



Notice, Disclosures, and Acknowledgement and Consent to Disclosure

BOPC Use Only

**BOARD OF PILOT COMMISSIONERS FOR THE BAYS OF
SAN FRANCISCO, SAN PABLO, AND SUISUN (BOPC)**

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The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun assesses present and prospective pilots and pilot trainees to determine their physical and mental fitness to perform the duties of pilots and pilot trainees. In making this assessment, the Board collects personal health information from those subject to assessment. This document contains the notice required by the Information Practices Act of 1977 when a state or local agency collects personal information, makes disclosures about the nature of the information collected and the use that is made of it, and provides for consent to the disclosure of the information in connection with the fitness assessment and with Board processes requiring review of the information.

NOTICE

The Information Practices Act of 1977 requires that a notice be provided when collecting personal information from individuals. (Civil Code § 1798.17.) The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun collects personal information to assess whether present and prospective pilots and pilot trainees are physically and mentally fit to perform the duties of pilots and pilot trainees. Collection of this information is authorized by Sections 1175 and 1176 of the Harbors and Navigation Code and by Title 7, Division 2, Article 5 of the California Code of Regulations. Provision of the requested personal information by persons being assessed is mandatory. Failure to provide the information will result in a determination that the person subject to assessment is not fit for duty.

The personal information collected may be disclosed to a federal, state, or local law enforcement agency under Section 1157.4 of the Harbors and Navigation Code, to a federal or local governmental entity when required by law, and to a state agency where the information is necessary to the performance of that agency's duties and the use of the information is compatible with a purpose for which the information was collected by the Board of Pilot Commissioners.

Persons assessed have a right of access to records containing the personal information that the Board collects from them to assess their fitness for duty. The Board official who is responsible for the Board's system of records and who shall, upon request, inform those providing the information regarding the location of the records and the categories of any persons who use the information in those records is the Executive Director, Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, 660 Davis St., San Francisco, CA 94111, Telephone (415) 397-2253.

DISCLOSURES

The following disclosures concern the information required of those subject to determinations of their fitness for duty, the uses that will be made of that information, the consequences of failure to provide that information, and the scope of the duties of Board-appointed physicians as they relate to the persons being assessed.

1. The Board assesses present and prospective pilots and pilot trainees to determine their physical and

mental fitness to perform the duties of pilots and pilot trainees. To achieve this purpose, persons subject to assessment must disclose all information bearing on their fitness to perform their duties. This information includes the information required by the Board's regulations, including (1) a copy of the most recent Merchant Mariner Credential Medical Evaluation Report, Form CG-719K Rev. (01-09), along with all supporting documentation submitted to the U.S. Coast Guard for any medical condition or medication requiring further review and for any request for a medical waiver; (2) all documentation of the results of the review by the U.S. Coast Guard National Maritime Center of Form CG-719K and supporting documentation; and (3) the results of the agility testing and toxicological testing required by the Board's regulations. Personal health care professionals, Board-appointed physicians, and other health care professionals must be free to share with one another all information relevant to a fitness for duty determination.

2. Health information of persons subject to medical assessment will be shared among Board-appointed physicians, personal health care professionals, other health care professionals, and, when necessary to Board processes set forth in the Board's regulations, with members of the Board, the Executive Director, and Board counsel. These Board processes include reported absences for medical reasons, appeals of fitness determinations, review of disability pension applications, and consideration of actions under Sections 1180 through 1183 of the Harbors and Navigation Code.

3. When, to complete a fitness determination, a Board-appointed physician needs health information regarding the person being assessed from another health care professional, including medical records, examination results, results of diagnostic and laboratory tests, and consultations, it is that person's responsibility to arrange for provision of the needed information to the Board-appointed physician. Absent provision of such information, that person will be determined not fit for duty.

4. The fitness determinations required by the Board's regulations are solely to assess the fitness of persons to perform the duties of pilots or pilot trainees. The Board-appointed physicians who conduct these assessments do not provide medical care or treatment to the person assessed.

ACKNOWLEDGMENT AND CONSENT TO DISCLOSURE

I acknowledge that I have read the foregoing Notice and Disclosures regarding health information and fitness determinations. I give my consent for all information bearing on my fitness for duty to be disclosed to and shared among Board-appointed physicians, my personal health care professionals, and other health care professionals involved in assessing my fitness for duty. I also give my consent for such information to be disclosed to and shared among members of the Board, the Executive Director, and Board counsel, when necessary to Board processes set forth in the Harbors and Navigation Code or the Board's regulations. This consent shall remain in effect until such time as I am no longer subject to fitness determinations, whether annual or otherwise, under the Harbors and Navigation Code or Article 5 of the Board's regulations. I understand that this consent is voluntary. I also understand that refusal to provide this consent will result in a determination that I am not fit for duty.

Printed Name

Signature

Date