

NIOSH Advisory Board Presentation



Jeff Kotsch, CHP
Division of Energy Employees
Occupational Illness Compensation
Department of Labor
January 2014

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
- **168,272 cases filed, over \$10 billion total compensation paid to date**
- **Agencies: Labor, Energy, HHS, Justice**
- **DOL locations**
 - DC, Jacksonville, Cleveland, Denver, and Seattle

NIOSH Referral Case Status

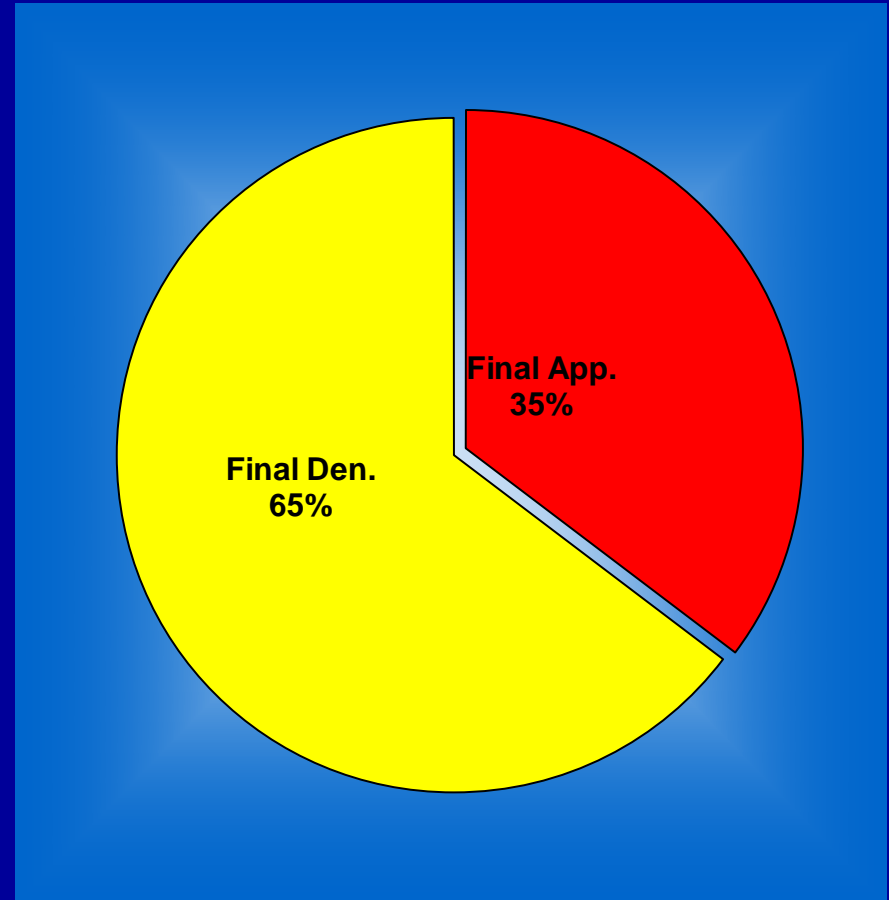
- **41,197 Cases Referred to NIOSH for Dose Reconstruction**
- **38,977 Cases Returned by NIOSH**
 - 33,187 with Dose Reconstruction
 - 5,790 without Dose Reconstruction
- **2,220 Cases Currently at NIOSH**

