

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, vision, heart disease, diabetes, medication, anticoagulant, insulin
FILE NO.	MH-0199-28
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Fisherman
DIAGNOSIS (Primary, Secondary, etc.)	Primary: Aortic heart valve replacement Secondary: Type II diabetes Tertiary: Homonymous hemianopsia (visual field limitation)
REVIEW	
DATE OF DETERMINATION	December 4, 2014
MEMBER	Dr. Christopher Brooks
DETERMINATION	The Minister's decision is confirmed.
REASONS FOR THE DETERMINATION	Refusal to issue a marine medical certificate (MMC) — The applicant had an aortic heart valve replacement in 2002 that required him to take warfarin to prevent a clot forming on the artificial valve. At that time, he was also taking oral medication to treat his type II diabetes. Up until 2011, he was issued with an unlimited MMC. However, in 2011, the applicant began taking insulin to treat his diabetes. With continuing declining health issues, Transport Canada (TC) advised the applicant that his MMC would be changed to "unfit" pending further updated reports on his present medical status. Not having received all of the requested information, TC has not reissued his MMC. The evidence presented at the hearing convinced the member that the applicant is not a well man. He has a prosthetic aortic valve, high blood pressure, suffers from type II diabetes and has other health issues. He is on a cocktail of different medications and taking some form of anticoagulant to prevent a clot forming on his aortic valve prosthesis. Each one of these medical conditions on their own may cause him to be incapacitated. At sea, the applicant would put his life at risk, as well as his crew, the vessel, the cargo and any med evacuation crews that would need to be called in. For these reasons, the Minister's decision is confirmed.
APPEAL	
DATE OF DECISION	January 25, 2016
MEMBERS	Dr. George Pugh, Ms. Sarah Kirby, Mr. Jim Parsons
DECISION	Appeal dismissed; Minister's decision is confirmed.
REASONS FOR THE DECISION	Neither the <i>Canada Shipping Act, 2001</i> nor the <i>Transportation Appeal Tribunal of Canada Act</i> address the occurrence of a party requesting an appeal not attending the scheduled hearing. In the case of an appeal, the onus is on the appellant to prove the grounds for their appeal. Since the appellant failed to show at his own appeal hearing, no oral arguments were requested from the respondent. The appeal is dismissed,

	as the appellant failed to appear at the hearing to prove his grounds for appeal.
OTHER/COMMENTS	
In this file, there are multiple diagnoses. Only the principal ones are reproduced in this summary.	