

Commonwealth of Dominica



Office of the Maritime Administrator

TO: ALL SHIPOWNERS, OPERATORS, MASTERS, OFFICERS AND CREW OF MERCHANT SHIPS; RECOGNIZED ORGANIZATIONS; FLAG STATE INSPECTORS; SEAFARERS HOLDING OR SEEKING DOMINICA LICENSING AND/OR TRAINING; AND SEAFARER RECRUITMENT OR PLACEMENT AGENCIES.

SUBJECT: Guidance on Medical Exams and Certificates for Seafarers.

REFERENCES:

- (a) Maritime Labour Convention, 2006, Standard A1.2
- (b) STCW Regulation 1/9 and STCW Code A-1/9
- (c) STCW Convention, Section B-I/9
- (d) Guidelines on the Medical Examination of Seafarers, STCW.7/Circ.19, dated 9 January 2013
- (e) Dominica Maritime Act, 2002, as amended
- (f) Dominica Maritime Regulations, as amended; and
- (g) CDP 300 – Mariner Training and Certification.
- (h) CDP 800 – Dominica Maritime Labour Compliance

APPLICABILITY: All Dominica Flagged Vessels.

PURPOSE:

Both the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers Convention (STCW), 1978, as amended, and the Maritime Labour Convention, 2006 (MLC 2006), require a seafarer to hold a valid medical certificate. In an effort to provide an internationally recognized set of criteria in the conduct of medical fitness examinations for seafarers, the International Maritime Organization (IMO) recently published guidelines on this subject (reference (d), above). These guidelines revise and replace the *Guidelines for Conducting Pre-Sea and Periodic Medical Fitness Examinations for Seafarer* that were issued by the World Health Organization (WHO) and International Labour Organization (ILO) in 1997 (ILO/WHO/D.2/1997). Consideration of guidance on seafarer medical exams stems from STCW Section B-1/9 and MLC, 2006 Guideline B1.2.1.

The IMO guidelines consist of four parts:

- Part 1: Purpose and scope;
- Part 2: Information relevant to competent authorities;
- Part 3: Information relevant to persons conducting seafarer medical assessments;

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- Part 4: Appendices:
 - Appendix A: Vision standards
 - Appendix B: Hearing standards
 - Appendix C: Physical capability requirements
 - Appendix D: Fitness criteria for medication use
 - Appendix E: Fitness criteria for common medical conditions
 - Appendix F: Suggested format for recording medical examinations of seafarers
 - Appendix G: Medical certificate for service at sea
 - Appendix J: Extracts from MLC, 2006 and STCW Convention

This publication of Marine Safety Circular 03-13 provides an overview of the new IMO guidelines and Commonwealth of Dominica Maritime Administrator (the “Administrator”) recommendations, highlighting the information most relevant to Dominican flagged ships and seafarers and supplements requirements for seafarer personnel certification contained in CDP-300 and CD-PL 05-14.

Sales and Filing Agents and seafarers are encouraged to provide a copy of the IMO guidelines to their medical practitioner prior to and for use during medical examinations. It should be noted that emerging data is showing that seafarers are increasingly experiencing serious health issues on board vessels and that some of these issues are resulting in deaths. Thus, the importance of a thorough medical examination of seafarers prior to employment, and periodically thereafter, cannot be overemphasized.

1.0 Qualifications for Medical Examiners

1.1 The competent authority of the country in which the medical practitioner is located is responsible for regulating and recognizing the medical practitioner in accordance with national laws and regulations. The competent authority should maintain a list of medical practitioners that it recognizes and this list should be made available to competent authorities in other countries, companies and seafarers’ organizations on request

1.2 A medical practitioner so recognized by the competent authority:

- .1 should be a qualified medical practitioner currently accredited by the medical registration authority for the place where they are working;
- .2 should be experienced in general and occupational medicine or maritime occupational medicine;
- .3 should have knowledge of the living and working conditions on board ships and the job demands on seafarers in so far as they relate to the effects of health problems on fitness for work, gained wherever possible through special instruction and through knowledge based on personal experience of seafaring;
- .4 should have facilities for the conduct of examinations that are conveniently situated for access by seafarers and enable all the requirements of the medical fitness examination to be met and conducted with respect for confidentiality, modesty and cleanliness;
- .5 should be provided with written guidance on the procedures for the conduct of medical examinations of seafarers, including information on appeals procedures for persons denied a medical certificate as a result of an examination;
- .6 should understand their ethical position as examining medical practitioners acting on behalf of the competent authority, ensuring that any conflicts with this are recognized and resolved;

