

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, mental health
FILE NO.	MH-0109-28
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Unknown
DIAGNOSIS (Primary, Secondary, etc.)	Recurrent psychosis
REVIEW	
DATE OF DETERMINATION	May 10, 2012
MEMBER	Dr. Trevor Allan Gillmore
DETERMINATION	The member confirms the Minister of Transport's decision to not issue the applicant a marine medical certificate at this time.
REASONS FOR THE DETERMINATION	<p>Refusal to issue a marine medical certificate (MMC) — In November 2010, Transport Canada (TC) sent a letter to the applicant requesting further information on his medical status along with an extension of his provisional MMC. In February 2011, a second provisional MMC was issued as an extension of the first until April 2011, bearing the limitation "Voyages not to exceed 7 days". Subsequently, in March 2011, TC sent a letter to the applicant advising him that he was assessed as unfit to hold an MMC. The Minister submits that the applicant's current medical status was unable to be adequately assessed, as the applicant had not provided the requested medical information necessary to determine if he is performing certain duties as required by the regulations. The applicant did, however, make valiant efforts to comply with the Minister's request but was denied access to certain personal medical information under the auspices of the <i>Act</i>, which does not allow access to medical information under certain conditions. The Minister's expert witness did state that the Minister would review the applicant's file at any time in the future if he is able to furnish information to allow the Minister to make an informed decision. The member confirms the Minister's decision to not issue the applicant an MMC at this time.</p>
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	