

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, kidney stones, geographical limitations
FILE NO.	MA-0516-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Chief marine engineer
DIAGNOSIS (Primary, Secondary, etc.)	Kidney stones
REVIEW	
DATE OF DETERMINATION	May 1, 2019
MEMBER	Dr. Christopher Brooks
DETERMINATION	Minister's decision is confirmed.
REASONS FOR THE DETERMINATION	<p>Refusal to issue a marine medical certificate (MMC) without a limitation. Due to the applicant's history of kidney stones, he was issued an NC-II (Near Coastal Voyage Class 2) restriction on his MMC. In a letter forwarded to Transport Canada (TC), his urologist supported the applicant's request to TC for the removal of this restriction which has a serious impact on his career and employability. The Minister of Transport's expert witness testified that the applicant has two embedded kidney stones and believes that the kidney stones are recurrent. If one or the other or both dislodge while at sea, it would become a safety issue that would put himself, his vessel, his crew and the cargo in jeopardy. The requirements for the issuance of a marine medical certificate are outlined in the <i>Marine Personnel Regulations</i> and the International Labour Organization and International Maritime Organization <i>Guidelines on the Medical Examinations of Seafarers</i> (ILO/IMO Guidelines). The standards of the national <i>Seafarer Medical Examinations: A Physician Guide</i> are also considered. Even though the member sympathizes with the applicant as a seafarer in a safety-critical position, the applicant must meet a higher standard of fitness, and it is not possible within the guidelines to consider removing that limitation. The Minister's decision is confirmed.</p>
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	