

## **Forgetfulness May End Up Costing You Your Drivers License Published June 1, 2014 in the Ontario Landowners Association**

You may tell your doctor you have been forgetful lately — perhaps caused by medication side-effects, or perchance you are just plain stressed out by some family crisis. Or, heaven forbid, you are a senior! Any of these situations could result in a demand that you pay an obscene fee to be subjected to absurd tests practically guaranteed to fail you, or at least fail you enough times to separate you from hundreds of dollars.

In what can only be described as a most breathtakingly undemocratic act by the Ontario Ministry of Transportation (MOT), seniors are now being targeted for 'special' memory testing that many people call outright unfair and predatory.

Never mind that seniors have the best driving record of all driving groups and that only 23% of all persons diagnosed with dementia are seniors. The fact is that the Ontario Ministry of Transport, while admitting the statistics do not justify this wholesale attack on senior's basic human rights, has already implemented this 'policy' in Ottawa and Kingston.

"The number of drivers with dementia in Ontario will more than double from about 45,000 today to nearly 100,000 in 2028, according to a Queen's University study." states a 2013 Toronto Star article on 'Driving with Dementia' without mentioning that only 23% of this increase will involve seniors. "The ministry has a strong focus on drivers with dementia" declares spokesperson Bob Nichols, without explaining why seniors in particular, given their 'best driving group' designation, are the ones being harassed and humiliated by a new memory testing procedure. Note that both statements referred to drivers with dementia and not seniors with dementia.

Dr. Shawn Marshall of the Ottawa Hospital Rehabilitation Centre, is working on a major research project called Candrive to develop better testing for senior drivers. The Star article advises he 'warns against making comments that are ageist and unfair'. "The vast majority of older drivers are safe. ... You don't want people to be unfairly targeted and you don't want safe drivers to be taken off the road," he said in the Toronto Star interview for the article.

In November of 2012, retired RCMP Officer Ed Rockburne conducted research, obtaining every valid statistic in Canada and a major Australian Study that used Canadian statistics. According to Rockburne, these studies, including statistics from the Ontario Ministry of Transportation (MOT) itself, revealed that consistently, year-after-year, older drivers have had fewer accidents than any other driving group, and as they age, have fewer still.

The best clue that the target-seniors-to-enrich-a-private-company may be the true agenda, is the Star article's enlightening statement: "Because the driving population over 65 has increased so dramatically, the casualty rate for that age group — the number of serious and fatal collisions per 10,000 licensed drivers — in fact decreased by 40 per cent in 2008 compared to 1990." Read that again...the driving population over 65 has increased dramatically, but the casualty rate for seniors in fact decreased by 40% in 2008 from 1990 figures — and given the trends, will decrease further as they age.

"To make matters worse, drugs prescribed to many seniors can be an additional — and largely ignored — road hazard." claim the authors of the Toronto Star article. The fact is that driving while on MOST pharmaceutical drugs, and especially while on psychiatric drugs is a huge problem in all age groups. Let's not forget that 77% of drivers suffering dementia are NOT seniors, therefore even if all seniors were on drugs and all demented, they are still not the main part of the problem by a long shot. Tens of millions of non-seniors are on some sort of prescription medication and as we consider this we move still closer to the meat of the driving with dementia issue.

Geriatric psychiatrist at Toronto's Sunnybrook Health Sciences Centre, Dr. Mark Rapoport's study showed that drivers on psychotropic medications— antidepressants, antipsychotics or benzodiazepines to deal with anxiety, agitation or sleep problems —had a collision risk 54% higher than when they were not. "That's alarming." says Rapoport. One out of three drivers of all ages with dementia in his survey who crashed were taking psychotropic drugs. In other studies on drugs and dementia, psychiatric drugs have been shown to increase the risk of developing dementia by nearly 100%, thus the side-effect of 'forgetfulness' should be expected (Drug-induced Dementia: The perfect crime, author Grace E. Jackson).

So the issue is NOT seniors behind the wheel, the issue is psychiatric drug intoxication of all age groups. Nonetheless, researchers at Ottawa Hospital Research Institute are working on a 5-year project (Candrive) using GPS to monitor senior's driving. Dr. Man-Son-Hing, one of the researchers states: "At this point, we are concerned about governments that are prematurely creating policy..." As we will see shortly, it is not government creating policy, it is private enterprise creating policy and bureaucrats happily rubber stamping it.

