

Original: 2482



# PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FOUNDATION

June 27, 2005

RECEIVED  
2005 JUN 28 AM 11:12  
PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Rebecca L. Bickley, Director  
Bureau of Driver Licensing  
Department of Transportation  
1101 South Front Street  
Harrisburg, PA 17104

Secretary  
Elizabeth Koth, MD  
Harrisburg

President  
M. Wong, MD  
Harrisburg

Secretary  
P. Fox, MD  
Harrisburg

Vice President  
S. Jordan, CAE  
Harrisburg

Re: Proposed Rulemaking, Department of Transportation Regulation (#18-402,  
(#2482).

Dear Ms. Bickley:

On behalf of the over 4,700 members of the Pennsylvania Academy of Family Physicians (PAFP) I write to express our concern with Department of Transportation proposed rulemaking that would permit chiropractors to perform physicals for school bus drivers by amending §§ 71.2 and 71.3 (relating to definitions; and physical examinations.)

In accordance with the Department of Transportation's regulations contained in § 71.3, we do not believe that a chiropractor in the Commonwealth is licensed to make many of the diagnoses required in the Department's regulations when performing a physical examination. Specifically, the following required diagnoses fall outside the scope of practice of a chiropractor including attesting whether the applicant:

- Has an "established medical history or clinical diagnosis of diabetes mellitus currently requiring use of insulin or other hypoglycemic medication" §71.3(4);
- Has an "established medical history or clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency or pacemaker insertion" §71.3(5);
- Has an "established medical history or clinical diagnosis of other cardiovascular disease resulting in syncope, dyspnea, loss or impairment of consciousness, collapse, or congestive cardiac failure" §71.3(6);
- Has a "current diagnosis of hypertension resulting in syncope, dyspnea, loss or impairment of consciousness, collapse, or congestive cardiac failure" §71.3(7);
- Has an "established medical history or clinical diagnosis of a respiratory dysfunction likely to impair the ability to drive a school bus safely" §71.3(8);
- Has an "established medical history or clinical diagnosis of seizure disorders or another condition likely to cause loss or impairment of consciousness or loss of ability to drive a school bus" §71.3(10);

Ms. Bickley

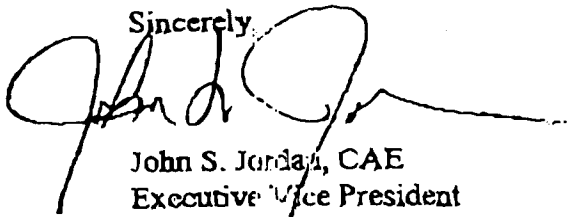
June 27, 2005

Page 2

- Has a "mental, emotional or psychiatric disorder whether functional or organic which may be manifested in a condition likely to impair the ability to drive a school bus safely, such as inattentiveness, despondency, aggressiveness, or lack of concern for the safety of self or others" §71.3(11);
- Has hearing loss §71.3(12);
- Has been diagnosed to "abuse alcohol or another drug or substance known to impair skill or functions which may be manifested in a condition such as inattentiveness, despondency, aggressiveness or lack of concern for the safety of self or others" §71.3(13);
- Has "no type of tuberculosis in a transmittable stage and has taken the tuberculin test every 2 years as required by section 1418(b) of the Public School Code (24 P. S. § 14-1418(b))" §71.3(14).

I appreciate the opportunity to provide these comments on the proposed rulemaking.

Sincerely,



John S. Jordan, CAE  
Executive Vice President

Cc: Independent Regulatory Review Commission  
Chair, Senate Transportation Committee  
Chair, House Transportation Committee