

| GENERAL INFORMATION                         |   |
|---|---|
| <b>KEYWORDS</b>                             | Category 1 aviation medical certificate, ischemic stroke  |
| <b>FILE NO.</b>                             | C-3955-01   |
| <b>SECTOR (Marine or Aviation)</b>          | Aviation  |
| <b>SPECIFIC JOB</b>                         | Retired (former military and civil aviation pilot)  |
| <b>DIAGNOSIS (Primary, Secondary, etc.)</b> | Ischemic stroke   |
| REVIEW                                      |   |
| <b>DATE OF DETERMINATION</b>                | March 19, 2015  |
| <b>MEMBER</b>                               | Dr. John Sehmer   |
| <b>DETERMINATION</b>                        | The matter is referred back to the Minister for reconsideration.  |
| <b>REASONS FOR THE DETERMINATION</b>        | Refusal to renew a category 1 aviation medical certificate — The applicant, from the evidence presented at the hearing, had a minor ischemic episode with only a transient period of symptoms that lasted 20 minutes, then a full recovery according to his treating neurologist. The current regulations allow for discretion in assessing each applicant on a case by case basis. The Transport Canada neurologist appears to have made a blanket decision that the applicant could not fly based on the diagnosis of “stroke”. No effort appears to have been made to identify the nature, symptoms, and impairments related to the applicant’s particular stroke, that was, in his neurologist’s opinion, very mild and resulted in a full recovery. For these reasons, the matter is referred back to the Minister of Transport for reconsideration. |
| APPEAL                                      |   |
| <b>DATE OF DECISION</b>                     |   |
| <b>MEMBERS</b>                              |   |
| <b>DECISION</b>                             |   |
| <b>REASONS FOR THE DECISION</b>             |   |
| OTHER/COMMENTS                              |   |
|   |   |