

<p>Date: August 25, 2015</p>	<p>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun</p> <p>660 Davis Street, San Francisco, CA 94111</p> <p>PILOT FITNESS COMMITTEE MEETING MINUTES</p>	<p>Page 1 of 5</p>
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Committee members present

Knute Michael Miller, Chairman
 Captain Joe Long, Commissioner
 Robert Kosnik, MD
 Barbara Price
 Chester L. Ward, MD, MPH, Brigadier General, U.S. Army, Retired

Staff present

Allen Garfinkle, Executive Director
 Roma Cristia-Plant, Assistant Director
 Dennis Eagan, Board Counsel
 Kelly Dolcini, Staff Services Analyst

Public present

RADM. Francis X. Johnston, Board President
 Jennifer Ferrera Schmid, Commissioner
 Alan Hobbs, PhD, San Jose State University Research Foundation
 Erin Flynn-Evans, PhD, National Aeronautics and Space Administration
 Ray Paetzold, San Francisco Bar Pilots (SFBP) Business Director and General Counsel

OPEN MEETING

1. Call to order. Roll Call. (Chairman Miller)

Chairman Miller called the meeting to order at 9:46 a.m. Staff Services Analyst Dolcini called the roll and confirmed a quorum.

2. Approval of minutes of Pilot Fitness Committee meeting on July 22, 2015.

MOTION: Dr. Ward moved to approve the Committee meeting minutes of the July 22, 2015. Ms. Price seconded the motion.

VOTE: Yes: Miller, Kosnik, Long, Price and Ward.

No: None.

Abstain: None.

ACTION: The motion was approved.

3. Review, discuss, and possibly approve proposed clarifications to scope of work originally proposed by San Jose State University Research Foundation (SJSURF) for the pilot fatigue study. Possible recommendation to the Board to approve proposed clarifications to the SJSURF pilot fatigue study work scope, and to direct staff to continue the contracting process with SJSUF based upon those clarifications. (Chairman Miller)

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Chairman Miller provided a brief discussion of the changes to the pilot fatigue study proposal to include Mr. Kevin Gregory as a researcher under Dr. Flynn-Evans in her National Space and Aeronautical Administration (NASA) laboratory, and confirmed that Dr. Flynn-Evans will remain a part of the study team, although she will not receive compensation from the Board for her work. He indicated that he believes these changes are not substantial, but rather cosmetic in nature. Assistant Director Cristia-Plant briefly discussed Mr. Gregory's updated curriculum vitae and an updated listing of study tasks received from Dr. Hobbs.

Dr. Flynn-Evans confirmed that she has received verbal approval from NASA to participate in the study on NASA time since the subject matter is very important to NASA and her other research. She will seek written approval from NASA under the Space Act Agreement. She confirmed for Dr. Ward that the study will list her and NASA as an author.

There was a discussion of the Tasks 7 and 9. Both tasks involve one or more objective monitoring options utilizing sleep diaries, psychomotor vigilance tests and/or actigraphy. It was understood by the Committee that it would be acceptable for the study to be completed without any objective monitoring should the researchers fail to achieve a statistically significant sample size from willing participants, and that the contract should allow sufficient funding for the researchers to determine if any of the proposed objective monitoring methods will be utilized. Dr. Flynn-Evans confirmed that she cannot ethically utilize any objective monitoring methods unless the subject understands and agrees to the specific data collection methodology. The Committee directed staff to ensure that the SJSURF contract budget allows for payment for researchers time to determine if Tasks 7 and 9 will be performed. Ms. Price requested the Executive Director be notified if any of the objective measurements are not utilized, and that the Executive Director should then report back to the Committee.

Neither President Johnston nor Commissioner Schmid participated in the Committee's deliberations or otherwise took part in the Committee discussions of this agenda item.

MOTION: Ms. Price moved that the Committee recommend to the Board to approve a clarification to the pilot fatigue study scope of work to include Kevin Gregory as part of the study team, to approve Dr. Flynn-Evans' study role, and to direct staff to continue the contracting process with SJSURF based upon those clarifications. Commissioner Long seconded the motion.

VOTE: Yes: Miller, Kosnik, Long, Price and Ward.
No: None.
Abstain: None.

ACTION: The motion was approved.

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4. Update from staff regarding implementation of new regulations concerning licensee fitness determination protocols. Identification of possible modifications to those protocols. (Executive Director Garfinkle)

Chairman Miller gave a brief history of the Board’s multi-year endeavor to update the pilot fitness regulations, noted that the regulations meet or exceed the federal pilot fitness standards and set the gold standard for pilot fitness assessments. He then called for a break.

BEGIN RECESS: 11:10 a.m.
END RECESS: 11:20 a.m.

