

# Patient confidentiality / Public Safety

Aircrew and Medical Fitness Workshop



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## 3 ISSUES

Doctor information to Administration  
and/or Employer & vice versa

Doctor to Doctor information

European Central Medical Database

# MEDICAL CONFIDENTIALITY

Universal: Hippocratic Oath

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## **MED.A.015 Medical confidentiality**

All persons involved in medical examinations, assessment and certification shall ensure that medical confidentiality is respected at all times.

## **AMC1 MED.A.015 Medical confidentiality**

To ensure medical confidentiality, all medical reports and records should be securely held with accessibility restricted to personnel authorised by the medical assessor.

## **Professional Code of Ethics, Penal Code**

- Medical confidentiality is essential: There is no care without confidence, no confidence without trust, no trust without secrets.
- Disclosures are limited exceptions for example child abuse, a dangerous patient holding a weapon, court orders.
- If a doctor is convinced of an imminent danger he may decide to breach confidentiality, but he might have to answer for malpractice or invasion of privacy.



# Doctor to Administration and/or Employer

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## Medical Confidentiality is essential But ....

- A copy of the PILOT MEDICAL CERTIFICATE must be sent to the employer and can be requested by aviation authorities
- Little medical information on this document except LIMITATIONS and EXPIRY DATE
- The Pilot authorizes (signs) release of all information to the Medical Assessor of the Licencing Authority

*CONSENT TO RELEASE OF MEDICAL INFORMATION: I hereby authorize the release of all information contained in this report and any or all attachments to the AME and, where necessary, to the **medical assessor of the licensing authority**, recognizing that these documents or electronically stored data are to be used for completion of a medical assessment and will become and remain the property of the licensing authority, providing that I or my physician may have access to them according to national law. Medical confidentiality will be respected at all times*



# Doctor to Administration and/or Employer

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- The most frequent situations where a doctor is aware of the potential danger of a Pilot are psychiatric disorders, alcoholism and use of illicit drugs. As alcohol and drugs are not exclusively in the medical field, its use could be denounced.
- For diseases such as psychiatric disorders a law would be essential for most European countries.
- A Supra European law could authorize a breach of confidentiality when public safety is threatened in the transport sector.



# Employer to Doctor about medical issues

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- In France an employer can get fitness advice from his occupational medicine doctor
- This very rare process for crew can be done if management becomes aware of unusual behavior or a decline in professional performance.

Answer can be only: **Fit**, **Fit with limitations**, **Unfit**, or **Unable to decide** without further exams or specialist advice.

One case in 1989, an AF captain asked for police protection, afraid of being killed by the Secret Service as he was convinced that a plane crash was due to a design fault, covered by the French Government for reasons of State; the police officer called Air France, the Pilot was declared unfit by the Occupational Doctor, and lost his pilot's licence. Strong reaction by pilot unions, court action, 25 years later still remembered.



# Employer to Doctor about medical issues

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- The behavior of the Pilot, especially during stopovers, and a decline in performance in the flight simulator are warning signs.
- Caring and discreet contacts are often implemented by peers to persuade the pilot to consult a doctor in or outside the Company.
- In France an airline can refer a pilot to the Minister of Transport for grounding. The Medical Assessor must evaluate the case in less than 2 months.



# Doctor to Doctor Medical Information

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**Medical confidentiality can be shared between doctors but with the agreement of the patient, for health benefit**

- What characterizes health benefit?
- A medical practitioner can call a colleague for fitness advice anonymously. A list of aeromedical referents (AeMC, Medical Assessors) can be send to all medical doctors by health authorities.





