Dear Dr. Murray:

This is in response to your written request for my Official Opinion on the following questions:

"1. Is the Department of Mental Health required to report to the Indiana Bureau of Motor Vehicles the names of any patients discharged from its State hospitals, and the patients' ability to operate a motor vehicle on the highways of the State of Indiana?

"2. If the Department of Mental Health is not so required, may it make such a report without violating the rights of the patient?

"3. If the Department of Mental Health may make such a report, may it also make a recommendation on the ability of the patient to operate a vehicle on Indiana's highways?"

ANALYSIS

Regarding the first question, reports of health conditions to the Bureau of Motor Vehicles are required only where there is proper statutory authority setting out such mandatory reporting. The only reports required at this time are those contained in Acts of 1947, Ch. 9, Sec. 2 as amended and found in Burns' (1949 Repl.), Section 35-272, which reads as follows:

"The state board of health shall on the first business day of each month report to the bureau of motor vehicles the names, ages and addresses of all persons reported to it as cases of epilepsy by the physicians."
Therefore, the State Board of Health is at this time the only board required to report information on persons suffering from an impairment. Consequently, the Department of Mental Health is not bound to make reports to the Bureau of Motor Vehicles on the wide spectrum set out in your first question.

Because Burns' (1949 Repl.), Section 35-272, supra, does not require or authorize the Department of Mental Health to transmit such reports, your second and third questions are inapplicable.

CONCLUSION

It is, therefore, my opinion that the Department of Mental Health is not required or authorized to report the names or conditions of patients discharged from State Mental Hospitals to the Bureau of Motor Vehicles.