Michel Bédard of Lakehead University, a Canadian research chair on aging and health, points out, sensibly, that until the Candrive study is completed we should not rely on existing on-road tests or in-office tools for doctors [referring to the new

'tests]. "We don't have the right tool yet but everyone is trying to find it — it's the Holy Grail...Meanwhile, governments are making policy decisions without hard science" he lamented.

### **How it Works:**

What many people are now calling a scam works this way:

First you may be subjected to a memory test at the doctor's office, with or without full disclosure. Maybe you are over 65 and just going in for a checkup. Or maybe you are experiencing forgetfulness or difficulty concentrating as a result of medication side-effects or just stressed from dealing with Municipal Property Assessment Corporation, Ministry of Natural Resources or a rabid building inspector.

Hoping for some assistance from your doctor, he/she in fact may be checking off a list of 'symptoms' of dementia and/or may, in a roundabout way suggest a 'memory' test, without disclosing it may be used to force you into a 'special' driving test. There is not likely to be much investigation of why you might be a little 'forgetful' or 'stressed'.

Independent researchers have heavily criticized the SIMARD test as unreliable – it sends patients for driving tests who do not need to go. If you don't pass the much criticized Simard Protocol memory test, or if you fall into a 'grey area', you will be streamed to a new driver's test at \$250 per try. If you are over a certain age, the test for dementia seems mandatory.

Some people have had to retest 2 and 3 times before passing. Seems that the more money you invest in proving you are not demented, the more likely you will be deemed not demented! What happened to the principle of being innocent until proven guilty?

Dale Campbell of Toronto describes the 'memory' test she underwent recently after innocently advising her doctor she was experiencing a great deal of stress in her life lately:

"Jan 14/14: This describes my visit to the doctor – I had no idea at the time what 'could' have happened if I had failed – I do now.

My test started with being asked to look at numbers and letters and draw circles around each and lines to match – i.e., a = 1, d =4, etc. Not too difficult if you can write and draw circles and lines.

Secondly I was to look at a picture of a window (3 dimension) and then draw it on a blank piece of paper... duh... what does that have to do with memory? If you cannot draw, then you are in trouble. What does drawing have to do with memory?

After the drawing exercise, I had to look at some photos and colours and I am supposed to remember them. Naturally, if you cannot relate to any of the photos, it would be difficult to remember even if you have a fairly good memory – some were flowers and I am not a ‘flower person’. If you are colour blind, you are done. You are given a couple of seconds to ‘remember’ and then on to the next question.

The next question is that ‘you need to count backwards from 100 by 7’ – now... I don’t know about you, but I can’t remember doing that in school let alone since I left school. I use computer accounting programs and a calculator – and when doing any kind of math, it is easier to ‘round’ up or down. So there I was – being asked to subtract from 100 by 7 – not my finest hour. I got aggravated and I said so to my doctor – what did doing math have to do with memory?? – and so he backed down and just headed to next question.

So – now I am slightly stressed – and I am being asked to remember all those little round colours (?) and photos (flowers?) from before the math test...

How do you think I did?

A person who is older than I with little education and no ability in art or math, will fail miserably. It is set up for you to fail. It is an IQ test, not a memory test.

Unfortunately I did not know the ramifications of failing one of these tests until a friend went for the test at a seniors centre in rural Ontario and ended up losing his drivers license even though he passed the second test. I have just learned about the Simard testing and I am now telling EVERYONE about this test and advising that they never mention memory loss to their doctor if at all possible. You need to learn about this testing. The Ontario Ministry of Transportation slid this one under the table and it violates the Canadian Charter of Rights and Freedoms, The Human Rights Act, and The Criminal Code on Elder Abuse.”

If you fail the memory test, you are forced to take a special 2-part driver's test called the DriveABLE. The first part of the test is a computer touch-screen examination involving driving-related questions. The second is the on-road test that purports to examine the driver's reactions and decisions while they drive. Ontario MOT requires that companies such as DriveABLE send occupational therapists on the road test to better assess driving skills.

