

CHAPTER 29
FORMERLY
HOUSE BILL NO. 47
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE MEDICAL ADVISORY BOARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2723, Title 21 of the Delaware Code as follows:

§ 2723. Medical Advisory Board.

(a) There shall be a Medical Advisory Board consisting of a minimum of 3 members nominated by the President of the Medical Council of Delaware or the Chairperson of the Board and appointed by the Secretary. The Chairperson of the Board shall be the Medical Director of the Division of Public Health. The Board shall consult an ophthalmologist and an optometrist in all cases where a vision problem exists. The ophthalmological consultant shall be nominated by the President of the Medical Council of Delaware or the Chairperson of the Board, and the optometric consultant shall be nominated by the President of the Delaware Optometric Association or the Chairperson of the Board. Both vision consultants shall be appointed by the Secretary.

(b) The Board shall advise the Secretary on medical criteria and vision standards relating to the licensing of drivers under this chapter.

(c) The identities of the Members of the Board and its vision consultants shall be kept confidential. To maintain confidential their identities, they shall not be required to appear in court. If the qualifications of the members or consultants are challenged in court, the Secretary shall give the court brief professional biographies outlining the training and experience of each member and of each vision consultant.

(d) Reports received or made by the Board, or its members, or its vision consultants for the purpose of assisting the Secretary in determining whether a person is qualified to be licensed are for the confidential use of the Board or the Secretary and may not be divulged to any person or used as evidence in any trial except that the reports may be admitted in proceedings under §§ 2717 and 2734 of this title.

(e) Members of the Board and its vision consultants shall receive compensation in the amount of \$40 per meeting attended.

Approved May 28, 2013