

Standards for occupational therapists involved in driving assessments and vehicle modifications

1. Introduction

Driving is considered an instrumental activity of daily living (IADL). It involves a complex collaboration of motor perceptual, sensory and cognitive skills. For the driving task individuals must simultaneously interact with the motor vehicle and the external environment (Fields & Unsworth, 2017; Patomella & Bundy 2015). Determining the safety of drivers requires a comprehensive understanding of driving as an occupation and knowledge of the range of legal implications including the Land Transport Act (1998) Section 18 and the Land Transport (Driver Licensing) Rule 1999, Part 7, Part 9 and Part 13. Waka Kotahi NZ Transport Agency operationalises the driver licence process and acknowledges the role of occupational therapists as specialists, who undertake medical fitness to drive assessments.

2. Scope

This standard applies to occupational therapists who have a practising certificate in Aotearoa New Zealand and provide driving, passenger and vehicle modification assessments. The objective of occupational therapy engagement for the driving role is to determine whether a person has the necessary skills required to commence, continue, or return to safe and independent driving. The aim of driver rehabilitation is to facilitate or enhance safe and independent driving, including the provision of adaptive driving equipment and teaching of compensatory strategies.

Concurrently specialist occupational therapy driving assessors may also engage in passenger transport mobility for children and adults with cognitive or locomotor injury or disability (Di Stefano, Stuckey, Kinsman & Lavender, 2019). Occupational therapists provide overview and support in design and project management for travelling safely as a passenger in a vehicle. Advice may involve basic assistive devices or complex vehicle modifications and adaptations.

Occupational therapists are aware of the high priority individuals give to their driving independence and of the associated complexity in determining fitness to drive (Yuen & Burik, 2011). The severity of a serious adverse event occurring during the task of driving or when travelling as a passenger in a vehicle, is potentially high and holds inherent risks to the safety of the individual and the general public.

The Occupational Therapy Board of New Zealand (OTBNZ) has developed these standards as an adjunct to the Competencies for Registration and Continuing Practice as part of its role to assure the public they will receive safe competent occupational therapy service.

Standards can be legally enforceable and used as a benchmark for reviews of competence and conduct by the OTBNZ or the Health and Disability Commissioner if necessary. Other standards

which are also applied are, the OTBNZ Code of Ethics and the Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996. OTBNZ also seeks to honour Te Tiriti o Waitangi in its regulatory activity and expects all occupational therapists to understand and work with Te Tiriti as an overarching guide for practice.

It is anticipated that these standards will be reflected and supported by policies and procedures.

3. New Zealand Law

The references below are provided as an indication that other legislation may relate to the work of practitioners in this area.

Consumer Guarantees Act, 1993, Part 4 Supply of Services.

Land Transport (Driver Licensing) Rule 1999, Part 7, Part 9 and Part 13,

Medical Aspects of Fitness to Drive: A guide for Medical Health Practitioners

Fair Trading Act, 1986, Part 2 Consumer Information Standards.

Health Practitioners Competence Assurance Act 2003

Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996

Health and Safety at Work Act 2015

Land Transport Act 1998 – Section 18, Section 19, Section 106; Land Transport Amendment Act 2017.

Ministry of Transport: Land Transport Vehicle Compliance Rule: Low Volume Vehicle Standard 45-60 and Low Volume Vehicle Standard 45-30.

Privacy Act 2020

4. Overview

4.1. Occupational therapists involved in driving, passenger and vehicle assessment must provide clear written information to the client. This should be provided prior to providing service wherever practicable.

Information provided must:

- a. state the purpose of assessment, the process, type and duration of assessments undertaken, and how the results will be communicated. This must include information about off and on road assessments.
- b. provide client specific information regarding the service's assessment components and processes.
- c. provide information for clients to make them aware of their options for a second opinion, reassessment and complaint processes.
- d. provide information about the cost of the assessment with responsibility for payment clearly explained. Provision of a written quote, cost invoice and receipt must be provided. Fees and fee structures must be responsive to clause 2.2 in the OTBNZ Code of Ethics.

