GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, kidney stones, geographical limitations
FILE NO.	MA-0567-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	
DIAGNOSIS (Primary, Secondary, etc.)	History of recurrent renal calculi (kidney stones)

REVIEW	
DATE OF DETERMINATION	March 18, 2021
MEMBER	Dr. Peter Saviour
DETERMINATION	The member refers the matter back to the Minister of Transport for reconsideration.

REASONS FOR THE DETERMINATION

Issuance of a marine medical certificate (MMC) with a limitation of Near Coastal Voyage Class 2 — Due to the applicant's history of recurrent renal calculi, the limitation on his MMC would remain on any future certificates whether there is evidence or not of a stone at the time of assessment. The Minister of Transport (Minister) stated that its decision is in line with current international standards, taking into consideration the inaccessibility of medical care while at sea and the practical difficulties of dealing with pain or complications associated with the condition. The applicant has had three separate CT scans between 2014 and 2019, and all showed a lack of kidney stones; the renal stone seen in 2014 disappeared, apparently without reported incident. The International Labour Organization (ILO) and International Maritime Organization (IMO) *Guidelines on the medical examinations of seafarers* supports restrictions for seafarers with recurrent stones. However, the evidence provided by the Minister fails to establish, on a balance of probabilities, a pattern of what has been labelled by the Minister as recurrent renal stones. The member believes that the Minister's decision is not reasonable as Transport Canada has not collected any, and all relevant medical information concerning the applicant's alleged history of kidney stones. The Tribunal refers the matter back to the Minister for reconsideration of its decision that the applicant's MMC be restricted to Near Coastal Voyage Class 2.

APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	

OTHER/COMMENTS	