

<p>Meeting Date:</p> <p>April 11, 2018</p>	<p>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</p> <p>JOINT PILOT FITNESS/RULES AND REGULATIONS COMMITTEE MEETING MINUTES</p>	<p>Page 1 of 4</p>
--	---	---------------------------

Committee Members Present:

Knute Michael Miller, Pilot Fitness Committee Chairman and Past Board President
 Captain George Livingstone, Rules and Regulations Committee Chairman and Commissioner
 Dave Connolly, Board Vice President
 Brigadier General (Ret.) Chester L. Ward, MD
 Captain Einar Nyborg, Commissioner

Committee Members Absent:

John Schneider, Commissioner
 Robert Kosnik, MD (participated by telephone commencing at 1:36 p.m.)

Staff Present:

Allen Garfinkle, Executive Director
 Roma Cristia-Plant, Assistant Director
 Dennis Eagan, Board Counsel
 Luis Cruz, Associate Governmental Program Analyst

OPEN MEETING

1. Call to order and roll call. (Chairmen Miller and Livingstone)

Pilot Fitness Committee (PFC) Chairman Miller called the meeting to order at 1:32 p.m.
 Associate Governmental Program Analyst Cruz called the roll and confirmed a quorum.

2. Approval of the minutes of last Joint Pilot Fitness/Rules and Regulations Committee meeting held on March 13, 2018. (Chairmen Miller and Livingstone)

Committee members were presented the draft minutes from the meeting held on March 13, 2018. Board Counsel Eagan requested a minor edit to the draft minutes. There was no further comment or discussion.

MOTION: Vice President Connolly moved to approve the draft minutes from the Joint Pilot Fitness/Rules and Regulations Committee meeting held on March 13, 2018, as amended. Dr. Ward seconded the motion.

VOTE: YES: Livingstone, Miller, Connolly, Nyborg, and Ward.
 NO: None.
 ABSTAIN: None.

ACTION: The motion was approved.

<p>Meeting Date:</p> <p>April 11, 2018</p>	<p>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</p> <p>JOINT PILOT FITNESS/RULES AND REGULATIONS COMMITTEE MEETING MINUTES</p>	<p>Page 2 of 4</p>
--	---	---------------------------

3. Discussion and review of proposed amendments to the Board fitness regulations in Title 7, California Code of Regulations sections 217-217.45 and related forms. Possible Joint Committee recommendation to the Board to propose amendments to regulations in Title 7, California Code of Regulations sections 217-217.45 and related forms consistent with the Joint Committee findings. (Board Staff)

Board Counsel Eagan presented the latest version of draft amendments to the Board’s fitness regulations, dated April 11, 2018. The issues the Joint Committee discussed include:

- Clarifying the responsibilities of the person being evaluated to provide certain documentation.
- Allowing for one-physician review in cases where NFFD is the identified status.
- An addition to the regulations that states all medical waivers issued by the U.S. Coast Guard must be provided to the Board’s physicians by the person being evaluated.
- Clarifying the proposed draft regulation to allow a fit for duty (FFD) determination effective for a period of less than a year. Additionally, adding a proposed regulation to clarify that when the examining physician and the medical review officer (MRO) determine a person to be fit for duty for a duration of less than a year, but the examining physician and the MRO disagree with the limited-term FFD duration, the default FFD determination shall be of the shorter of the two durations.
- An addition to the regulations requiring a pilot or trainee who is determined by the physicians to be not fit for duty (NFFD) to undergo a fitness evaluation commenced by an examining physician no later than 120 days after the initial NFFD determination.

The Joint Committee referred to §217.5(b)(2) and discussed the practical issues of the 20-day time frame for a trainee to obtain a medical assessment. Executive Director Garfinkle explained that the incoming trainee may be on a ship or out-of-state when offered a position in the Pilot Trainee Training Program, and that a 90-day time frame seems more reasonable. Board Counsel Eagan proposed modifying the draft regulations to allow the trainee to arrange for commencement of a medical assessment within 20 days from acceptance of offer into the training program.

The Joint Committee discussed best practices on closing the communication loop with the Regents of the University of California, San Francisco Campus (UCSF) concerning medical waivers issued by the U.S. Coast Guard. Co-Chairman Livingstone stated waivers are issued and remain active until revoked by the U.S. Coast Guard and suggested that UCSF staff keep the waivers on file. The Committee agreed that all waivers should be reviewed by the examining physicians and the MRO.

<p>Meeting Date:</p> <p>April 11, 2018</p>	<p>Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111</p> <p>JOINT PILOT FITNESS/RULES AND REGULATIONS COMMITTEE MEETING MINUTES</p>	<p>Page 3 of 4</p>
--	---	---------------------------

The Joint Committee briefly discussed FFD determination dates and how they relate to BOPC licensure expiration dates. Vice President Connolly and Commissioner Nyborg agreed that there should be a correlation between both dates. Assistant Director Cristia-Plant noted that a trainee's training program start date may be used in place of licensure date.

The Joint Committee briefly discussed an addition to the regulations that would require a pilot or trainee determined NFFD to be reevaluated at 120 days from the initial NFFD determination, with successive re-evaluations until the pilot or trainee is determined Fit for Duty. Commissioner Nyborg noted the importance of knowing the affirmative NFFD determination date and what party would be responsible to initiate NFFD reevaluations.

It was agreed by the Joint Committee that Board staff consider the discussion at today's meeting and propose additional edits to the draft regulations to be discussed at the next Joint Committee meeting.

4. Public comments on matters not on the agenda.

There were no comments from the public.

5. Schedule the next Joint Committee meeting, and proposals for the next Joint Committee meeting agenda.

Rules and Regulations Committee Chairman Livingstone proposed to hold the next meeting in June 2018.

Meeting Date: April 11, 2018	Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111 JOINT PILOT FITNESS/RULES AND REGULATIONS COMMITTEE MEETING MINUTES	Page 4 of 4
---	--	--------------------

6. Adjournment.

There was no further discussion by the Joint Committee.

MOTION: PFC Chairman Miller moved to adjourn the meeting. Rules and Regulations Committee Chairman Livingstone seconded the motion.
VOTE: YES: Livingstone, Miller, Nyborg, Ward.
NO: None.
ACTION: The motion was approved and the meeting adjourned at 3:10 p.m.

Submitted by:



Allen Garfinkle, Executive Director