- e. It is essential that practitioners maintain a contemporaneous record of the complete process and interactions with the client.
 - f. Practitioners must be clear about their role in respect to advice where clients are purchasing a vehicle from a third party.
- 4.2. Assessments are collaborative and proactive communication occurs with referrers and / or may include the Waka Kotahi Medical Review Section, ACC, other health professionals, and/or insurers. Driving instructors, vehicle modification engineers, technicians and / or sales representatives may also be involved.
- 4.3. Informed consent ¹ in conjunction with information contained within clauses 4.1 and 4.2 will include:
- a. Privacy Statements with clear information and details for the sharing and disclosure of findings and advisory recommendations of assessment;
 - b. An outline and details of formal written reports, summarising the outcomes of the assessment and recommendations, using plain English, being free of jargon and able to be understood by the client, whānau and / or significant others;
 - c. Outcome and recommendations that must be communicated to the clients' general practitioner;
 - d. Written advisory recommendations stating the outcome of the assessment. Driver licence recommendations will be specific, reasonable and enforceable. Consideration will be given to reassessment of driving over a set period of time based on the clinical judgement of the assessor; and,
 - e. Any statutory requirements to inform Waka Kotahi NZTA or other parties about the outcome of the assessment.

Particular attention should be made to ensure appropriate informed consent for clients with any cognitive impairment.

5. Driving Assessment Framework

There is a wide range of potential deficits subsequent to illness, injury or disability which may compromise driving safety. Occupational therapists use a client centred approach and are required to evaluate and render an opinion on driving safety or potential, including prescription of vehicle modification. The following factors determine appropriate assessment protocols:

5.1 Off Road: The off road clinical assessment involves the following;

5.1.1. Medical fitness: Referral to assessment services should include medical history in order for the assessor to identify signs and symptoms of pathology, contraindications and precautions for driving. Any condition/s likely to impact safe driving capacity or travelling as a passenger is comprehensively and appropriately evaluated during the screening, interview and assessment process. Occupational therapists will review referrals received and determine suitability of a client including ethical responsibilities and considerations before accepting or providing service. When medical information is not provided at time of referral, the occupational therapist will make reasonable efforts to obtain this information.

¹ Informed consent is defined in Right 7 of the [code of health and disability service user's rights](#): Right to make an informed choice and give informed consent.

5.1.2 Occupational therapists will consider any condition/s likely to impact safe driving capacity or travelling as a passenger is comprehensively and appropriately evaluated during the screening, interview and assessment process.

5.1.3 Occupational therapists will complete assessments with regard to the medical policies and standards contained in the Waka Kotahi NZ Transport Agency booklet: Medical aspects of fitness to drive: A guide for health practitioners

5.2 On road practical drive. A valid driver licence is essential for the purpose of legally driving on New Zealand roads. Findings from the off road assessment should support progression to an on road drive. If the practical drive is contraindicated by findings from the off road in clinic assessment, then the client reserves the right to proceed to an on-road assessment, provided that this may be done in a safe and controlled environment.

5.2.1. A suitably qualified driving instructor is included in on-road assessments when appropriate. The driving instructor is briefed by the occupational therapist prior to commencement and an appropriate route is chosen based on findings from off road assessment and the client's usual driving practise. The practitioner and the driving instructor share responsibility for safety during the assessment and should ensure that they have overlapping policies and procedures for managing any identified risk prior to the on-road assessment commencing. Both the driving instructor and the occupational therapist have responsibility to end the assessment where an immediate risk of harm to the occupants or public is identified.

5.2.2. The occupational therapy service must have written protocols regarding the use of an assessment vehicle for the purposes of an on-road practical drive or whether the client's own vehicle can be used. A dual control vehicle should be used where indicated by the off road and risk assessment. Vehicles must have a current warrant of fitness and registration, have operating seat belts for the driver and passengers and display appropriate licence plates. This information needs to be provided to the client prior to any assessment taking place.

6. Education and qualifications to conduct driving assessments

OTBNZ recognises there is no formal educational programme in Aotearoa New Zealand which qualifies occupational therapists to conduct medical driving, passenger or vehicle modification assessments. Instead a range of pathways for occupational therapists who conduct driving, passenger and modification assessment currently exist.

