GENERAL INFORMATION  KEYWORDS  Category 1 aviation medical certificate, mental health, medication, restrictions  FILE NO.  Q-4237-01  SECTOR (Marine or Aviation)  SPECIFIC JOB  DIAGNOSIS (Primary, Secondary, etc.)  REVIEW  DATE OF DETERMINATION  MEMBER  Dr. Robert Perlman  DETERMINATION  The Minister's decision is confirmed.  REASONS FOR THE  DETERMINATION  REASONS FOR THE  DETERMINATION  REASONS FOR THE  DETERMINATION  REGUSAL TO REGUSAL OF THE applicant was diagnosed with an anxiety disorder in 2000; he has been taking Effexor since 2002 and has been stabilized at 50 mg per day for the last 15 years. He
medication, restrictions  Q-4237-01  SECTOR (Marine or Aviation)  SPECIFIC JOB  Chief pilot  DIAGNOSIS (Primary, Secondary, etc.)  REVIEW  DATE OF DETERMINATION  MEMBER  DETERMINATION  The Minister's decision is confirmed.  REASONS FOR THE  DETERMINATION  Refusal to renew a category 1 aviation medical certificate without restrictions — "with co-pilot" / The applicant was diagnosed with an anxiety disorder in 2000; he has been taking Effexor since 2002 and has
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SECTOR (Marine or Aviation) SPECIFIC JOB Chief pilot DIAGNOSIS (Primary, Secondary, etc.)  REVIEW DATE OF DETERMINATION MEMBER DETERMINATION The Minister's decision is confirmed. REASONS FOR THE DETERMINATION REASONS FOR THE DETERMINATION Certificate without restrictions — "with co-pilot" / The applicant was diagnosed with an anxiety disorder in 2000; he has been taking Effexor since 2002 and has
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REVIEW  DATE OF DETERMINATION  March 19, 2018  MEMBER  DETERMINATION  REASONS FOR THE  DETERMINATION  REASONS FOR THE  DETERMINATION  Refusal to renew a category 1 aviation medical certificate without restrictions — "with co-pilot" / The applicant was diagnosed with an anxiety disorder in 2000; he has been taking Effexor since 2002 and has
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heen stabilized at 50 mg ner day for the last 15 years. He l
did attempt to reduce the dosage to 37.5 mg but after
experiencing symptoms returned to the 50 mg. From
2015 until today, the applicant has not had any incident,
accident or performance problem during his work as a
commercial pilot while taking 50 mg of Effexor.
However, Transport Canada's policy in 2015 required
that if a pilot were to take antidepressants to control a
psychiatric disorder, his medical certificate would then
carry the "with co-pilot" restriction. The case law of the
Federal Court of Canada, as in Corneil v. Canada
(Transportation Appeal Tribunal), 2015 FC 755,
established the broad discretion of the Minister of
Transport in this regard, and strongly established that
the Minister has a paramount role as protector of public safety.
APPEAL
DATE OF DECISION
MEMBERS
DECISION
REASONS FOR THE DECISION
OTHER/COMMENTS
OTHER COMMENTS