

RESOLUTION 19-08A

Title: Prescribed Drugs Causing Impaired Driving

Introduced by: Rajesh B. Makim, MD, for the St. Clair County Delegation

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Referred to: Reference Committee D

House Action: Referred to the Board for Study

Whereas, nearly all fields of medicine involve the prescribing of medications which can impair one's ability to drive (e.g. narcotics, benzodiazepines, muscle relaxants, etc.), and

Whereas, these medications can directly by their action, or indirectly by a side-effect, cause a driving impairment by decreasing reaction time and/or altering judgment and motor skills, and

Whereas, the Michigan Vehicle Code, Act 300 of 1949, Section 257.625 states: "(1) A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state if the person is operating while intoxicated." As used in this section, "operating while intoxicated" means either of the following applies:

(a) The person is under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance.

(b) The person has an alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or, beginning October 1, 2013, the person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine," and

Whereas, the language in the Physicians' Desk Reference (PDR) 2008 is vague and somewhat misleading about whether patients may drive while being under the influence of obviously impairing medications, and

Whereas, examples of PDR language include:

(a) Lortab: "Hydrocodone, like all narcotics, may impair mental and/or physical abilities required for the performance of potentially hazardous

tasks such as driving a car or operating machinery; patients should be cautioned accordingly.”

(b) MS CONTIN: “MS CONTIN may impair mental and/or physical ability required for the performance of potentially hazardous tasks (e.g., driving, operating machinery). Patients started on MS CONTIN or whose dose has been changed should refrain from dangerous activity until it is established that they are not adversely affected.”

(c) OxyContin: “Patients should be advised that OxyContin may impair mental and/or physical ability required for the performance of potentially hazardous tasks (e.g., driving, operating heavy machinery).”

(d) Tylenol #3: “Codeine may impair the mental and/or physical abilities required for the performance of potentially hazardous tasks such as driving a car or operating machinery. The patient using this drug should be cautioned accordingly,” and

Whereas, patients who may or may not be judgment impaired often are left to themselves to determine whether they are impaired by a drug and thus may unwisely choose to drive while under the influence of these types of medications; therefore be it

RESOLVED: That MSMS clarify to physicians that patients should be told in no uncertain terms that it is illegal for them to drive under the influence of drugs that are known to alter judgment, reaction time, and motor skills; and be it further

RESOLVED: That MSMS implement a public awareness program about the law against driving while under the influence of prescribed drugs; and be it further

RESOLVED: That MSMS work with the publishers of the Physicians’ Desk Reference and pharmaceutical companies to reconcile the directions to patients and physicians regarding the ability to drive when taking certain medications.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE