



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Guideline

No. 7-47-1

May/2019

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

SUBJECT: Guidance on Medical Exams and Certificates for Seafarers

- References:**
- (a) **STCW Convention, *International Convention on Standards of Training, Certification and Watchkeeping for Seafarers*, consolidated edition 2017, as amended**
 - (b) **STCW Code, *Seafarers Training, Certification and Watchkeeping Code*, consolidated edition 2017, as amended**
 - (c) **MLC, 2006, *Maritime Labour Convention, 2006*, as amended**
 - (d) **IMO Circular [STCW.7/Circ.19/Rev.1](#), *Guidelines on the Medical Examination of Seafarers*, issued 5 September 2018**
 - (d) **RMI Maritime Act, 1990, as amended ([MI-107](#))**
 - (e) **RMI Maritime Regulations ([MI-108](#))**
 - (f) **RMI Requirements for Seafarer Certification ([MI-118](#))**

PURPOSE

This Notice provides guidance for meeting the medical certification requirements under the STCW Convention, the MLC, 2006, and the Republic of Marshall Islands (RMI) Maritime Administrator (the “Administrator”) laws and regulations.

It supersedes Rev. 8/13. It has been streamlined and updated to reflect the latest version of IMO Circular STCW.7/Circ.19/Rev.1, which provides an internationally recognized set of criteria for conducting seafarer medical fitness examinations.

Seafarers and certified Recruitment Placement Services (RPSs) are encouraged to provide this Guideline to their medical practitioner prior to and for use during medical examinations.

GUIDANCE

1.0 Medical Examinations

- 1.1 RMI Maritime Regulations (MI-108) §7.47.4 prohibits seafarers from working on a vessel registered under the RMI Maritime Act, 1990 ([MI-107](#)) unless they are certified as medically fit to perform their duties.
- 1.2 Under RMI regulations seafarers must undergo a medical examination before their employment aboard a vessel, and not more than 24 months prior to the date of making application. Unless a shorter time is specified or required by STCW, seafarers must undergo a medical examination every two years thereafter. The scope of the medical exam for medical assessments, whether pre-sea or periodic, is identical. See [MI-108](#), §7.47.4(a); [MI-118](#) §2.11.3.1 and §4.2.3.
- 1.3 Seafarers under 18 years old must have an annual exam to obtain a valid medical certificate or report showing medical fitness for duty. This has a validity of one year. See MI-108, §7.47.4(c)(1).
- 1.4 In urgent cases, a newly hired seafarer may work without a valid medical certificate until the next port of call where they can obtain a medical certificate from a qualified medical practitioner. The period of work without a valid certificate must not exceed three (3) months and the seafarer must have a medical certificate that expired within the past six (6) months. See MI-108 §7.47.4(d).

2.0 Medical Practitioners

- 2.1 The competent authority of the country in which the medical practitioner is located is responsible for regulating and recognizing the practitioner according to its national laws and regulations. The competent authority is also required to maintain a list of recognized medical practitioners, and make it available upon request.
STCW Convention A-1/9, Reg. 4.
- 2.2 Seafarers, RPSs, ship owners, and operators should use only medical practitioners who are recognized by the competent authority.
- 2.3 Only medical practitioners that are recognized by **the** competent authority are authorized to sign the Administrator's *Medical Examination Report/Certificate* ([MI-105M](#)).

3.0 Medical Certificates

- 3.1 A medical certificate is objective confirmation that the seafarer is medically fit to perform their duties during the certificate's validity. It is important that it genuinely reflects the seafarer's health (physical and mental).

- 3.2 A medical certificate issued according to the STCW Convention requirements also meets the MLC, 2006 requirements.
- 3.3 Following a determination of fitness for duty, the medical practitioner should fill out the [MI-105M](#), or its equivalent.
- 3.3.1 The Administrator accepts, as an equivalent, 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 Convention No. 73), or the STCW Convention as listed in the latest version of IMO Circular MSC.1/Circ.1163. Any such medical certificate must clearly identify the competent authority under whose laws and regulations the certificate has been issued. It should also cover the minimum requirements detailed in Appendix G of IMO Circular [STCW.7/Circ.19/Rev.1](#).
- 3.3.2 The medical practitioner must specifically indicate that their examination covered the seafarer's hearing, vision, and general physical and mental condition ([MI-108](#), §7.47.4(a)).
- 3.3.3 The medical certificate must be signed by both the medical practitioner and examinee.