NIOSH RELATED CASES (SEC & DR) COMPENSATION

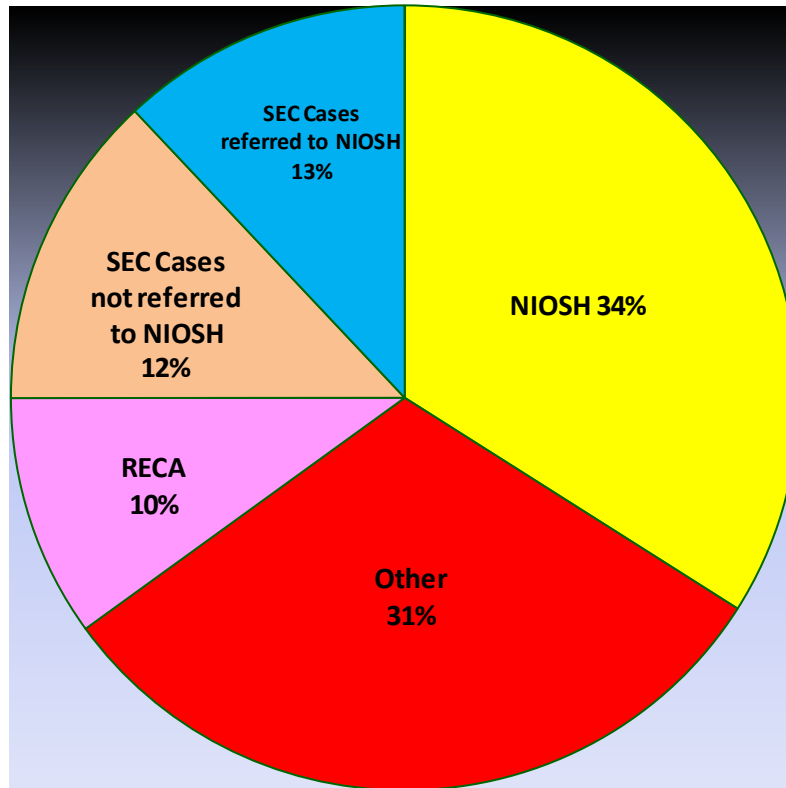
- **\$ 4.34 Billion in Compensation**
46,203 Claims
- **\$1.3 Billion on Dose Reconstructed Cases**
12,529 Claims
- **\$3.0 Billion on added SEC Cases**
33,674 Claims

NIOSH Dose Reconstruction Case Status

- **33,187 Cases returned by NIOSH w/ a Dose Reconstruction (DR)**
- **27,065 Cases w/ DR and a Final Decision**
 - **9,559 Final Approvals (POC 50% or Greater)**
 - **17,506 Final Denials (POC less than 50%)**



Part B Cases Filed



■ NIOSH

■ Other

■ RECA

■ SEC Cases not referred to NIOSH

■ SEC Cases referred to NIOSH

Data as of December 31, 2013

Part B Cancer Cases with Final Decision to Accept

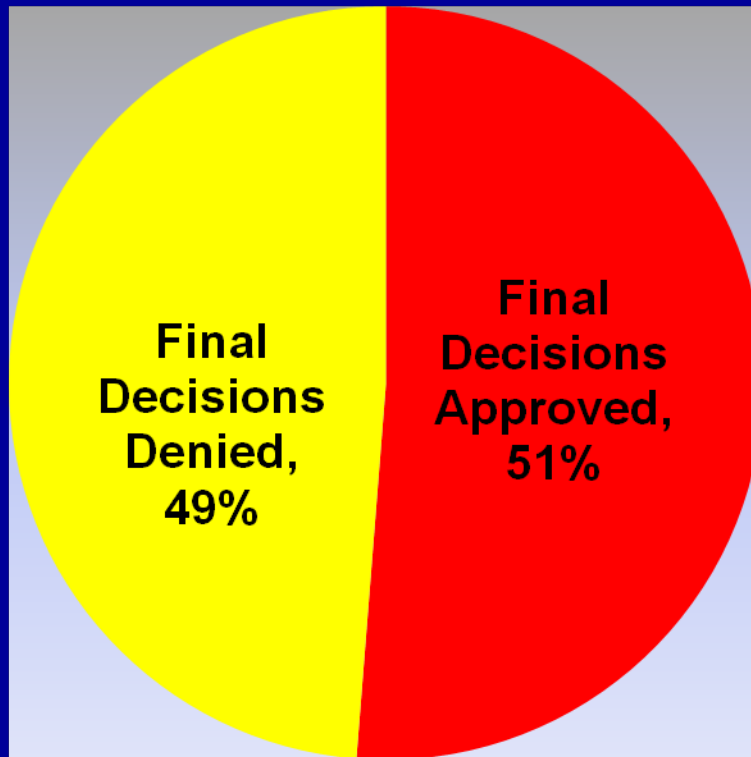
- Accepted DR Cases – 8,853
 - 12,529 Payees
 - \$ 1.31 Billion paid compensation
- Accepted SEC Cases – 20,261
 - 33,674 Payees
 - \$3.0 Billion paid compensation
- Cases Accepted Based on SEC Status and POC > 50% - 673
 - 812 Payees
 - \$100 Million paid compensation
- Totals: All Accepted SEC and DR Cases – 29,787
 - 47,015 Payees
 - \$4.44 Billion paid compensation

