

NIOSH Advisory Board Presentation

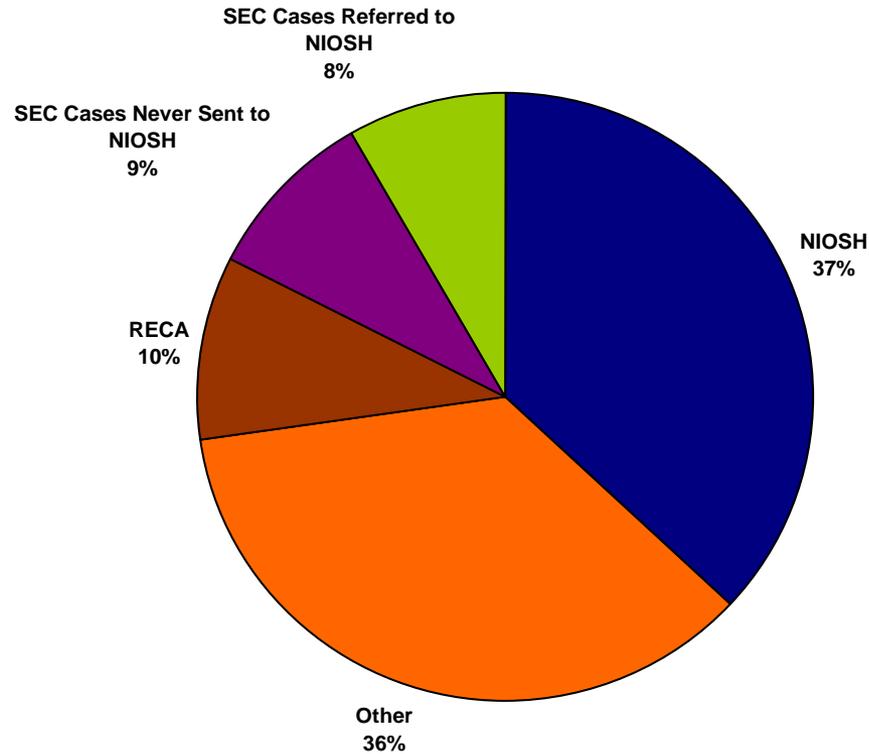


Jeff Kotsch, CHP
Division of Energy Employees
Occupational Illness Compensation
Department of Labor
February 2012

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
- **150,003 cases filed, over \$7.7 billion total compensation paid to date**
- **Agencies: Labor, Energy, HHS, Justice**
- **DOL locations**
 - DC, Jacksonville, Cleveland, Denver, and Seattle

Part B Cases Filed

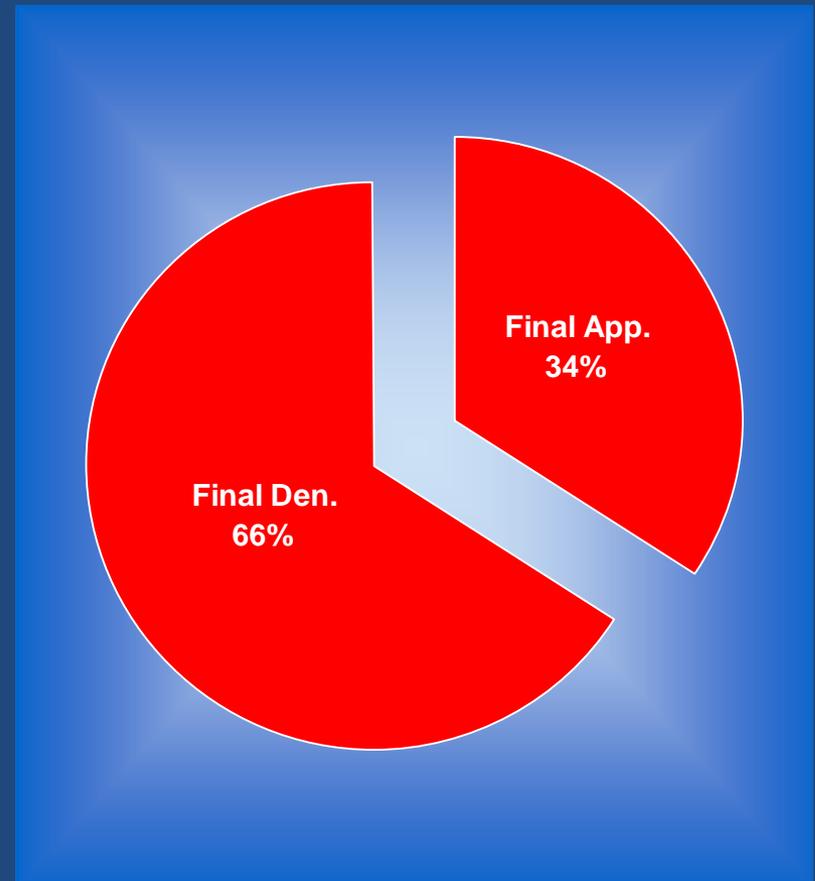


NIOSH Referral Case Status

- **36,500 Cases Referred to NIOSH for Dose Reconstruction**
- **34,539 Cases Returned by NIOSH that are Currently at DOL**
 - 30,302 with Dose Reconstruction
 - 4,237 without Dose Reconstruction
- **1,961 Cases that are Currently at NIOSH**
 - 1,413 Initial Referrals to NIOSH
 - 548 Reworks or Returns to NIOSH

