

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, kidney stones, geographical limitations
FILE NO.	MO-0650-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	---
DIAGNOSIS (Primary, Secondary, etc.)	Renal calculi (kidney stones)
REVIEW	
DATE OF DETERMINATION	May 18, 2022
MEMBER	Martine Guay
DETERMINATION	The member refers the matter back to the Minister of Transport for reconsideration of its decision to limit the applicant's marine medical certificate to Near Coastal Voyage, Class 2.
REASONS FOR THE DETERMINATION	
<p>The issuance of a marine medical certificate (MMC) with the limitation of Near Coastal Voyage, Class 2 (NC-2) — The applicant, by letter to Transport Canada (TC), requested that his geographical limitation of NC-2 be lifted. TC referred to its letter previously sent to the applicant advising him that, due to the presence of stones and the history of forming/passing kidney stones, the geographical limitation of NC-2 was applied to his MMC. TC stated that the applicant currently has renal calculi (kidney stones), and that the passing of a stone can be extremely painful and debilitating. There is also a risk of obstructing his urinary system. The size and location of these abnormalities are not helpful in predicting if, and when seafarers will develop pain that could be debilitating to the point of impacting on their functions. This limitation is applied to the MMC of any individual with kidney stones or who has the risk of forming/passing kidney stones. The applicant has suffered two separate occurrences of renal colic. One occurrence in 2011, for which the applicant received pain management medication and no surgical intervention was necessary, and another in 2017, for which he was admitted to a hospital where a stent was inserted to facilitate the passing of the stone. The applicant denies having had any recurrent episodes of renal colic since 2017. Paragraph 278(4)(a) of the <i>Marine Personnel Regulations (MPRs)</i> states that the Minister of Transport (Minister) has the discretion of issuing an MMC “with” or “without” limitations. Subsection 270(1) of the <i>MPRs</i> states that the seafarer must be fit for sea service, and it lists specific required medical standards. The member refers the matter back to the Minister for reconsideration and suggests that a full case-by-case analysis be conducted consistent with the International Labour Organization (ILO) and International Maritime Organization (IMO) <i>Guidelines on the medical examinations of seafarers</i> and as required by the <i>MPRs</i>. When consideration is given to the applicant's current medical status, the occupational and operational requirements of the position that the applicant occupies, the level of risk involved and the capabilities to deal with emergent medical issues should they occur onboard the vessels in which he wishes to serve, it may be appropriate to limit the applicant's MMC to Near Coastal Voyage, Class 1 within 50 nautical miles. TC may also wish to have him 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	