

# Facilitating Judgments About Driving

## A Guide for Judges

**S**afe driving requires quick, efficient, and effective use of mind and body. Most seniors can drive safely, but there is no denying that age, illness, and disability can seriously impair driving.

A judge's goal is to determine who can continue driving with full privileges, who should have limited driving privileges, and who should have driving privileges suspended or permanently revoked. Physicians, psychologists, and occupational therapists all can offer critical input to help make this decision. Most judges already refer to their state's medical review board, physicians, and psychologists but are less familiar with occupational therapy and driver rehabilitation services.

### What Is Occupational Therapy?

Occupational therapy is a health profession that assesses a person's physical, cognitive, perceptual, sensory, and emotional abilities to perform daily living skills and provides intervention to achieve independence in these skills. Occupational therapists evaluate the impact of sensory, cognitive, motor, and emotional impairments on driving and use their expertise to help ensure that older adults retain their independent community mobility, regardless of the types of transportation used.

Occupational therapy services typically include

- Assessment of abilities, function, and skills
- Customized intervention programs to improve one's ability to perform daily activities (e.g., work, housework, driving)
- Adaptive equipment recommendations and use training
- Guidance to family members and caregivers.

Some occupational therapists have advanced training in driving assessment and adaptation. These driving specialists can

- Provide comprehensive driving evaluations, including clinical assessment of motor, cognitive, sensory, and emotional functioning
- Provide an on-the-road assessment of actual driving performance
- Recommend driving restrictions and alternative forms of transportation if driving cessation is appropriate
- Provide strategies and equipment to improve driving safety and ability.

### How Can You Find an Occupational Therapist?

Contact the state's occupational therapy association to locate an occupational therapist. To locate occupational therapists specializing in driver rehabilitation, see the American Occupational Therapy Association's database at [www.aota.org/driver\\_search/index.aspx](http://www.aota.org/driver_search/index.aspx).

### How Can You Refer a Defendant for Occupational Therapy Services?

Some states require a physician's referral for occupational therapy evaluation and rehabilitation



services. In such states, the court can request that a physician refer the defendant for occupational therapy assessment and intervention. In states where medical referral is not required, the court may refer the defendant directly to an occupational therapist.

### What Services Does an Occupational Therapist Provide?

An occupational therapist can provide the court with

- A summary of the evaluation, reporting the senior's
  - Medical and driving histories
  - Synthesis of the person's strengths, deficits, and functional impact of his or her medical conditions on the senior's
    - Vision and visual perception
    - Mental processes
    - Physical status.
  - Functional independence in daily life skills, including nondriving community mobility
  - Strengths and problems with on-road driving (if referred to a driving specialist).
- Specific recommendations for
  - Rehabilitation services related to independence and safety in the home
  - Consultation on community mobility and appropriate transportation alternatives
  - Driving restrictions
  - Specialized driving services, such as training in strategies and equipment to improve driving safety.

### Who Pays for an Occupational Therapy Evaluation?

Many medical insurers pay for part or all of an occupational therapist's assessment and for rehabilitation services or consultations related to safety in the home or community mobility. Specialized occupational therapy driving evaluation and specialized driving services are generally not covered by health insurance. ■

### Common Occupational Therapy Terms

**ADL (activities of daily living)** Activities that are oriented toward taking care of one's own body

**IADL (instrumental activities of daily living)** Activities that are oriented toward interacting with the environment and that often are complex—generally optional in nature

**community mobility** An IADL that involves moving one's self in the community and using public or private transportation, such as driving, or accessing buses, taxicabs, or other public transportation systems.

**occupational therapy driving and community mobility evaluation** The entire process of obtaining and interpreting data to determine capabilities, safety, and rehabilitation potential related to driving and accessing other transportation. The evaluation may include both a clinical assessment and in-vehicle assessment and results in recommendations for remediation, adaptation, or transition to alternatives when cessation is recommended.



For more information on driving and community mobility, visit [www.aota.org/olderdriver](http://www.aota.org/olderdriver), or email [driverhelp@aota.org](mailto:driverhelp@aota.org).