6.1. Learning through supervision and mentoring from an experienced occupational therapy driving assessor. Experienced driving assessors will have engaged in continuing professional development such as attendance at driving assessment conferences, designated courses, submissions to professional publications, and engagement in driving assessment forums. Experienced occupational therapists are expected to evidence continued professional development and ongoing learning in their OTBNZ ePortfolio.

6.2 International study must be applicable for driving, passenger and vehicle modification competency relevant to the Aotearoa / New Zealand context, including legislation, funding bodies and government. A period of supervision and mentoring from an experienced driving assessor is required to adapt international training to the Aotearoa New Zealand context appropriately. Adaption of international training and assessment processes needs to incorporate and align with the Competencies for Registration and Continuing Practice for occupational therapists.

- 6.3 Some organisations and agencies offer credentialing for practitioners. It is the practitioners' responsibility to identify the credentialing required for the scope of their role.
- 6.4 It is expected that driving assessors will be familiar with the road code and have held a full class 1 licence for at least 2 years.

7. Professional Responsibilities

- 7.1. To ensure ongoing competence occupational therapists must have appropriate supervision. Best practice will involve regular formal supervision from an occupational therapist who is an experienced driving assessor. Or has active engagement with ongoing professional development related to driving, passenger and / or vehicle modification assessment.
- 7.2 Engagement with ongoing professional development. The practitioner's ePortfolio should reflect appropriate levels of professional development related to driving assessment as part of every two year cycle.
- 7.3 The requirement to hold professional indemnity insurance must be considered by the practitioner.
- 7.4 Occupational therapists must have ongoing professional engagement with the occupational therapy profession and be cognisant of current best practice of driving assessment in Aotearoa New Zealand. Belonging to a professional association may be advantageous.

8. Resources

- 8.1 Additional information about providing specialised services as an occupational therapist can be found in the OTBNZ Position Statement: Practice Boundaries for Occupational Therapists and Practice Boundaries for Occupational Therapists: A Guide for Practitioners.

Related resources

Accident Rehabilitation and Compensation Insurance Act 1992; The Accident Compensation Act 2001; Injury Prevention, Rehabilitation and Compensation Amendment Act (No 2) 2008; The Accident Compensation Amendment Act 2010

American Occupational Therapy Association (AOTA) Evidence Based Consensus Statements for Driving and Community Mobility (2016).

Canadian Association of Occupational Therapists (CAOT) Position Statement Occupational Therapy and Driver Rehabilitation (2009)

Health and Disability Commissioner: The Code of Health and Disability Services Consumers Rights

Ministry of Transport: Land Transport Vehicle Compliance Rule: Low Volume Vehicle Standard 45-60 and Low Volume Vehicle Standard 45-30.

Low Volume Vehicle Technical Association (LVVTA Certification)

Occupational Therapy Australia (OTA): Position Paper: Occupational therapy in driver assessment and rehabilitation (2015).

Occupational Therapy Australia (OTA): Australian Competency Standards for Occupational Therapy Driver Assessors (2018).

Occupational Therapy Board of New Zealand - Code of Ethics for Occupational Therapists (2015);
Competencies for Registration and Continuing Practice (2015).

Vulnerable Children Act, 2014

References

Di Stefano, M., Stuckey, R., Kinsman, N. (2019). Understanding characteristics and experiences of drivers using vehicle modifications. *American Journal of Occupational Therapy*. 73(1):7301205050p1-7301205050p9. doi: 10.5014/ajot.2019.023721

Fields, S., & Unsworth, C (2017). Revision of the Competency Standards for Occupational Therapy Driver Assessors: An overview of the evidence for the inclusion of cognitive and perceptual assessments within fitness-to-drive evaluations. *Australian Occupational Therapy Journal* 64, 328–339 doi: 10.1111/1440-1630.12379

Patomella, A.-H., & Bundy, A. (2015). P-Drive: Implementing an assessment of on-road driving in clinical settings and investigating its internal and predictive validity. *American Journal of Occupational Therapy*, 69, 6904290010. <http://dx.doi.org/10.5014/ajot.2015.015131>

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