

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

660 Davis St., San Francisco, CA 94111

Phone: (415) 397-2253 Fax: (415) 397-9463

E-mail: [brian.vu@bopc.ca.gov](mailto:brian.vu@bopc.ca.gov)website: [www.bopc.ca.gov](http://www.bopc.ca.gov)**PILOT FITNESS COMMITTEE MEETING****March 16 2011****MINUTES**

The Board of Pilot Commissioners Pilot Fitness Committee met March 16, 2011 at 9:30 a.m. at the Board of Pilot Commissioners office, Pier 9, Suite 102, San Francisco, California.

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, Ray Paetzold, Board President Knute Michael Miller, Acting Executive Director Gabor Morocz, Staff Services Analyst Brian Vu, and Office Technician Kelly Dolcini

Open Meeting:

**1. Call to Order and Roll Call.**

Chairman Roberts called the meeting to order at 9:45 a.m. General Ward and Barbara Price were present, constituting a quorum.

**2. Approval of minutes of February 15, 2011 minutes.**

Chairman Roberts requested approval of the minutes of the February 15, 2011 meeting. General Ward seconded the motion which passed unanimously on a voice vote. Barbara Price abstained.

**3. Status report of the study work plan as outlined within the contract with UC San Francisco. Discussion of content and timeline for project completion.**

Dr. Kosnik stressed a process of duty and responsibility of oversight for the CG-719K.

**Recommendation #7:** The Board of Pilot Commissioners includes in the duties of the Medical Review Officer a requirement to stay apprised of the developments in the federal drug testing program and to report those developments periodically to the Board.

Status: final recommendation

**Recommendation #8:** The Board of Pilot Commissioners includes in the duties of the Medical Review Officer a requirement to stay apprised of changes in the pilot attestation to the list of medications in the CG-719K, or its successor thereto, and to report those developments periodically to the Board.

Status: final recommendation

**Recommendation #9:** The Board of Pilot Commissioners continues to follow Statute HNC sec. 1176 (e) which reads as follows:

- “A pilot, an inland pilot, or a pilot trainee who is prescribed either a new dosage of a medication or a new medication, or suspends the use of a prescribed medication must submit within 10 days that information to the Board appointed physician who conducted the last fitness for duty examination”.
- “if the physician determines that the medication change results in the pilot, inland pilot or pilot trainee being unfit for duty, the physician shall inform the Board”

Status: not ready

**Recommendation #10:** The Board of Pilot Commissioners amends 7 CCR, sec. 217 Medical Examination, to require pilots, and pilot trainees to undertake within their application for license and post incident the following toxicological tests: anti-depressants, anti-psychotics, anti-convulsants, barbiturates, amphetamines, benzodiazepines, sedative hypnotics and codeine.

Status: The Committee discussed their desire to add more panels. The current system in place is a DOT 5 panel.

**Recommendation #11:** The Board of Pilot Commissioners includes in the duties of the Medical Review Officer a requirement to stay apprised of changes in the vision of hearing standards within the NVIC 04-08 or its successor and to report those developments periodically to the Board.

Status: final recommendation

**Recommendation #12:** The Board of Pilot Commissioners maintain 7 CCR sec. 217 Medical Examination (a)(1), 217(b)(1) and 217(b)(2) to require pilots, and pilot trainees to provide a fitness for duty status from a Board appointed physician prior to each of the following:

1. The entry into a training program and annually thereafter while in the program
2. The issuance of the original license
3. The renewal of a license (annually)

Status: final recommendation

**Recommendation #13:** The Board of Pilot Commissioners amend 7 CCR sec.217 Medical Examination to require pilots, and pilot trainees to submit a notification to the Board and to submit a notification along with supporting information to the Board appointed physician who conducted the last examination of fitness for duty requesting a review of his/her fitness for duty, following each of the following:

1. The onset of a new medical condition diagnosed by a physician and listed in CG-719K or the successor thereto, under circumstances that would require further review or a waiver under NVIC 04-08 or the successor thereto.
2. Any change in a current medical condition which impairs, to an appreciable degree, the ability of the individual to conduct his or her piloting duties.



Supporting information includes a statement from his/her personal physician providing care for the pilot, or pilot trainee along with diagnostic tests, consultations, or other information as outlined in the NVIC 04-08 or the successor thereto, for medical conditions subject to further review.

Status: final recommendation

**Recommendation #14:** The Board of Pilot Commissioners amends 7 CCR sec.217 Duties of Pilots and Inland Pilots (q) to require pilots, and pilot trainees (who are not covered under sec.219 (q)):

1. If the medical disability continues for either 30 consecutive days or a total of 30 days in any 60 day period, to be medically examined in accordance with subsection (d) or Section 217 prior to returning to duty.