4.0 Determination of Fitness for Duty

- 4.1 The medical practitioner's decision to issue a medical certificate should be based on whether criteria for minimum performance requirements are met. These performance requirements are contained in the Appendices to the IMO Circular STCW.7/Circ.19/Rev.1. They cover:
- .1 vision (Appendix A), hearing (Appendix B), and physical capabilities (Appendix C);
 - .2 impairment from the use of medication (Appendix D); and
 - .3 presence or recent history of an illness or condition (Appendix E).
- 4.2 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.
- 4.3 The medical practitioner must indicate on the medical certificate 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.

- 4.4 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 “not fit for duty” by the medical practitioner. If adaptation is possible then the seafarer should be deemed “fit for duty with limitations” by the medical practitioner.
- 4.5 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.
- 4.6 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.

5.0 Medical Examinations – Additional Health Issues

There are three health issues that the Administrator would like to highlight to ensure that they are fully considered when a medical examination is conducted.

5.1 Vaccinations

Though there are no international requirements for the vaccination of seafarers, the Administrator recommends that seafarers be vaccinated according to the guidance indicated in the World Health Organization (WHO) publication, *International travel and health: Vaccination requirements and health advice*. Medical practitioners should review the examinee’s vaccination record, give advice to the seafarer on immunizations, and record new vaccinations on the *International Certificate of Vaccination or Prophylaxis*.

5.2 Communicable Diseases

As provided in the [MI-105M](#), the medical practitioner must certify whether an applicant is free from communicable diseases.

- 5.2.1 Seafarers who handle food (meaning, those in the stewards department) diagnosed with, suspected of, or exposed to any communicable disease that can be transmitted by food should 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 or in accordance with a medical practitioner’s advice.
- 5.2.2 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 may render an applicant unfit for duty. In any case of communicable disease, the medical practitioner should provide counseling to the applicant.

5.3 Mental Health Evaluation or Counseling

Robbery, hostage taking, or piracy aboard a vessel results in a stressful situation for all involved, but especially for seafarers. It is essential that they be given a medical exam after any of these incidents, including a mental health evaluation or counseling. The Administrator recommends that trained, licensed mental health professionals conduct the mental health evaluation or counseling.

6.0 Appeals Procedures

6.1 In accordance with [MI-108](#), §7.47.4(b), a seafarer may appeal RMI seafarer documentation being denied when, after examination:

- .1 they do not meet the medical fitness standards and have been refused a medical certificate; or
- .2 their medical certificate shows a limitation on their ability to work.

6.2 To begin the appeal process, the seafarer must submit to the Administrator:

- .1 a written letter requesting an appeal; and
- .2 medical documentation (for example, a new [MI-105M](#) (or its equivalent); or test results) from a further examination conducted by another independent medical practitioner (see §1.2 above), or independent medical referee¹ acceptable to the Administrator.

6.3 The Administrator will review the request with the supporting documentation and issue a written response.

6.4 If the appeal is not approved; the seafarer has 30 days from the date on the Administrator's written response to appeal the decision. A subsequent appeal must be supported with additional or new supporting documentation and further examination by another independent medical practitioner or referee.

6.5 A seafarer will be granted in any one case a maximum of three (3) appeals (one original and two subsequent), after which the Administrator's decision will be final.

6.6 A shipowner or operator may require an additional examination by another medical practitioner if there are valid grounds to believe that a seafarer seeking employment or already employed is unfit for sea service.

¹ "Medical Referee" means a qualified medical practitioner not party to the matter being considered. See also MLC, 2006, A1.2(5) and ILO/WHO Guidance.

6.7 All information related to an appeal is considered confidential between the involved parties and must not be provided to any outside parties.

6.8 Requests for appeals, supporting documentation, and any correspondence on this matter must be submitted via email to the Administrator at: seafarers@register-iri.com.

6.0 Protected Health Information

6.1 Definition

Protected Health Information (PHI) is that which concerns health status, provision of or payment for health care that can be linked to an individual. It includes 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 their personal medical data.

6.3 Confidentiality

6.3.1 Following the local and national laws of the country in which any PHI is located, medical examination reports and records (whether electronic or hard copy), including a copy of the medical certificate and all medical data collected from the examinee, should be clearly marked "CONFIDENTIAL." All 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.

6.3.2 Receipt of an examinee's [MI-105M](#) by the Administrator will serve as the subject examinee's informed consent, allowing the Administrator to disclose the MI-105M and its information in as it relates to the examinee's fitness for duty.