- .7 should refer any medical problems found, when appropriate, for further investigation and treatment, whether or not a seafarer is issued with a medical certificate;
 - .8 should enjoy professional independence from ship owners, seafarers, and their representatives in exercising their medical judgment in terms of the medical examination procedures. Those employed by, or contracted to, a maritime employer or crewing agency should have terms of engagement which ensure that an assessment is based on statutory standards;
 - .9 should be provided with information on the standard of competence for seafarers designated to take charge of medical care on board ships in relevant national laws and regulations; and
 - .10 should be familiar with the latest edition of the *International Medical Guide for Ships*, or an equivalent medical guide for use on ships.
- 1.3 Sales and Filing Agents and seafarers should not utilize medical practitioners that are not recognized by the competent authority or are found to be incompetent, unethical or guilty of professional misconduct as a result of an appeals or complaints procedure.
- 1.4 Application and procedures for a physician to be approved by the Commonwealth of Dominica can be found in Policy Letter 05-14 Approval of Medical Practitioners.

2.0 Medical Certificates

- 2.1 Medical certificates should genuinely reflect seafarers' states of health, in light of the duties they are to perform. The certificate is a confirmation that the seafarer is expected to be able to meet the minimum requirements for performing his/her routine and emergency duties specific to his/her posts at sea safely and effectively during the validity of the medical certificate.
- 2.2 A medical certificate issued in accordance with the requirements of the STCW Convention, 1978, as amended, also meets the requirements of the MLC, 2006.
- 2.3 Each medical certificate shall state in particular that:
- .1 the hearing and sight of the seafarer concerned, and the color vision in the case of a seafarer to be employed in capacities where fitness for the work to be performed is liable to be affected by defective color vision, are all satisfactory; and
 - .2 the seafarer concerned is not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other persons on board.
- 2.4 A Commonwealth of Dominica seafarer medical certificate may be issued by the Dominica Maritime Administration upon submission of a completed Physical Examination Form (CD-MP 3033a) to the Dominica Maritime Registry at mariner@dominica-registry.com. All seafarer medical certificates issued by the Commonwealth of Dominica may be verified on the Dominica Maritime Registry's website at www.dominica-registry.com.
- 2.5 Alternatively, the Administrator accepts official medical certificates from medical practitioners recognized by the competent authority of a State that is party to the MLC, 2006, Medical Examination of Seafarers Convention (ILO No. 73), or the STCW Convention. Any such medical

certificate must clearly identify the competent authority under whose laws and regulations the certificate has been issued.

- 2.6 Under Dominica regulations, seafarers must undergo a medical examination prior to employment aboard a vessel (not more than 24 months prior to the date of making application) and normally (unless a shorter time is specified for specific duties or required by STCW) every two (2) years thereafter (unless the seafarer is under the age of 18 where an annual exam is required) to obtain a valid medical certificate/report showing medical fitness for duty. The scope of the medical exam for medical assessments, whether pre-sea or periodic, is identical.
- 2.7 Prior to or during employment on a Dominica flag vessel, seafarers must undergo, or provide proof that they have undergone a medical exam, including mental health evaluation/counseling, should they be subject to a situation involving robbery, hostage taking or piracy aboard a vessel.
- 2.8 In urgent cases, a newly hired seafarer may work without a valid medical certificate until the next port of call where the seafarer can obtain a medical certificate from a qualified medical practitioner, provided that the period of work without a valid certificate does not exceed three (3) months and the seafarer concerned is in possession of a medical certificate that has expired within the past six (6) months.
- 2.9 A model medical examination form may be found in the applicable Dominica mariner application package. This form, although not mandatory, details the minimum requirements that a medical examiner should cover during an examination of a seafarer. Persons seeking to work aboard a Dominica flag vessel are encouraged to provide this form to their medical examiner to ensure all required aspects of the medical examination are covered.

3.0 Determination of Fitness for Duty

- 3.1 The medical practitioner's decision to sign a medical examination form should be based on whether criteria for minimum performance requirements are met. These performance requirements are contained in the appendices to reference (d) above, and cover:
 - vision (appendix A), hearing (appendix B) and physical capabilities (appendix C);
 - impairment from the use of medication (appendix D); and
 - presence or recent history of an illness or condition (appendix E).
- 3.2 The consequences of impairment or illness will depend on the routine and emergency duties and, in some cases, on the distance from shore-based medical facilities.
- 3.3 The medical practitioner must indicate on the medical examination form whether the person is fit for all duties worldwide within their department (deck/engine/catering/other), as indicated on their medical certificate; whether they can undertake all routine and emergency duties, but are only able to work in specified waters, or whether adaptation of some routine and emergency duties is required. Safety-critical visual capabilities such as lookout duties should be specifically indicated.
- 3.4 If the seafarer cannot perform routine and emergency duties safely and effectively and adaptation of duties is not possible, then the seafarer should be deemed by the medical practitioner "not fit for duty." If adaptation is possible then the seafarer should be deemed "fit for duty with limitations."
- 3.5 If the medical practitioner imposes restrictions on work (i.e., the job the seafarer will perform, the trade area, time-limit, etc.), these restrictions should be reflected on the medical examination form.
- 3.6 Where illnesses and injuries may impair the ability of a seafarer with a valid medical certificate to perform routine and emergency duties safely, their current fitness may need to be re-assessed.

