

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, kidney stones, geographical limitations
FILE NO.	MA-0628-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Deckhand
DIAGNOSIS (Primary, Secondary, etc.)	History of recurrent kidney stones
REVIEW	
DATE OF DETERMINATION	May 27, 2021
MEMBER	Dr. Thomas V. Davis
DETERMINATION	The member is referring the matter back to the Minister of Transport for reconsideration.
REASONS FOR THE DETERMINATION	
<p>Issuance of a marine medical certificate (MMC) with a limitation of Near Coastal Voyage, Class 2 (NC2) — As a result of a history of forming and passing kidney stones, the geographical limitation of NC2 was applied to the applicant's MMC, pursuant to subsection 278(4) of the <i>Marine Personnel Regulations</i>. This limitation would remain on any future certificates whether there is evidence or not of a stone at the time of assessment. During the period from 2010 to present, Transport Canada (TC) has been aware of his history of recurrent kidney stones. During that same period, the applicant has been assessed as fit with the limitation of Near Coastal Voyage, Class 1 (NC1) and fit with the limitation of NC2. However, since 2018, the Marine Medical Unit (MMU) has maintained an opinion that the appropriate assessment for the applicant is fit with the limitation of NC2. Having found that the applicant is stone-free, or at a minimum, has stones of a size likely to pass without complications, and considering the circumstances of his duties and the capabilities of the ships he serves in, it is not reasonable to limit his MMC to NC2. TC is correct, however, in its position that an unrestricted MMC in the applicant's case with a documented history of recurrent kidney stones would be incompatible with the current International Labour Organization (ILO) and International Maritime Organization (IMO) <i>Guidelines on the medical examinations of seafarers</i>. The member refers this matter back to the Minister of Transport for reconsideration. The member suggests that it would be appropriate to limit the applicant's MMC to NC1 when consideration is given to his current medical status, the occupational and operational requirements of the position that the applicant occupies, and the capabilities to deal with emergent medical issues should they occur on board the vessels in which he serves. TC may also wish to have the applicant undergo periodic surveillance to rule out the recurrence of clinically significant kidney stones.</p>	
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	