

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, bipolar disorder, mental health
FILE NO.	MP-0543-28
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Skipper
DIAGNOSIS (Primary, Secondary, etc.)	Bipolar I Disorder, substance-induced psychosis
REVIEW	
DATE OF DETERMINATION	March 29, 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>Refusal to issue a marine medical certificate (MMC) — The Marine Medicine Unit determined that the applicant was unfit to hold an MMC, in keeping with paragraph 278(4)(b) of the <i>Marine Personnel Regulations</i> and the publication <i>Seafarer Medical Examinations – A Physician Guide</i>. Due to the applicant’s diagnosis of Bipolar I Disorder, this decision was based on his risk of suffering a relapse, despite medications and other measures to maintain stability. However, the applicant’s treating psychiatrist testified and confirmed her 2018 consultation findings and opinions but with one major change; she stated that the correct diagnosis should be “substance-induced psychosis” rather than Bipolar 1 Disorder. She related the hospitalizations to psychosis precipitated by cocaine use but because he presented in a manic state, the applicant was diagnosed with Bipolar 1 Disorder and this “label” has persisted. The applicant has had three episodes of psychosis, and that they were either due to Bipolar 1 Disorder or were substance induced. This means that he does not fall under the <i>more</i> than three episodes criteria of the International Labour Organization (ILO) and International Maritime Organization (IMO) <i>Guidelines on the medical examinations of seafarers</i> (ILO/IMO guidelines) which would make him permanently unfit. He should be assessed under the case-by-case provision as it has been more than five years since the last episode, and he has no residual symptoms. The other provision of the ILO/IMO guidelines is that no medication is needed during the last two years. The applicant has been on the same dose of Seroquel since 2008. If the correct diagnosis is substance-induced psychosis, it is not clear that this medication is required or is continued more as “insurance.” All the evidence shows that the applicant has been stable without any recurrence of symptoms for at least 10 years. The applicant has worked in the fishing industry for over 30 years and as master of a vessel for more than 25 years. He has successfully handled emergencies at sea including three occasions when the ship was taking on water. The member finds that the demonstrated ability to function successfully over a very long period in a difficult marine environment, long-term stability of his condition and plausibility of a less restrictive diagnosis, all combine to require that the applicant’s case be referred back to the Minister of Transport for reconsideration.</p>	
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	