- 3.7 If the examinee is found temporarily or permanently unfit for service, he or she should be given an explanation of the reasons and advised on the right and the procedures for making an appeal.
- 3.8 If an examinee is found temporarily unfit, the medical examiner should give advice on the need to make additional tests, to obtain opinions from specialists, to complete dental or other treatment, rehabilitation and/or appropriate medical care. The examinee should be informed of when to return for another examination.

4.0 Medical Examinations

- 4.1 While nothing in these guidelines should preclude sound medical judgment, in conducting an examination, a medical examiner should bear in mind the following aspects of shipboard life:
- It is unadvisable and often unsafe to allow persons with certain medical conditions to become seafarers or return to seagoing employment due to the difficulty of transporting sick or injured seafarers ashore where they can receive adequate medical care.
 - Contagious diseases may be a threat to other crew members and, when carried, passengers, due to the close living conditions.

In conducting a medical exam and evaluating a seafarer for fitness for duty, the medical examiner should take into account the following items.

- 4.1 Requirements of Job
- Medical issues may necessitate restrictions on an examinee's work (e.g., fit for coastal or harbor service only) or disqualify a seafarer from service. Therefore, the examinee's intended position on board ship and the physical and psychological requirements of this work should be considered as should the age and experience of the person, the nature of the duties to be performed and the type of shipping operations and cargo.
- 4.2 Occupational History
- Occupational history should be considered as it may illuminate potential occupational health hazards (e.g., risk of cancer from chemical cargoes, risk of hearing loss from work in engine room).
- 4.3 Previous Medical History
- Information should be collected directly from the examinee on his/her previous medical history, including details of previous diseases, injuries and mental health issues. The examinee's previous medical records, where appropriate, should be reviewed.
- 4.4 Mental Health Evaluation
- Robbery, hostage taking or piracy aboard a vessel results in a stressful situation for all involved, but especially for the seafarer. While most seafarers will be protected from debilitating post-traumatic side effects by their natural resilience, it is essential that they be given a medical exam after any of these incidents and that the exam includes mental health evaluation/counseling. The Administrator recommends that trained, licensed mental health professionals conduct the mental health evaluation/counseling.
- 4.5 Counseling

As appropriate, the medical examiner should counsel and provide printed health educational materials to the seafarer on:

- .1 Lifestyle, such as:
 - limiting alcohol intake (see ILO publication, Drug and alcohol prevention programs in the maritime industry, a manual for planners);
 - stopping smoking;
 - modifying diet; and
 - losing weight.
- .2 The dangers and methods of prevention of communicable diseases, such as:
 - malaria;
 - hepatitis; and
 - HIV/AIDS (A seafarer should always be informed of positive results. An HIV positive test result should not automatically render the seafarer unfit for duty.).
- .3 The dangers, symptoms and treatment for sleep disorders, such as:
 - Narcolepsy
 - Obstructive Sleep Apnea (OSA)

4.6 Hearing

- Standards are contained in Appendix B of reference (d).

4.7 Vision

- Standards are contained in Appendix A of reference (d).

4.8 Vaccinations

- The examinee's vaccination record should be examined. Seafarers should be vaccinated according to the requirements indicated in the WHO publication, International travel and health: Vaccination requirements and health advice. The medical examiner should give advice to the seafarer on immunizations. If new vaccinations are given, they should be recorded. It is recommended that all vaccinations be recorded on the International Certificate of Vaccination or Prophylaxis.

4.9 Communicable Diseases

- .1 The medical examiner should certify whether an applicant is free from communicable diseases.
- .2 Seafarers expected to be handling food (i.e., those in the stewards department) diagnosed with, suspected of, or exposed to any communicable disease that can be transmitted by food shall be restricted from working in any food or food-related areas or operations (including working with exposed food, equipment, utensils, table linens, single-service and single use articles or warewashing) until they are symptom free for a minimum of 48 hours.
- .3 Communicable diseases that can be transmitted by food include, but are not limited to, typhoid (*Salmonella typhi* bacteria), shigellosis (*Shigella* spp. bacteria), cholera (*Vibrio* spp. bacteria), intestinal disease (*Escherichia coli* O157:H7 bacteria) and liver disease (hepatitis A virus). Other communicable diseases, as provided in

section 4.9, below, may render an applicant unfit for duty. In any case of communicable disease, the medical examiner should provide counseling to the applicant as provided in section 4.4, above.

