

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, geographical limitations, kidney stones
FILE NO.	MH-0289-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Fisherman
DIAGNOSIS (Primary, Secondary, etc.)	Kidney stones
REVIEW	
DATE OF DETERMINATION	March 24, 2015
MEMBER	Dr. Christopher Brooks
DETERMINATION	The member is referring the matter back for reconsideration.
REASONS FOR THE DETERMINATION	<p>Issuance of a Near Coastal Class II (NCCII) marine medical certificate (MMC) — The applicant developed his first kidney stone 35 years ago and was hospitalized. Since his second admission for a kidney stone in 1998, the applicant has developed further kidney stones and currently has six of them lodged in his kidneys. Subsequently, Transport Canada (TC) made the decision to issue the applicant an MMC with a restriction of NCCII, in accordance with the ILO/IMO guidelines, allowing him to only fish up to 25 nautical miles offshore. However, in all the years that he has fished, he has never had an attack of kidney stones while at sea. His urologist believes that the stones are not causing him any problem and appear to be relatively stable, and has advised TC that in his opinion, this should not be a reason to limit the applicant's MMC to NCCII. The evidence illustrates that the applicant has suffered chronic kidney stones for at least 35 years; he has never had an attack of renal colic at sea; and he has fished every year with no problem. The member has assessed the very persuasive evidence that the applicant has adjusted to the condition and has proven that he can perform all his assigned shipborne functions. The member is referring the matter back to the Minister for reconsideration.</p>
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	