

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

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September 21, 2010
MINUTES**

The Board of Pilot Commissioners Pilot Fitness Committee met September 21, 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 10:02 a.m. In attendance were Commissioner Roberts, presiding, Committee members Brigadier General Chester Ward, MD, MPH, and Barbara Price. Members of the public present were Dr. Robert Kosnik of the University of California, San Francisco Medical School, Commission President Knute Michael Miller, San Francisco Bar Pilots President and Port Agent Peter McIsaac, Executive Director Allen Garfinkle, Commissioner David Wainwright and Staff Services Analyst, Brian Vu.

1. Approval of Minutes from August 12, 2010.

Commissioner Roberts moved to approve the August 12, 2010 minutes, General Ward seconded and it passed by 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.

There was a discussion on the extension of the Board's contract with University of California. Dr. Kosnik stated that the process has been executed and is no longer a pending matter. The contract has been extended with a no cost extension until September 30, 2011.

3. 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.**4. Review current procedures for determining fitness for duty, appeal procedures (7 CCR 217); develop recommendations for amending or supplementing same.**

5. **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.**
6. **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.**

Note: The recommendations that follow are in response to agenda items #3 through #6

Dr. Kosnik reviewed the recommendations in his Pilot Fitness Study in regards to the transition from Seafarers Health Improvement Program (SHIP) to Navigation and Vessel Circular (NVIC) 04-08, a procedure that provides guidance for evaluating the physical and medical conditions of applicants for merchant marine documents. It also assists medical practitioners in evaluating the mariner's physical and medical status to meet the requirements.

Recommendation #1: The Board of Pilot Commissioners adopt the NVIC 04-08 Medical Standards as guidance to a physician performing a medical examination to determine fitness for duty as a pilot, inland pilot or pilot trainee.

Recommendation #2: The Board of Pilot Commissioners requires that the medical examiners who determine the fit for duty status have the following qualifications:

- Licensed by the California Medical Board
- Experienced in general occupational medicine or maritime occupational medicine
- Has accompanied a bar pilot on at least one trip **per contract period.**

Recommendation #3: The Board of Pilot commissioners provides the medical examiners with the following:

- The current version of the NVIC medical standards and the application for medical certification by the National Mariners Center (CG-719K) as background for the intent, the requirements and the procedures for the medical evaluation.
- The current BOPC policies on the fit for duty status required by pilots.

Recommendation #4: The Board of Pilot Commissioners utilizes a Medical Review Officer to confirm the fitness for duty.

Recommendation #5: The Board of Pilot Commissioners accepts the information provided in the Coast Guard form CG-719K as the annual substantiation of the medication, medical condition, and physical examination of the bar pilots.

Recommendation #6: The Board of Pilot Commissioners requires bar pilots to obtain a review of his/her fit for duty status following:

1. The onset on new medical conditions or new prescription of medications listed in NVIC 04-08, or
2. A change in an identified medical condition or medications

Recommendation #7: The Board of Pilot Commissioners requires the San Francisco Bar Pilots to provide an updated fit for duty status from a medical examiner after each of the following:

1. The annual medical certification by the Coast Guard

2. The addition or change in medication, **as required by form CG-719k.**
3. The onset of a new medical condition,
4. Any change in a current medical condition which results in a decrease in function, and
5. The resolution of a short term medical condition

Recommendation #8: The Board of Pilot Commissioners undertakes to test pilot agility with and exam which simulates the embarkation and disembarkation of a ship prior to **licensing**, prior to return to work after an accident or illness which affects musculoskeletal system, annually and as directed by the examining physician or Medical Review Officer.

Recommendation #9: The Board of Pilot Commissioners undertakes to test pilots through evaluations of general cognitive function with a focus on the senses, relative motion, situational awareness and memory. The Medical Review Officer will provide guidance on tests used to evaluate cognitive function.

Recommendation #10: The Board of Pilot Commissioners undertakes to develop a position termed as Medical Review Officer (MRO), who will undertake systematic monitoring, evaluation and, when needed, the improvement of the medical examination process to ensure that the medical standards of the Board of Pilot Commissioners are being met.

Recommendation #11: The Board of Pilot Commissioners procures all of their medical services and testing requirements from one medical facility.

Dr. Kosnik stressed that NVIC 04-08 was the starting point on which the MRO will build upon. NVIC 04-08 is generic for all seamen from wipers to pilots. The Committee agreed that Dr. Kosnik's recommendations were extremely helpful as a starting point but that the language would have to be developed that will translate to the rulemaking process. Toward that end the Committee expressed intent to have Board Counsel Assist with development of these recommendations.

7. Review and discuss budgetary requirements related to projects concerning this committee. Possible recommendation to board on budget proposals.

Staff Services Analyst Brian Vu made a presentation on the trend of medical cost to the Board. In the wake of Cosco Busan and the transfer to Business Transportation and Housing Agency (from the Department of Consumer Affairs), the Board medical practices have been under increased scrutiny. Because medical reasons were found to be a factor in the Cosco Busan pilot error, the legislature has mandated more measures have been taken to ensure pilot fitness. Fiscal year 2009-2010 medical cost was \$37,743.65. 08/09 fiscal year's cost was \$21,576.75. Mr. Vu recommended a 10-15% increase of monies over the current fiscal year to account for inflation and increased use of the Pilot physical as a tool to assure pilot fitness.

The Committee instructed staff to come up with more precise figures for the next meeting, including average inflation vs. healthcare inflation.

8. Planning agenda for next committee meeting.

The Committee agreed that agenda items #3, 4, 5 should all go under one agenda item as it overlaps and repeats. The committee also agreed to continue this meeting on October 6, 2010 at 1:00 p.m. and again on October 18, 2010 at 10:00 a.m.

9. Recessed and Continued

The meeting was recessed at 11:47 a.m.

Respectfully Submitted,



Brian Vu
Staff Services Analyst