Status: final recommendation

**Recommendation #15:** The Board of Pilot Commissioners amend 7 CCR sec.217 Medical Examination to require the Board appointed physician who conducted the last examination to issue a statement on fitness for duty upon receipt of a notice from a pilot, or pilot trainee for the following changes in medication or medical condition:

1. A change in a medication
2. The onset of a new medical condition
3. A change in a medical condition
4. The return to duty after a medical disability

Status: final recommendation

**Recommendation #16:** The Board of Pilot Commissioners adopts a procedure requiring applicants for the training program, the license or renewal, and pilot trainees undergoing annual physical examination to provide the most recent completed CG-719K, all supporting documentation for medical conditions / medications requiring further review or waiver under NVIC 04-08, or the successor thereto, and results of the review / waiver to the Board appointed physician and the Medical Review Officer.

This procedure involves the release of personal health information. The procedure shall require an acknowledgement and a release to ensure the proper authorization and disclosure of the information. The following two steps are recommended:

1. The applicant acknowledge the requirement to disclose personal health information to the Board appointed physician and the Medical Review Officer (concurring physician) similar to the privacy act statement on page 1 of the most recent CG-719K.
2. The pilot, or pilot trainee sign a release of information on the statement of fitness for duty. This release could serve as authorization under sec.217 Medical Examination (c) (1) to provide the information to the reviewing physician(s). It could be similar to the release in Section II of the most recent CG-719K form.

Status: final recommendation

**Recommendation #17:** The Board of Pilot Commissioners amends sec. 217 medical Examination(c)(1) whereby the Board appointed physician attests to having reviewed the most recent CG-719K, the information supporting a waiver, the list of medications mandated in HNC 1176(b), the most recent toxicological tests, and the information supporting any interim events listed in Recommendation #7 or #8 (that is, any changes in medical condition, or medical disability) since the last annual examination and provides a statement on fitness for duty status. The Medical Review Officer, having reviewed the same information, attests to the review and, the concurrence or non-concurrence of the findings of the Board appointed physician.

A suggested application form and a statement of fitness for duty form have been drafted to illustrate this content and process. The details as to the number of forms and details beyond the medical issues will be left to the Board staff. The statement of fitness for duty form should reflect the following:

1. Attestation by the Board appointed physicians to what he or she reviewed
2. Affirmative showing the physician discussed the status determination (whether FFD, NFD, or PNFFD) with the pilot inland pilot or pilot trainee,
3. Authorization by the pilot or pilot trainee to discuss and share all documentation and examination results with the MRO
4. Attestation by the MRO as to his/her independent determination of the fitness for duty status.

Status: final recommendation

**Recommendation #18:** The Board of Pilot Commissioners amends 7 CCR sec. 217 Medical Examination, to include a separate appointed physician termed a Medical Review Officer. The duties of the Medical Review Officer will include the following:

- Provide a statement of concurrent or non-concurrence following a review the CG-719K, related medical information, agility test results, changes to medication or medical conditions, toxicological testing results and the findings of the Board appointed physician; and a specific statement on fitness for duty.
- Maintain a separate set of file with the personal health information on each pilot. The MRO contract includes language to ensure ease of access file for appeals and in the event of a change in MRO.
- Review the agility test itself and compare the track record of pilots or pilot trainees who become NOT FIT FOR DUTY as a result of a physical limitation that should have been caught by the agility test and periodically report to the Board on his or her observations and recommend adjusts to the test itself.
- Stay apprised of any changes in the NVIC 04-08, the CG-719K, the federal drug testing requirements or, any successor thereto of these directives.
- Stay apprised of the developments in cognitive function testing and to report those developments periodically to the Board.
- Undertake annual peer review of the Board appointed physicians.

Status: final recommendation



Chairman Roberts recommended that the agility testing be in the appendix.

**4. Discussion and review of forms to be included in eventual Board recommendations.**

Executive Director Morocz stated that the framework for the forms was progressing well. In the future, the committee would incorporate substantial study language in the form.

**5. Review cost structure of proposed clinic framework and alternatives for agility training with an emphasis on preparing to conduct market survey to be used for Budget Change Proposal.**

The Committee recommended a market survey be done in preparation for the Budget Proposal.

Chairman Roberts asked if the figures needed to be exact.

Executive Director Morocz stated that it would be in the best interest of the Committee to wait until the Board approves the study before getting a market survey done.

Barbara Price asked Dr. Kosnik on how much it would cost UCSF hypothetically.

Dr. Kosnik stated that he would look into how much it would cost UCSF if they undertook a project of this magnitude.

**6. Public comment on matters not on the agenda.**

Chairman Roberts stated that the study looked very promising and all that was left is editing from a technical writer and a conclusion. He also stated that the only question remaining was figuring out an efficient administration to connect the doctors.

President Miller stated that the committee should submit a draft to the Board.

Executive Director Morocz recommended submitting a draft to the Board members then field any questions. The study would then be sent back to the Committee then back to the Board for final approval.

Dr. Kosnik stated that he would have the draft by April.

President Miller announced that the draft would be ready by April 15, 2011. It would be sent out to all Board members April 18, 2011. The Board meeting will be on April 28, 2011.

The next Committee meeting will be April 13, 2011 at 2:00 p.m.

**7. Proposals for additions to next committee meeting agenda.**

There were none.

**8. Adjournment**

The meeting was adjourned at 10:40 a.m.

Respectfully Submitted,



Brian Vu  
Staff Services Analyst