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*Special needs require special lawyers.*

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## IS IT TIME TO GIVE UP DRIVING?

Oast & Hook received the following article from the Center for Excellence in Aging and Geriatric Health. We thank them for their contribution to the *Oast & Hook News*.

As we age, changes occur in physical functioning, vision, perception, and processing abilities that could make driving a motor vehicle unsafe. While changes are inevitable, they occur at different rates in each individual, and chronological age alone is not a good indicator of driving skills. Most often, functional changes occur in older adults slowly over a long period of time, and a person is able to compensate for minor deficits. These changes may be permanent, or may just be temporary while recovering from a medical condition. When several skill areas are affected or there is a sudden change in abilities due to illness or disease, driving may become impaired to the point that driving may endanger the individual, passengers, and other people on the road.

In a 2008 study, the National Safety Council reported “motor vehicle crashes account for less than 1% of fatalities among people age 70 years and older”. Contrary to popular belief, some motor vehicle crash statistics are fairly positive towards older drivers. “The rate of fatalities per capita among people age 70 years and older has decreased 35% since 1975 and is now at its lowest level,” according to the Insurance Institute for Highway Safety (IIHS).

The more sobering statistic from IIHS, however, is related to the deaths as a result of these crashes. Of the motor vehicle crash deaths among people age 70 years and older in 2007, 79% of them were passenger occupants, representing a 57% increase since 1975. Fatal crash rates increase starting at age 75 years and increase markedly after age 80 years, and many are the result of an older adult’s susceptibility to injury, rather than an increased tendency to get into crashes, according to the IIHS. The bottom line is that the older you are, the more risky driving can become for the passenger as well as the driver, providing a compelling reason for safe driving.

Regardless of our age, it is our responsibility to monitor our own driving, as well as the driving skills of our family members. Seniors have a desire to remain as independent as possible for as long as possible, and independence for many means continuing to drive. Some seniors are nervous about driving, but feel pressured to continue as the transportation solution for themselves, family and friends. Spouses overlook driving issues longer than they should to still remain independent as a couple, however, they may be placing themselves and others at increased risk. Children defer having “the talk” longer than they should in order to avoid confrontation or the additional responsibility for transportation. No child or spouse wants to make the hard decision to take the keys away from a loved one.

The Driving Evaluation Program at the Center for Excellence in Aging and Geriatric Health can help make this important decision by providing an impartial evaluation of a person’s driving ability. Since 2005, the program has provided evaluations to those individuals who would like to resume driving after a medical condition has interrupted their driving for a period of time, and those who are questioning their ability to drive based on their own observations and comments from others. The driving evaluations are not covered by insurance, but according to Executive Director, G. Richard “Rick” Jackson, “The regular \$295 fee is offered year-round on a sliding scale fee structure based on income, and many seniors pay a reduced fee for the service.”

According to Matt Pagels, Certified Driver Rehabilitation Specialist for the Driving Evaluation Program, “Many times people do not want to be evaluated because they are afraid they will lose their license which is not the majority of outcomes. Many people are advised to modify their future driving such as not driving at night, limiting their driving distance, speeds, and road choices.”

An evaluation is recommended if you, or those who drive with you, notice any of the following warning signs.

- Driving at inappropriate speeds (too fast or too slow);
- Making slow or poor decisions;
- Becoming angered, frustrated, or confused while driving;
- Requiring help or instructions from passengers;
- Taking poor road position, making wide turns, hitting curbs, problems in changing lanes; and
- Making new dents and scrapes on the vehicle.

The driving evaluation involves paper and pencil psychological testing and a driving simulator test that measures a person’s ability to steer, control speed, change lanes, negotiate intersections, make proper turns, and avoid road hazards. Results are discussed with the driver on the day of the evaluation including recommendations for modifying driving and information on local transportation service options. With permission, a report is sent to a member of the driver’s family and the driver’s primary care physician. The evaluation results are not sent to the Department of Motor Vehicles unless requested by the driver.

The Center for Excellence in Aging and Geriatric Health is a non-profit 501(c)(3) organization funded by a coalition of health care, educational, and civic groups, research and assessment services located in the greater Williamsburg, Virginia, area. This center is dedicated to improve the quality of life for older adults by promoting understanding of the aging process and how this process impacts not only older adults, but the entire community. For more information on the Driving Evaluation Program and other services provided by the Center, please visit its website at [www.excellenceinaging.org](http://www.excellenceinaging.org) or phone 757-220-4751.

### Ask Allie

O&H: Allie, you told us about your new exercise program. Please tell us why it's so important to fight obesity in pets.

Allie: Sure! According to a recent article in the *Daily Press*, the latest research shows that half of all pets are overweight or obese. For dogs, Labrador retrievers, cocker spaniels, beagles, dachshunds, basset hounds, and pugs are more likely to be overweight or obese, while Persian cats are prone to being overweight. Pets become overweight the same way as humans: too much food and too little exercise. Such pets are prone to health problems such as diabetes, musculoskeletal problems, immune function disorders, cardiovascular disease, and pancreatitis. You should have your veterinarian examine your pet to see if it is overweight. You can then work with your veterinarian on lifestyle changes that can enhance your pet's weight loss and improve overall health. It's important to stick to the program; as with humans, your pet did not gain the weight overnight and should not be expected to lose it overnight. I hope all of our readers have a happy and safe New Year!

### Announcement

The Alzheimer's Association will be offering a Family Caregiver Education Series. These programs will be held from 11:00 a.m. to 1:00 p.m. at the Bayside Library, 936 Independence Boulevard, Virginia Beach, Virginia. Brown bag lunches are welcome, and drinks will be provided. These programs are free to family caregivers. The first program is entitled "Safety in the Home and Away," and it will be held on Wednesday, January 13th. Please register at least two business days before each program by phoning Carol Gurioli at 757-459-2405 or e-mailing her at [carol.gurioli@alz.org](mailto:carol.gurioli@alz.org).

### Distribution of This Newsletter

Oast & Hook encourages you to share this newsletter with anyone who is interested in issues pertaining to the elderly, the disabled and their advocates. The information in this newsletter may be copied and distributed, without charge and without permission, but with appropriate citation to Oast & Hook, P.C. If you are interested in a free subscription to the *Oast & Hook News*, then please e-mail us at [mail@oasthook.com](mailto:mail@oasthook.com), telephone us at 757-399-7506, or fax us at 757-397-1267.

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