

# NIOSH Advisory Board Presentation



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Occupational Illness Compensation  
Department of Labor  
September 2012

# Enactment of EEOICPA

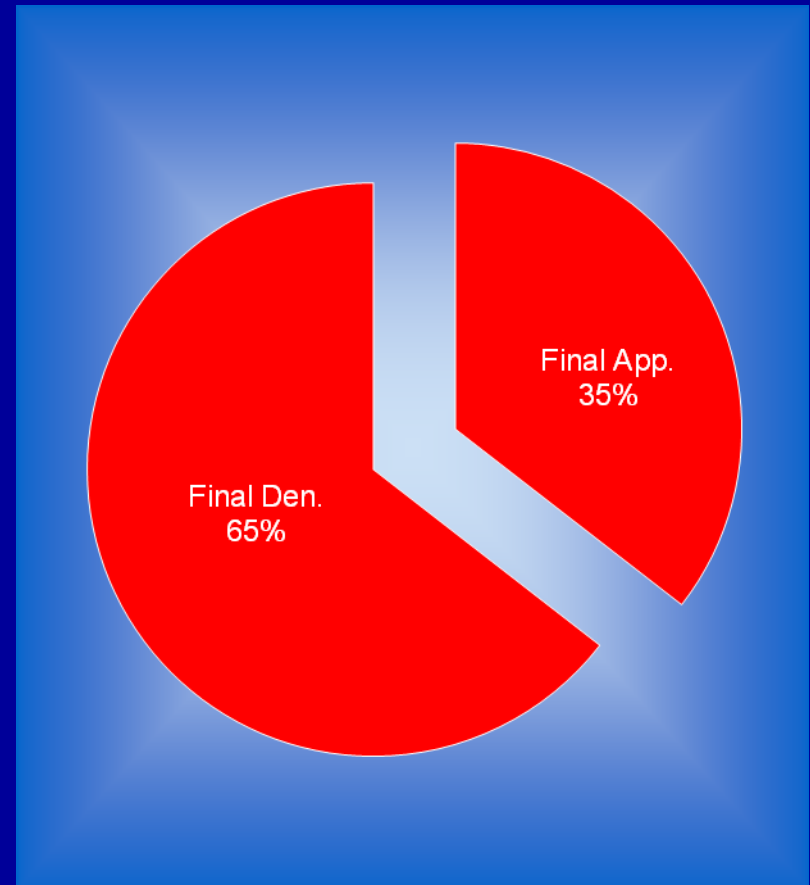
- **Enacted October 2000**
  - Part B, mandatory federal entitlement, by DOL
  - Part D, state workers comp. assistance, by DOE
- **Amendments October 2004**
  - Abolished Part D, created federal Part E, transferred to DOL
- **156,026 cases filed, over \$8.4 billion total compensation paid to date**
- **Agencies: Labor, Energy, HHS, Justice**
- **DOL locations**
  - DC, Jacksonville, Cleveland, Denver, and Seattle

# NIOSH Referral Case Status

- **38,147 Cases Referred to NIOSH for Dose Reconstruction**
- **35,604 Cases Returned by NIOSH**
  - 30,106 with Dose Reconstruction
  - 5,498 without Dose Reconstruction
- **2,543 Cases that are Currently at NIOSH**
  - 1,313 Initial Referrals to NIOSH
  - 1,230 Reworks or Returns to NIOSH

# NIOSH Dose Reconstruction Case Status

- **30,106 Cases returned by NIOSH w/ a Dose Reconstruction (DR)**
- **25,107 Cases w/ DR and a Final Decision**
  - **8,911 Final Approvals (POC 50% or Greater)**
  - **16,196 Final Denials (POC less than 50%)**

