

**Board of Pilot Commissioners for the Bays
of San Francisco, San Pablo and Suisun**

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**PILOT FITNESS COMMITTEE MEETING
AUGUST 12, 2010
MINUTES**

The Board of Pilot Commissioners Pilot Fitness Committee met August 12, 2010, at 10:00 a.m. at the Board of Pilot Commissioners office, Pier 9, Suite 102, San Francisco, California.

Commissioner Roberts called the meeting to order at 9:55 a.m. In attendance were Commissioner Roberts, presiding, Committee members Brigadier General Chester Ward, MD, MPH, and Barbara Price. A quorum was established. Members of the public present were Dr. Robert Kosnik of the University of California, San Francisco Medical School, Commission President Mike "Knut" Miller, San Francisco Bar Pilots President and Port Agent Peter McIsaac, Executive Director Allen Garfinkle and Business, Transportation and Housing Deputy General Counsel and Ex Officio member Gabor Morocz, who joined telephonically.

1. Approval of Minutes from April 19, 2010 committee meeting.

Dr. Ward moved to approve the April 19, 2010 minutes, Barbara Price seconded and it passed with a unanimous voice vote.

**2. Status report of the study work plan as outlined within the contract with UC San Francisco.
Determine UCSF's ability to complete study before contract expiration. Discuss benefits of
extending contract one calendar year.**

Dr. Kosnik reiterated that he had met with two of the three Board Physicians. Dr. Kosnik presented a study titled "Review of the Current Pilot Medical Examiners" wherein he details the current experience and expertise of the current Board Physicians. He pointed out that none of the current physicians are Board Certified in occupational medicine. There was a discussion concerning whether Board Certification in occupational medicine should be a qualification. Dr. Ward noted that it might limit the Board's choices if it was, but instead suggested a two tiered system where Board Certification is a desirable characteristic, but that the Board not be limited to that standard in making a choice. It was also noted that most doctors doing Occupational Medicine usually come from other fields, such one Board doctor, who is Board Certified in Emergency Medicine.

The Committee then reviewed the most recent draft of Dr. Kosnik's Pilot Fitness Study, including sections on Review of Pilot Fitness Standards (which includes Development of National Standards in the United States, Other National Standards, and Regulated Transportation), and Qualifications of Physicians Performing Pilot Examinations. Still to be completed is the section on Physical and Cognitive Demands of Jobs.

There was also a discussion on the extension of the Board contract with University of California. The Executive Director stated that there is a one year, no cost extension in the process of being approved in Sacramento.

3. Review current qualifications of Board examining physicians; develop recommendations to modify/adopt criteria for selection, retention. Develop criteria for competitively bidding contracts with Board appointed physicians. Develop possible recommendations to the Board.

The committee reviewed the agenda item from the Board of Pilot Commissioners August 27, 2009 meeting where the Minimum Qualifications for Board Examining Physicians was discussed. These minimum qualifications include:

1. Possess current license to practice medicine from the State of California.
2. Minimum of five (5) years experience in occupational medicine
3. Qualified to determine suitability of a person to perform the duties of a maritime pilot licensed by the Board of Pilot Commissioners, including familiarity with:
 - Duties of a pilot, inland pilot and pilot trainee;
 - Techniques and procedures to assess physical fitness for performing piloting duties;
 - Evaluating the effects of prescription medications on fitness to perform piloting duties.

There was a motion to recommend to the full Board to accept these standards for the purpose of initiating competitive bidding contracts with Board appointed physicians. It was seconded and approved by unanimous voice vote.

Note: Agenda items four through eight were tabled until next meeting.

4. Review current Board and USCG standards of physical and mental fitness for pilots, inland pilots and pilot trainees/applicants for pilot trainee training program; develop recommendations for amendments to Board's standards. Item tabled.

5. Review current procedures for determining fitness for duty, appeal procedures (7 CCR §217); develop recommendations for amending or supplementing same. Item tabled.

6. Review current guidelines for Board examining physicians to comply with Harbors and Navigation Code section 1176 (as amended by SB 1217 (2009)); develop recommendations to amend or supplement and to formalize guidelines. Develop possible recommendations to the Board. Item tabled.

7. Develop recommendations for the establishment of a medical review officer to provide advice on pilot fitness matters, review fitness determinations and ensure consistency in resolving fitness-related issues. Item tabled.

8. Review state of the art in assessing mental acuity and fitness and in identifying degradation of performance due to gradual loss of situational awareness or judgment; develop recommendations as warranted. Item tabled.

9. Review Harbor & Navigation code section 1181 (f), and 7 CCR section 210 f (1&2). Consider modifying regulation for a more concise definition of "under the influence". Develop possible recommendations to the Board.

The committee reviewed a memo from Board Counsel Dennis Eagan concerning adopting specific blood-alcohol levels for use in section 202 of the Board regulations. Board Counsel suggested the following language:

(b) "Alcohol concentration" means either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

(j) "Intoxication" and "intoxicated" mean, for purposes of Harbors and Navigation Code section 1181(f) and these regulations, and when pertaining to alcohol, an alcohol concentration of .04 percent or more, by weight, in a person's blood, as determined by a chemical test.

(v) "Under the influence" means, for purposes of Harbors and Navigation Code section 1181(f) and these regulations, and when pertaining to alcohol, an alcohol concentration of .04 percent or more, by weight, in a person's blood, as determined by a chemical test.

It was moved and seconded that the committee recommend to the Rules and Regulations Committee that this language be adopted and integrated into future revisions of section 202. A vote was taken and this motion passed by unanimous voice vote.

10. Consider all future expenses under the purview of the Committee. Consider historical expenses of the Board with respect to payments to Board appointed physicians and attempt to predict the level of future expenses assuming no change to current procedures involving annual physicals and medication modifications as well as occasional special referrals. Develop recommendation to the Board with respect to amounts and timing.

The committee discussed future expenses and directed staff to assemble data on what was expended in fiscal year 2009-2010 on pilot physicals. Staff was also directed to present fee schedules of current Board physicians.

11. Planning agenda for next committee meeting.

The committee agreed to meet again on September 21, 2010 at 9:30 a.m.

12. Adjournment

The meeting was adjourned at 12:10 p.m.,

Respectfully Submitted,

Allen Garfinkle, Executive Director