Top Four Worksites

The top 4 worksites generating new Part B EEOICPA cases this quarter:

- Hanford
- Savannah River Site
- Y-12 Plant
- Los Alamos National Laboratory

EEOICPA Part B Cases Final Decisions

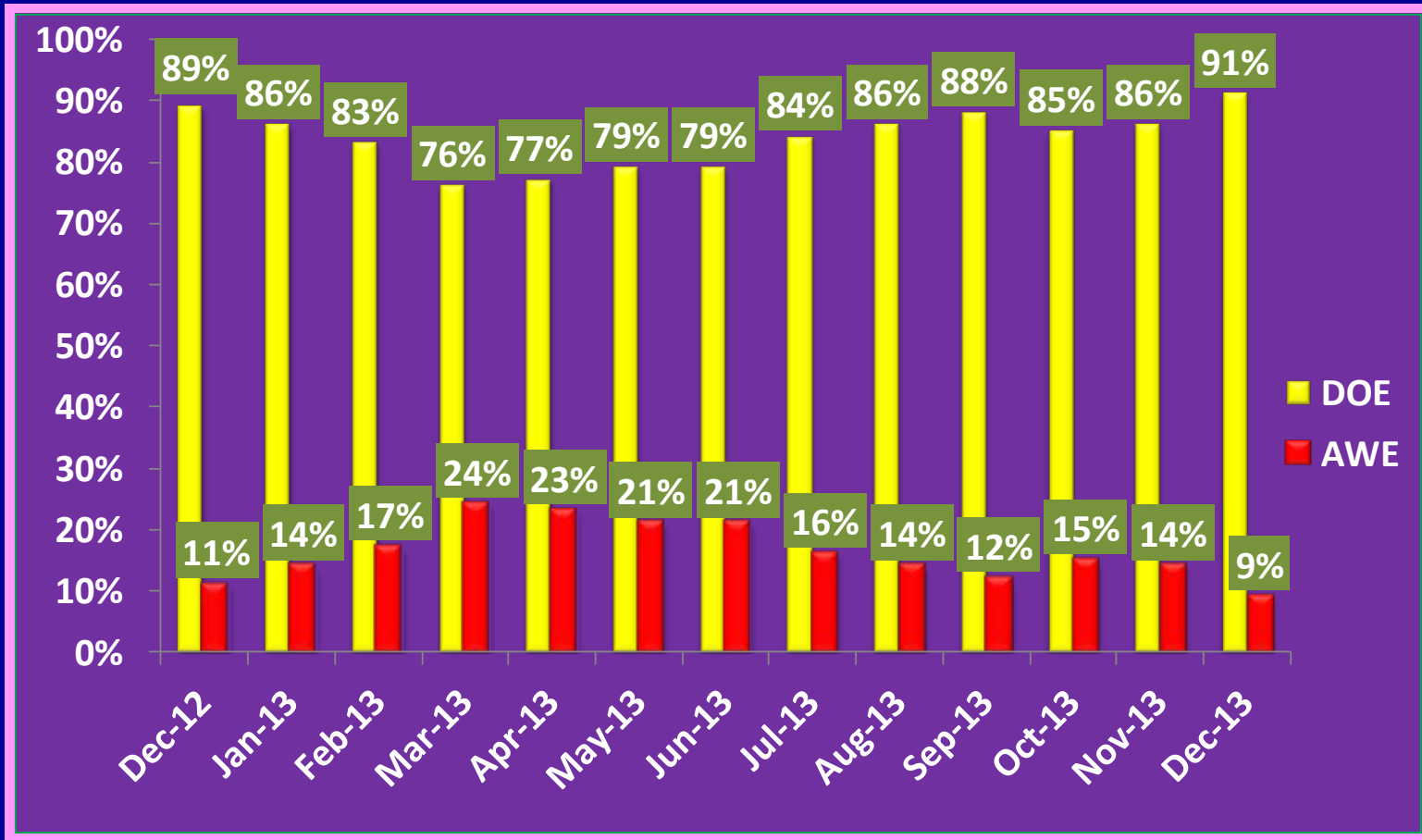


■ Final Decisions Approved
42,722

■ Final Decisions Denied
40,634

Data as of January 5, 2014

Percentage of New Cases DOE vs. AWE



Data as of December 31, 2014

DEEOIC Outreach Events

- In response to new SECs DEEOIC conducts:
 - Town hall meetings and traveling resource centers
 - In cases of small SECs press releases are issued
- Hosting informational meetings regarding medical benefits provided under the EEOICPA:
 - In some cases, held in conjunction with SEC town hall meetings

Joint Outreach Task Group (JOTG)

- **Members:**
 - DEEOIC
 - Department of Energy
 - Department of Energy Former Workers Program
 - National Institute of Occupational Safety and Health (NIOSH)
 - Ombudsman for NIOSH
 - Ombudsman for EEOICPA
- **Monthly conference calls with all members**

DEEOIC Outreach Events: FY 2013 & 2014

<u>Facility</u>	<u>Meeting</u>	<u>Date</u>	<u>Attendance</u>	<u>New Claims Filed</u>
Farmington, New Mexico	Town Hall Medical Benefits Meeting	December 11-12, 2013	160 THM 36 (for physicians and HHC providers)	4
Livermore and Emeryville, California	JOTG	9/17/2013	112	N/A
Portsmouth, Ohio	Town Hall Meetings & Medical Benefits Roundtable Discussion	7/17/ 2013- 7/18/2013	100	
Sante Fe, Albuquerque and Grants, New Mexico	Four (4) Medical Benefits Meetings (for claimants and physicians)	6/18/2013- 6/21/2013	407 THM 55 (for physicians and HHC Providers)	14

DEEOIC Outreach Events: FY 2013

<u>Facility/Location</u>	<u>Meeting</u>	<u>Date</u>	<u>Attendance</u>	<u>New Claims Filed</u>
