereas, the Medical advisory Board has convened in executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, § 2.2-3712 of the Code of Virginia, as amended requires a certification by this Medical Advisory Board that such executive closed session was conducted in conformity with Virginia law; Now Therefore, Be It Resolved that Medical Advisory Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive closed session were heard, discussed or considered by the Medial Advisory Board.

A roll call of board members was conducted:

Dr. DiGiovanni – Approved  
Dr. Beitinjaneh – Approved – 2nd  
Dr. Sochor – Approved  
Dr. Bansal – Approved  
Dr. Jenkins Haynie – Approved  
Dr. Bhatti – Approved – 1st

### Board Recommendations on Medical Cases Reviewed in Closed Session

#### Medical - Case 1:

Dr. Digiovanni reviewed decision from closed session.  
Continue 6-month suspension. Apply substance abuse policy.  
Unanimous agreement.

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## Medical - Case 2:

Dr. Digiovanni reviewed decision from closed session.  
Continue 6-month suspension.  
All approved

## Medical - Case 3:

Dr. Digiovanni reviewed decision from closed session.  
Reduce to 3-month suspension.  
Unanimous agreement.

## Medical - Case 4:

Dr. Digiovanni reviewed decision from closed session.  
Approve to resume driving.  
Unanimous agreement.

## ADDITIONAL DISCUSSION

Dr. Sochor and Dr. DiGiovanni are up for renewal. Both are willing to continue. Dr. DiGiovanni expects to retire in 3 years.

## FUTURE MEETING DATE

The next board meeting will be held on Saturday, October 22, 2022. This date is subject to change when provider clinic schedules are released.

## ADJOURNMENT

The meeting adjourned at 12:30 PM.

ACTION ITEMS – NEW	PERSON RESPONSIBLE	DEADLINE
Research pedal extenders	Rebecca Parsio	Done Document #6
Update policies approved at the meeting	Rebecca Parsio	Will be submitted with policies from

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2022 meeting.  
Signatures  
updated to Acting  
Commissioner  
Linda Ford

Documents referenced in the minutes are available upon request. Please call  
Rebecca Parsio, RN at (804) 367-4380 or e-mail her at  
[rebecca.parsio@dmv.virginia.gov](mailto:rebecca.parsio@dmv.virginia.gov).