

RESOLUTION 66-10A

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3 **Title: Liability Protection for Physicians who Report Potentially**
4 **Impaired Drivers**
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6 **Introduced by: Laura Carravallah, for the MI Chapter, American College of**
7 **Physicians**
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9 **Original Author: Cheryl C. Farmer, MD**
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11 **Referred to: Reference Committee B**
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13 **House Action: No Action**
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16 **Whereas, impaired drivers can cause serious injury or death to other**
17 **drivers on the road, and**

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19 **Whereas, physicians who make referrals to Protective Services for**
20 **suspected cases of abuse are protected from legal liability, regardless of the**
21 **final determination of that agency in order to maximize the sensitivity of**
22 **screening for those cases, and**

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24 **Whereas, the AMA Council on Ethical and Judicial Affairs, upon being**
25 **asked by the AMA House of Delegates more than a decade ago in 1997 to**
26 **render an opinion on the ethics of reporting these drivers ruled that**
27 **“Physicians should work with their state medical societies to create statutes**
28 **that uphold the best interests of patients and community, and that safeguard**
29 **physicians from liability when reporting in good faith,” and**

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31 **Whereas, physicians who refer potentially impaired drivers in Michigan**
32 **are still currently vulnerable to civil suits because of this action; therefore be it**
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34 **RESOLVED: That MSMS seek legislation that would protect physicians**
35 **from legal liability for the referral of a potentially impaired driver to a**
36 **responsible governmental agency.**
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39 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**