Executive Director Garfinkle apprised the committee on several pilot fitness regulation issues and an update on the pilot medical assessment contract with the University of California, San Francisco Campus’ School of Occupational Medicine (UCSF), including:

- The new fitness regulations have been in place for approximately one year and four months, and that he thinks the contract with the University of California, San Francisco Campus School of Occupational Medicine (UCSF) has been working out fairly well.
- He attended a recent SFBP monthly all-pilot meeting to discuss the implantation of the new fitness protocols. Some pilots present conveyed to him that they were experiencing difficulties with making timely appointments, especially when they needed to be seen by both the UCSF examining physician and the Medical Review Officer. Dr. Kosnik confirmed that he has individually seen most all of the pilots now, which should alleviate the scheduling issues when trying to coordinate the schedules of both the examining physician and the Medical Review officer. Executive Director Garfinkle apprised the Committee that he now encourages pilots to make appointments within 60-90 days of their license renewal date to ensure the fitness for duty determination will be completed before the license renewal date.
- He noted that initially a few pilots were direct billed for various tests conducted outside of the Occupational Medicine campus, and that these billing issues have been largely resolved.
- Some recent medical issues have resulted in the need for the Medical Review Officer to sign off on a conditional fitness for duty determination, subject to the pilot being examined again at a later date, but before the next license renewal date. For now, Executive Director Garfinkle apprised the Committee that he directs the pilots to return to the physician at the requested time period, but would like the Committee to consider amending the fitness regulations to authorize conditional fitness for duty determinations and require the pilot to follow the physician’s orders for future office visits or tests.
- Pilots were being questioned by the UCSF physicians on their sexual habits, and that they did not see a connection between these questions and their piloting job. Dr.

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Kosnik confirmed that these questions are routinely asked as part of a typical physical examination, and that he will look into the matter further.

- There is a chain of custody issue with regard to the second urine sample that is sent out for toxicological testing for drug exposures. Dr. Kosnik confirmed that this issue has been resolved and pilots no longer hand carry urine samples.
- Pilots have a concern about UCSF physicians accessing medical records prepared by their own private physician. Dr. Kosnik explained that some electronic medical records are shared by physician groups. Dr. Ward stated that Congress authorized the military and Veterans Administration systems to share medical information in the near future. Dr. Kosnik indicated that in the near future there will be a statutory requirement to share information among pharmacies about narcotics use, and that this information sharing will likely be extended to all medications. Dr. Kosnik confirmed that if the pilot's personal physician was a UCSF physician, then the pilot's medical records would be available to any UCSF physician. He will look further into the issue of accessing medical records from physicians outside the UCSF system.
- A few pilots have expressed a concern about the effectiveness of the hearing testing procedures at UCSF, including a whisper test. Dr. Kosnik confirmed that UCSF is applying standard hearing testing protocols.
- Some pilots have expressed a desire to obtain UCSF physician completion of the CG-719K. Executive Director Garfinkle confirmed that the regulations require the pilot to bring in the most recent completed CG-719K to the examination for assessment purposes only, and that the UCSF physicians have agreed to complete a new CG-719K as a convenience to the pilot, but are not required to do so. He stated that the pilots could obtain a completed CG-719K from their own personal physician if the state medical assessment does not coincide with their federal licensing needs. Or, a pilot could request that the federal license renewal date be moved to closer to the state licensing renewal date, thus enabling the pilot to turn in the UCSF completed CG-719K for his federal license renewal. He confirmed that he will make a statement to the pilots that UCSF is completing a CG-719K as a convenience only.
- He commended Barret Bestard of Dr. Kosnik's staff and her efforts to work with pilots scheduling appointments. He would like to see UCSF identify a strong back up to Ms. Bestard so that pilots will not experience delays in scheduling future appointments in her absence.
- As required by the regulations and the contract, he is still trying to arrange an annual meeting with all of the UCSF physicians, and hopes to do so in the near future.

Mr. Paetzold confirmed that the pilots are getting used to the new fitness system, reiterated that the pilots are concerned about UCSF physicians accessing a pilot's private medical records from many years ago and that such records that don't appear to be job-related. He encouraged all parties to continue to communicate to work through the outstanding issues.

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5. Public comment on matters not on the agenda.

There was none.

6. Proposals for additions to next committee meeting agenda.

Commissioner Long requested that agenda item 4 be a standing item on future Committee agendas until the outstanding issues related to the new licensee fitness determination protocols are resolved.

7. Adjournment.

There being no further business before the Committee, Chairman Miller called for a motion to adjourn.

MOTION: Dr. Ward moved to adjourn the meeting. Commissioner Long seconded the motion.

VOTE: Yes: Miller, Kosnik, Long, Price and Ward.

No: None.

Abstain: None.

ACTION: The motion was approved and the meeting was adjourned at 12:41 p.m.

Prepared by: Kelly Dolcini and Roma Cristia-Plant