4.10 Medical Conditions

There are medical conditions that if of a certain type or severity or if left untreated preclude service at sea permanently or temporarily or justify medical surveillance and/or restrictions on time, position, trade area and type of ships.

- .1 When determining fitness for sea service of a person with the any of these conditions, a medical examiner should evaluate:
 - The critical time needed for treatment/access to appropriate land-based care;
 - The extent of the threat and danger caused by the medical problem to the patient, other persons on board and to the safety of the vessel or the environment.
 - The current risk of occurrence of the medical problem; and
 - Whether the condition is under control my medication, diet or another means and, if so, whether the person is under a physician's care on a regular basis for the condition.
- .2 In any circumstance, a seafarer with the following medical conditions shall be considered unfit for duty:
 - Epilepsy;
 - Insanity;
 - Senility;
 - Psychosis;
 - Psychoneurosis;
 - Dementia;
 - Personality disorder;
 - Alcoholism;
 - Tuberculosis;
 - Acute venereal disease or neurosyphilis;
 - AIDS;
 - The use of narcotics;
 - Hepatitis;
 - Malaria
 - Sexually transmitted diseases;
 - Adrenal insufficiency, uncontrolled;
 - Diabetes mellitus, all cases requiring insulin;
 - Immunosuppressive therapy;
 - Obesity, incapacitating function;
 - Thyroid disease;
 - Diseases of the blood or blood forming organs;
 - Meniere's diseases;
 - Post-concussion syndrome;
 - Heart disease;
 - Hypertension;

- Arterial disease;
- Cerebrovascular disease;
- Diseases of veins;
- Bronchial asthma
- Pulmonary fibrosis;
- Gross deformity of the chest wall;
- Pneumothorax;
- Tumors;
- Peptic ulcers;
- History of gastro-intestinal bleeding/perforation;
- Recurrent appendicitis;
- Cholelithiasis, cholecystitis, cholangitis;
- Liver cirrhosis;
- Pancreatitis, recurrent;
- Intestinal stoma;
- Perianal pathology;
- Renal failure;
- Urinary tract obstruction;
- Prostatism;
- Removal of one kidney;
- Renal transplantation;
- Hydrocoele, large, symptomatic;
- Osteoarthritis
- Recurrent dislocation of major joint;
- Infection or inflammatory ear conditions;
- Sleep disorders; and
- Severe speech impediment.

5.0 Appeals Procedures

- 5.1 Any seafarer who, after medical examination has had a limitation imposed on their ability to work, may apply for a further examination by another independent medical practitioner or by an independent medical referee, as defined under section 1.0 above.
- 5.2 Notwithstanding all of the Qualifications for Medical Examiners present in section 1.0 above, the independent medical practitioner or independent medical referee should:
- Have higher or at least the same qualifications as the previous medical examiner;
 - Be mutually acceptable to the Administrator and most of the representative organizations of ship owners and seafarers; and
 - Have two (2) advisers acceptable to the Administrator and most of the representative organizations of ship owners and seafarers to provide practical guidance.
- 5.3 A ship owner/operator may require an additional examination by another medical examiner if there are valid grounds to believe that a seafarer seeking employment or already employed is unfit for sea service.
- 5.4 All information of the appeals procedure shall remain confidential between involved parties and shall not be provided to any outside parties.

6.0 Protected Health Information (PHI)

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Inquiries concerning the subject of this Circular should be directed to the Deputy Maritime Administrator
Commonwealth of Dominica, 32 Washington Street, Fairhaven, MA 02719 USA
registration@dominica-registry.com

6.1 Definition:

PHI is any information which concerns health status, provision of health care, or payment for health care that can be linked to an individual, to include any part of an individual's medical record or payment history.

6.2 Right of Privacy

All persons concerned with the conduct of medical examinations, including those who come in contact with medical examination forms, laboratory results and other medical information, should ensure the right of privacy of the examinee. Medical records should only be used for determining the fitness of the seafarer for work and enhancing health care. The seafarer shall have the right of access to and receipt of a copy of his/her personal medical data.

6.3 Confidentiality

In accordance with the local and national laws of the country in which any PHI is located, medical examination reports and records (whether electronic or hard copy form), including a copy of the medical certificate and all medical data collected from the examinee, should be clearly marked "CONFIDENTIAL." Additionally, in accordance with the local and national laws of the country in which any PHI is located, PHI should be retained in the files of the medical establishment where the medical certificate was issued, should be kept confidential, used only to facilitate the treatment of the seafarer, and should be made available only to persons authorized with the informed consent of the examinee. Receipt of an examinee's Physical Examination Report/Certificate (form CDMP-3033b Rev. 01) by the Administrator will serve as the subject examinee's informed consent to the Administrator to disclose the Physical Examination Report/Certificate (form CDMP-3033b Rev. 01) in any regard relating to the examinees fitness for duty.

Any questions can be directed to:

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