

Kansas Accident Reporting Newsletter

DISTRIBUTION: DECEMBER

*** PLEASE DISTRIBUTE TO MOTOR VEHICLE ACCIDENT REPORTING STAFF ***

2014 REPORTING DEADLINE

Please ensure your agency is up-to-date with accident reporting for 2014. All 2014 reports need to be sent to KDOT by **January 30th, 2015**. If you have reports that were sent back for correction, please ensure these are corrected and returned in the near future. **Once complete, go to www.ksdot.org/lawinfo to record completion.**

HIPAA PRIVACY RULE

There is significant confusion regarding the Health Insurance Portability and Accountability Act (HIPAA) guidelines and how they impact accident reporting.

Here is an excerpt from the Department of Health and Human Services (HHS), Office of the Secretary:

*"...the HIPAA Privacy Rule expressly permits (allows) uses and disclosures of protected health information for the public health activities of a **public health authority**. The Privacy Rule defines a "public health authority" as an agency or authority of the United States government, a State, a territory, a political subdivision of a State or territory, or Indian tribe that is **responsible for public health matters as part of its official mandate, as well as a person or entity acting under a grant of authority from, or under a contract with, a public health agency.**"*

This was written in response to a traffic safety agency having difficulty obtaining alcohol / drug results, EMS arrival times, etc. from hospitals, trauma centers, and the like due to **perceived** HIPAA violations. However, accident reporting by **law enforcement** falls under the "**public health authority**" definition who are "**responsible for public health matters as a part of its official mandate**" as the HHS indicates. Further, KDOT's role is the same in acquiring accident data, as it is a federal mandate to do so.

The tendency by some is to quickly dismiss requests for said data out of fear of violation, not realizing there are customers who are protected. When you come upon misinformed opposition, please clarify the requirements. Thank you.

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Contact Information

- ◆ **Accident Coding Help or data requests:**
785.296.0456 or 7789
accidentdata@ksdot.org
- ◆ **Ordering Forms/Manuals:**
 - * Accidents (KDOT forms):
<http://www.ksdot.org/lawinfo>
or call 785.296.7789
 - * KBI forms: 785.296.8200
 - * DC Forms: 785.296.3671
- ◆ **KLER Software:**
1-877-317-4597 or
helpdesk@khp.ks.gov
- ◆ **KLER e-submission to KDOT:**
TRSAAdmin@ksdot.org
- ◆ **Addresses** are listed in the Motor Vehicle Accident [Coding Manual](#) Page 3



GROSS COMBINED VEHICLE WEIGHT RATING

QUESTION: What source is used for the Gross Combined Vehicle Weight Rating (GCVWR)...do I use the "tagged weight" or the weight shown on the vehicle / trailer stickers?

ANSWER: Always use the sticker weights, as the tagged weight is not always based on official documentation. If you have a pickup truck and trailer combination over 10,000lbs, remember the Vehicle Body Type would be 11-Truck and Trailer and not 05 - Pickup Truck.

Legally Parked vs Working Vehicle

When do I code a parked emergency vehicle as legally parked verses a "working vehicle?"

ANSWER: If the emergency vehicle is parked fully outside of the driving lanes, it is coded as a legally parked vehicle (X-Unit). If the emergency vehicle is partially or fully parked in the driving lanes under official duty, they would be coded using the working vehicle rules (not as an X-Unit).

Hit & Run Reporting—Unknown Data

For **Hit & Run vehicles**, there is a minimum amount of required fields a user must enter where the information is **unknown**:

OCCUPANT

Traffic Unit / Seat Type:	Typically 01 and 01
Driver Last Name :	Unknown
Driver DOB:	99/99/9999
Gender, SE Used:	U
Inj Severity, Eject/Trap:	U
Age:	00 (unknown)
Method of Determination:	00 (no evidence alcohol & drugs)
Impairment Test:	NG (no test given)

VEHICLE

Owner Last Name :	Unknown
Direction of Travel:	Choose according to evidence or U
Special Conditions:	1 (Hit & Run)
Vehicle - Body Type, Use, Damage, Maneuver, & Sequence:	99





MANAGER MUSINGS — MOVING ON...

All:

Good or bad, this will be the last newsletter I send. After 17 years in the Accident Data Section at KDOT, I am moving on to the Kansas Department of Health and Environment to assist them with database work. In addition, I will continue in ministry training for eventual ordination.

It has been a real joy for me to work with so many law enforcement personnel in Kansas. I will certainly miss our coding discussions and collaboration on initiatives that benefit our communities and the state as a whole. What you do, and what we have done together, is important as it impacts many. Your tenacious efforts, integrity, and passion to serve others are to be commended. One regret is not following through on the new training initiative we were going to start for 2015. I apologize. Maybe someone else will be able to pick that up at some point...

I would encourage you to have patience with KDOT staff going forward as they transition. You can continue to send questions or concerns to accidentdata@ksdot.org or call 785-296-0456 (Theresa) / 785-296-7789 (Michael). Thank you for all you do.

Sincerely, (formerly) Wrecks



"Wrecks"
Rex McCommon

Kansas
Motor Vehicle
Accident Data
Manager

REPORTING IS
INVESTIGATION;
INVESTIGATION
IS KNOWLEDGE;
KNOWLEDGE
INFORMS DECISIONS.

ACCIDENT REPORT TRAINING VIDEO RELEASE

All, KDOT provided training for law enforcement last July at the Kansas Law Enforcement Training Center and at KDOT Headquarters in Topeka.

We recorded the class in Topeka and edited the video in order to offer it to those unable to attend. This training provides **4 continuing education hours** for those who complete the course.



Rookies and veterans alike will benefit from this training. Students have the ability to take the class in segments as they have time. Go to <http://www.ksdot.org/lawinfo> to begin. Please utilize this resource for all who touch motor vehicle accident reports.

Kansas Department of Transportation
Kansas Accident Data Manager
700 SW Harrison, 2nd Floor
Topeka, KS 66603



Attn: Accident Reporting Personnel