Bolingbrook, IL JOTG	JOTG	6/19/2013	135	3
Hanford	Town Hall for claimants and Medical Benefits Meetings for Physicians and HHC Providers	6/5/2013-6/6/2013	190	3
Knoxville, TN	Medical Benefits Meeting for Physicians and HHC Providers	5/21/2013-5/22/2013	55	N/A
Los Alamos National Laboratory	SEC Town Hall and Medical Benefits	2/20/2013	163 (SEC) 108 (Medical Benefits)	12

DEEOIC Outreach Events: FY 2013

<u>Facility/Location</u>	<u>Meeting</u>	<u>Date</u>	<u>Attendance</u>	<u>New Claims Filed</u>
Oak Ridge National Laboratory (X-10)	SEC and Medical Benefits Meetings for Physicians and HHC Providers	2/13/2013	115 (SEC) 186 (Medical Benefits)	N/A (no TRC held)
Fermi National Accelerator Laboratory and Argonne National Laboratory	SEC and Medical Benefits Meetings for Claimants	2/13/2013	85(SEC) 180 (Medical Benefits)	N/A (no TRC held)
Clarksville Modification Center (Fort Campbell)	SEC	11/8/2012	53	2
Hanford Engineer Works	SEC	10/23/2012	187	16

Future Outreach Events

- **Town Hall Meeting**
Denver, Colorado
Rocky Flats SEC event

SEC Petition Site Discussions ABRWH Agenda January 2014

	General Steel Industries	Joslyn	Kansas City Plant
Cases (Claims) Part B & E	687(1,073)	129(283) Part B only	2,331(3,133)
Cases Returned by NIOSH w/ DR	258	56	596
Final Decisions (Part B)	899	212	1,429
Part B Approvals	136	106	285
Part E Approvals	4	N/A	350
Total Comp. & Medical Bills Paid	\$11.2 Million	\$6.8 Million	\$46 Million

Data as of January 5, 2014

NIOSH Advisory Board Presentation

Handout Slides
January 2014

Employee Eligibility

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

Covered Conditions

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

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

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