Seniors report having to take the test in a vehicle they are not familiar with. How many people would not be stressed in a situation where not one, but two strangers are 'assessing' them in an unfamiliar vehicle? Interestingly those in the position of testing the senior are statistically in the group that have more accidents than seniors, year-after-year!

All drivers are expected by law to ensure they are not distracted while driving, yet drivers report the tester can nitpick and make all sorts of comments while being tested. Meanwhile their 'reactions' are being 'assessed' by the occupational therapist. There can't be much incentive for fairness and objectivity given that each test and retest nets the company \$250 and according to the Star article, \$550.

### **Who is Behind This Travesty? Let's Follow the Money Trail**

Without hard, peer-reviewed science to back them up, the man-wife tag team of Allen and Bonnie Dobbs seized a lucrative business opportunity — citizens rights be damned — to sell MOT (first in Alberta and now in Ontario) their 'driver's testing system'. Never mind that these tests have no credibility with the Academics and Professional Organizations, who have come out stating that they are surprised that a Government of a democracy would use a test which is not scientific, is unreliable, and sets seniors up for failure. Of course, these tests do not target the 78% of non-seniors considered demented, so it is also discriminatory. The test fee of \$250 and over, per attempt, is paid to Dobb's private testing company by the elderly — not much conflict of interest is there?

Allen Dobbs, retired professor (U of Alberta), runs the Alberta-based company DriveABLE (one part of the overall 'testing' business) that claims it already has solid scientific research and is licensing offices across North America. Curious how other professionals disagree about his 'science'.

Wife Bonnie, the partner in this lucrative private enterprise, is a professor at the University of Alberta, Family Medicine and she recommends testing at her husband's company for patients who fail or fall into a grey area...not much conflict

of interest there either, eh? In fact, no doubt to ensure lots of victims are streamed into the family business, she developed an on-line 'checklist' for doctors to help them decide their patient's driving future. Called SIMARD MD, the test form is free to doctors on the university's website and comes with a recommendation that failed patients be referred to her husband's business. "

Note: info concerning the administering of the Simard test which was originally on the 'driveable.com' web site has been removed.

Seniors can now live in fear of not only the driving test, but of their doctors turning them in or 'testing' their 'memory' without full disclosure as to the purpose of the memory test. Doctors are therefore accommodating, at the expense of their patients, two private business owners on their own say-so that their tests are reliable and scientific. Why bother with peer-reviewed scientific fact when you can wipe out an entire group's democratic rights with your opinion?

Now here is a predictable self-assessment if ever there was one...just what seniors distressed by this violation of their basic human rights needs to hear, right after hearing that MOT admits it has no statistical justification for this practice: Dobbs counters all criticism of this practice by claiming that her tool's track record is excellent, especially when combined with a road test from her husband's company. Tell that to unfairly targeted seniors!

Meanwhile, people of all ages are given mind-altering psychiatric drugs and told to have a happy drive home from the doctor's office, reassured that only seniors will be harassed and the true culprit, pharmaceutical drugs, will continue to be protected.

### **So What is Being Done About This?**

People are pushing back, but not enough are outraged. A charge was laid against Ontario MOT in Nov 2012, under the Ontario Human Rights Act. After six months of intense correspondence, the Ontario Human Rights Tribunal dismissed the complaint of discrimination and elder abuse on the grounds that the Ministry and all its Agencies are exempt from being charged with human rights violations. In other words, your government and its private company pals can abuse you all they want to.

Retired RCMP Rockburne contacted the Minister of Transportation directly, who admitted that the Ministry did not have the statistical justification to enact the discriminatory legislation against the elderly drivers, but proceeded anyway,

apparently on preconceived views about the elderly. This does not only make this law illegal, but it seems to violate the Canadian Charter of Rights and Freedoms,

The Human Rights Act, The Criminal Code on Elder Abuse and the person's right to be presumed innocent until proven guilty. And it puts profits into the hands of self-assessing business people, while ignoring the inherent predatory practices and conflicts of interests.

Is it any wonder people are asking why the RCMP is not investigating this charade? Young and old should be calling and writing their MPPs about this...