# European Central Medical Database

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**Essential to prevent medical tourism and pilot declarations, false or not**

**Cost, delay, links with actual country's software, pilot unions, data confidentiality laws etc.**

- A class 1 limited administrative database will be an important and not too expensive first step. Choice of items 1 to 26 of the Application Form and Medical Certificate items should be accepted by pilot unions.
- A common medical software for class 1 examiners, hosted by EASA, is the best solution and must remain the final objective



# Hippocratic Oath (5th-4th c. B.C.)

## Yet still valid 25 centuries later?

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*“I swear by Apollo Physician, by Asclepius, by Health, by Heal-all, and by all the gods and goddesses, making them witnesses..... Whatsoever in the course of practice I see or hear (or even outside my practice in social intercourse) that ought never be published abroad, I will not divulge, but consider such things to be holy secrets”.*

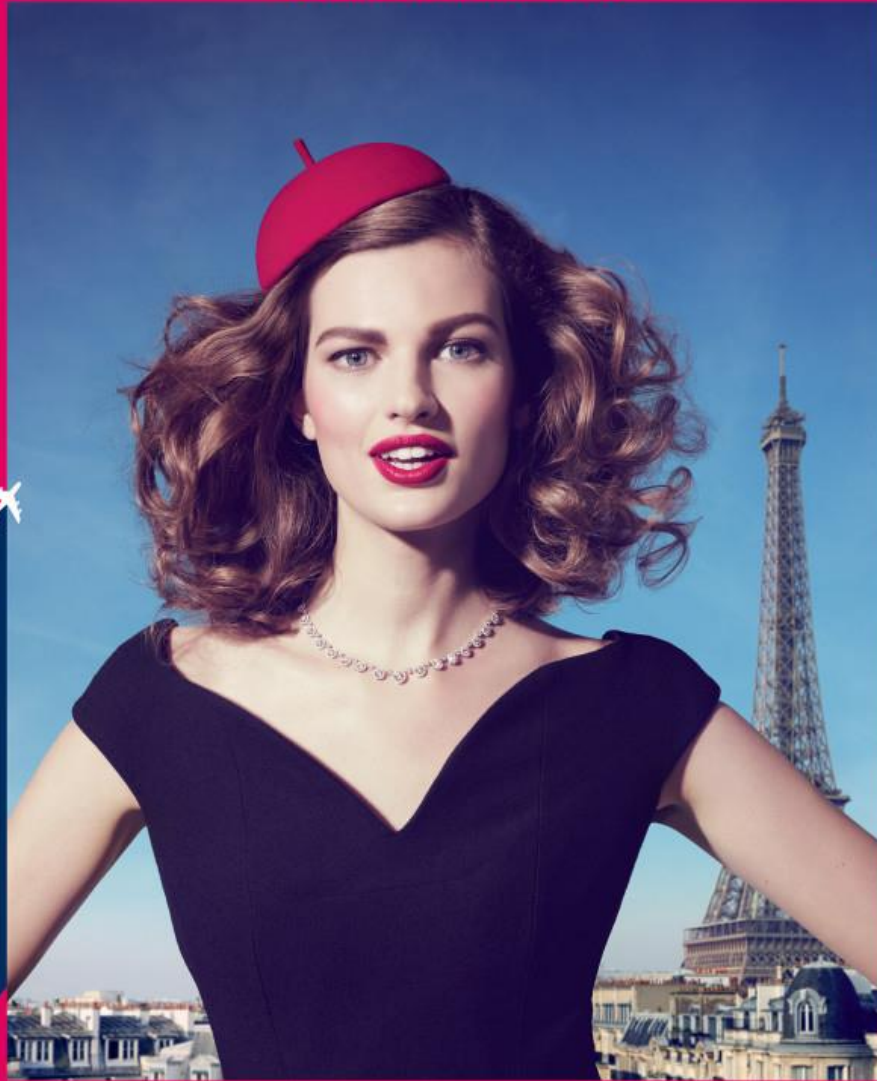
Source: W.H.S. Jones, The Doctor's Oath. ( Cambridge: Cambridge UP, 1924), 11, 12

Hippocrates leaves us the choice of what can and cannot be revealed, Law is scalable, it can be adapted to our networked world



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