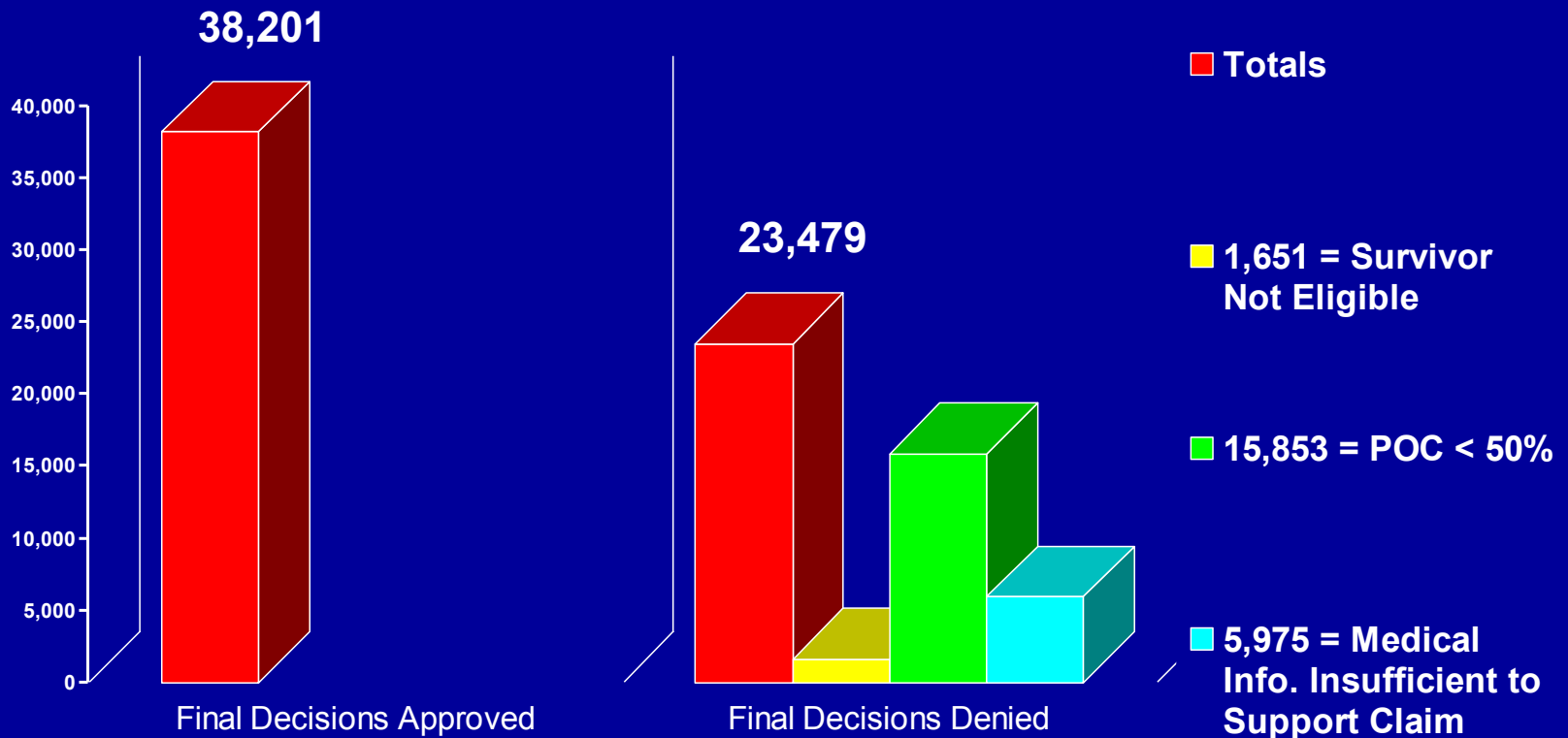


# Part B Cancer Cases with Final Decision to Accept

- Accepted DR Cases – 8,339
  - 11,730 Payees
  - \$ 1.23 Billion in Compensation
- Accepted SEC Cases – 16,989
  - 28,015 Payees
  - \$2.5 Billion in Compensation
- Cases Accepted Based on SEC Status and POC > 50% - 572
  - 701 Payees
  - \$85.6 Million in Compensation
- Totals: All Accepted SEC and DR Cases – 25,900
  - 40,446 Payees
  - \$3.8 Billion in Compensation

# EEOICPA Part B Cases

## Final Decisions – Covered Applications



# DEEOIC SEC Outreach Events: FY 2012

<u>Facility</u>	<u>Date</u>	<u>Attendance</u>	<u>New Claims Filed</u>
<b>Sandia National Laboratories</b>  *SEC effective 09/09/2011	<b>11/1/2011</b>	<b>385</b>	<b>48</b>
<b>GE Evendale</b>	<b>11/2/2011</b>	<b>80</b>	<b>13</b>
<b>Y-12 Plant</b>	<b>01/18/2012</b>	<b>133</b>	<b>30</b>
<b>Pantex Plant</b>	<b>03/14/2012</b>	<b>283</b>	<b>28</b>

# DEEOIC SEC Outreach Events: FY 2012

<u>Facility</u>	<u>Date</u>	<u>Attendance</u>	<u>New Claims Filed</u>
Savannah River Site	04/17/2012	500	40
Linde Ceramics Plant	04/25/2012	19	1
Brookhaven National Laboratory  *JOTG EVENT	07/17/2012	200	19
Sandia National Laboratories  *SEC effective 06/10/2012	08/22/2012	60	16



# **Upcoming DEEOIC Outreach Events**

- **Fernald SEC town hall meeting – the last week of September**
- **Home Health Care Training/Outreach for physicians and home health care providers in Denver area – last week of September**
- **Hanford SEC town hall meeting – October**
- **Clarksville SEC town hall meeting – October**
- **Medina SEC traveling resource center – October**
- **In cases of small SECs – press releases are issued**

# Joint Outreach Task Group

- **Joint Outreach Task Group (JOTG) members:**
  - DEEOIC
  - NIOSH
  - DOE
  - Ombudsman to NIOSH for the EEOICPA
  - Office of the Ombudsman for the EEOICPA
  - DOE – Former Worker Medical Screening Program (FWP)
- **Monthly conference calls with all members**

# SEC Petition Site Discussions

## ABRWH Agenda September 2012

	Rocky Flats Plant	Hanford	Los Alamos National Laboratory	Oak Ridge National Laboratory
<b>Cases (Claims) Part B &amp; E</b>	<b>6,310 (8,274)</b>	<b>13,566 (22860)</b>	<b>6,835 (11,064)</b>	<b>7,519 (11,641)</b>
<b>Cases Returned by NIOSH w/ DR</b>	<b>1,485</b>	<b>3,420</b>	<b>1,300</b>	<b>1,969</b>
<b>Final Decisions (Part B)</b>	<b>2,908</b>	<b>9,533</b>	<b>3,607</b>	<b>4,372</b>
<b>Part B Approvals</b>	<b>1,557</b>	<b>5,768</b>	<b>2,246</b>	<b>2,552</b>
<b>Part E Approvals</b>	<b>1,553</b>	<b>3,630</b>	<b>1,766</b>	<b>2,240</b>
<b>Total Comp. &amp; Medical Bills Paid</b>	<b>277 million</b>	<b>767 million</b>	<b>318 million</b>	<b>476 million</b>

Data as of August 26, 2012

# SEC Petition Site Discussions

## ABRWH Agenda September 2012

	<b>General Steel Industries (GSI)</b>	<b>Weldon Springs Plant</b>	<b>Mound Plant</b>
<b>Cases (Claims) Part B &amp; E</b>	<b>680 (1,060)</b>	<b>1,047 (1,565)</b>	<b>2,003 (2,745)</b>
<b>Cases Returned by NIOSH w/ DR</b>	<b>252</b>	<b>202</b>	<b>535</b>
<b>Final Decisions (Part B)</b>	<b>517</b>	<b>461</b>	<b>1,067</b>
<b>Part B Approvals</b>	<b>132</b>	<b>255</b>	<b>565</b>
<b>Part E Approvals</b>	<b>3</b>	<b>176</b>	<b>500</b>
<b>Total Comp. &amp; Medical Bills Paid</b>	<b>10.8 million</b>	<b>39.7 million</b>	<b>92.9 million</b>

Data as of August 26, 2012

# SEC Petition Site Discussions ABRWH Agenda September 2012

	<b>United Nuclear Corporation</b>	<b>Nuclear Metals Inc.</b>	<b>Pantex Plant</b>
<b>Cases (Claims) Part B &amp; E</b>	<b>137 (Part B only)</b>	<b>36 (Part B only)</b>	<b>1,906 (2,608)</b>
<b>Cases Returned by NIOSH w/ DR</b>	<b>51</b>	<b>18</b>	<b>433</b>
<b>Final Decisions (Part B)</b>	<b>118</b>	<b>36</b>	<b>922</b>
<b>Part B Approvals</b>	<b>55</b>	<b>25</b>	<b>574</b>
<b>Part E Approvals</b>	<b>N/A</b>	<b>N/A</b>	<b>476</b>
<b>Total Comp. &amp; Medical Bills Paid</b>	<b>7.1 million</b>	<b>2.59 million</b>	<b>94.9 million</b>

Data as of August 26, 2012

# **NIOSH Advisory Board Presentation**

Handout Slides  
September 2012

# Employee Eligibility

<b>Employed By</b>	<b>Part B</b>	<b>Part E</b>
<b>DOE Contractors and Subcontractors</b>	<b>Yes</b>	<b>Yes</b>
<b>DOE Federal Employees</b>	<b>Yes</b>	<b>No</b>
<b>AWE Employees</b>	<b>Yes</b>	<b>No</b>
<b>Beryllium Vendors</b>	<b>Yes</b>	<b>No</b>
<b>RECA</b>	<b>Yes</b>	<b>Yes</b>

# Covered Conditions

<b>Condition</b>	<b>Part B</b>	<b>Part E</b>
<b>CBD</b>	<b>Yes</b>	<b>Yes</b>
<b>Beryllium Sensitivity</b>	<b>Medical Monitoring Only</b>	<b>Yes</b>
<b>Chronic Silicosis</b>	<b>Yes</b>	<b>Yes</b>
<b>Cancer</b>	<b>Yes</b>	<b>Yes</b>
<b>Any condition related to toxic exposure</b>	<b>No</b>	<b>Yes</b>



# Survivor Definition

Type	Part B	Part E
Spouse at time of death	Yes	Yes
Children - under age 18; under age 23 if full-time student; or any age if medically incapable of self-support	Yes	Yes
Adult Children	Yes	No

# Benefits

<b>Part B</b>	<b>Part E</b>
<b>\$150,000 Employee + Survivor</b>	<b>Impairment \$2,500 per % (Employee)</b>
<b>\$50,000 RECA Employee + Survivor</b>	<b>Wage Loss \$10,000-\$15,000 per year (Employee)</b>
	<b>\$125,000 Survivor</b>
<b>\$400,000 CAP for B+E combined</b>	