NIOSH Dose Reconstruction Case Status

- **30,302 Cases returned by NIOSH that are currently at DOL w/ a Dose Reconstruction (DR)**
- **25,248 Cases w/ DR and a Final Decision**
 - **8,628 Final Approvals (POC 50% or Greater)**
 - **16,620 Final Denials (POC less than 50%)**

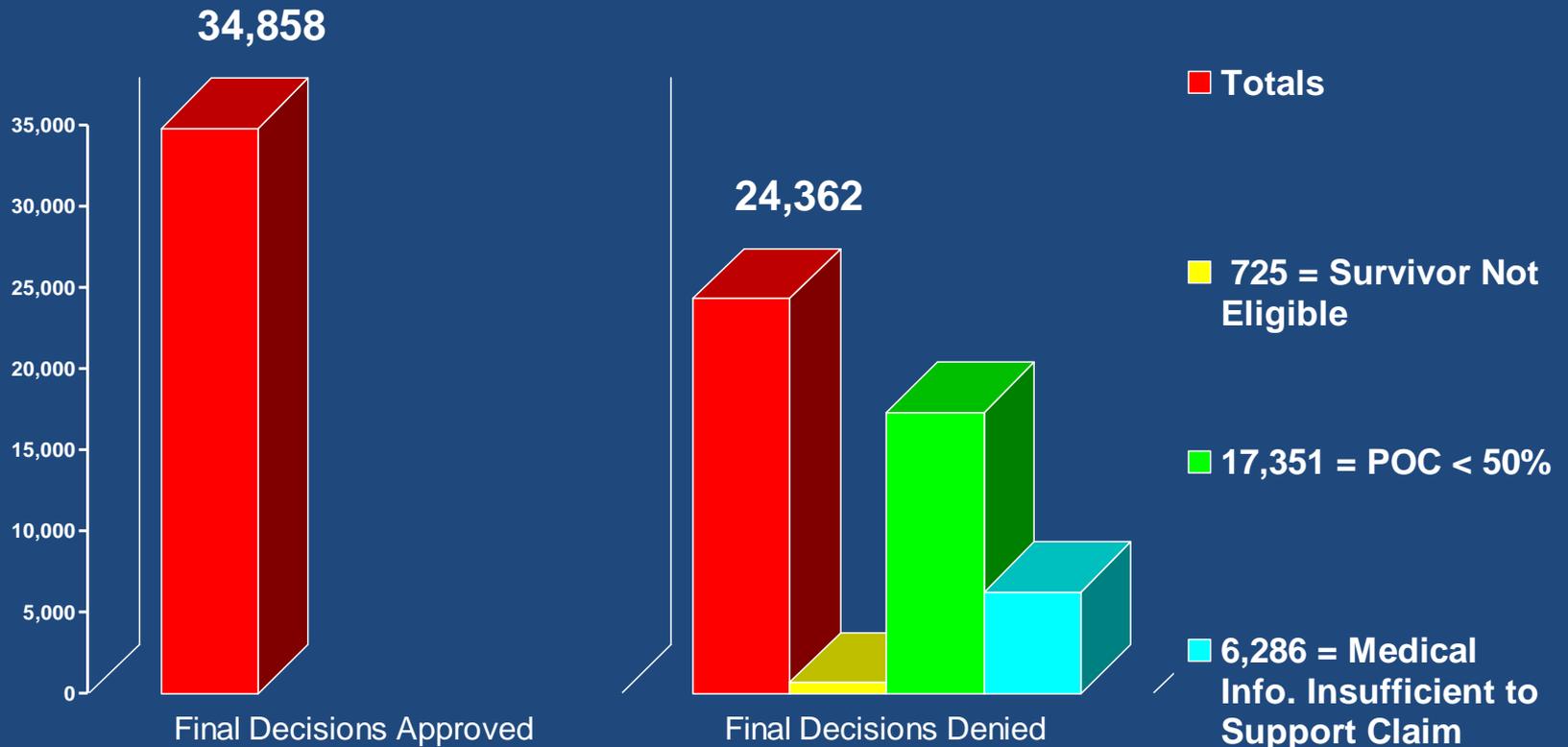


Part B Cancer Cases with Final Decision to Accept

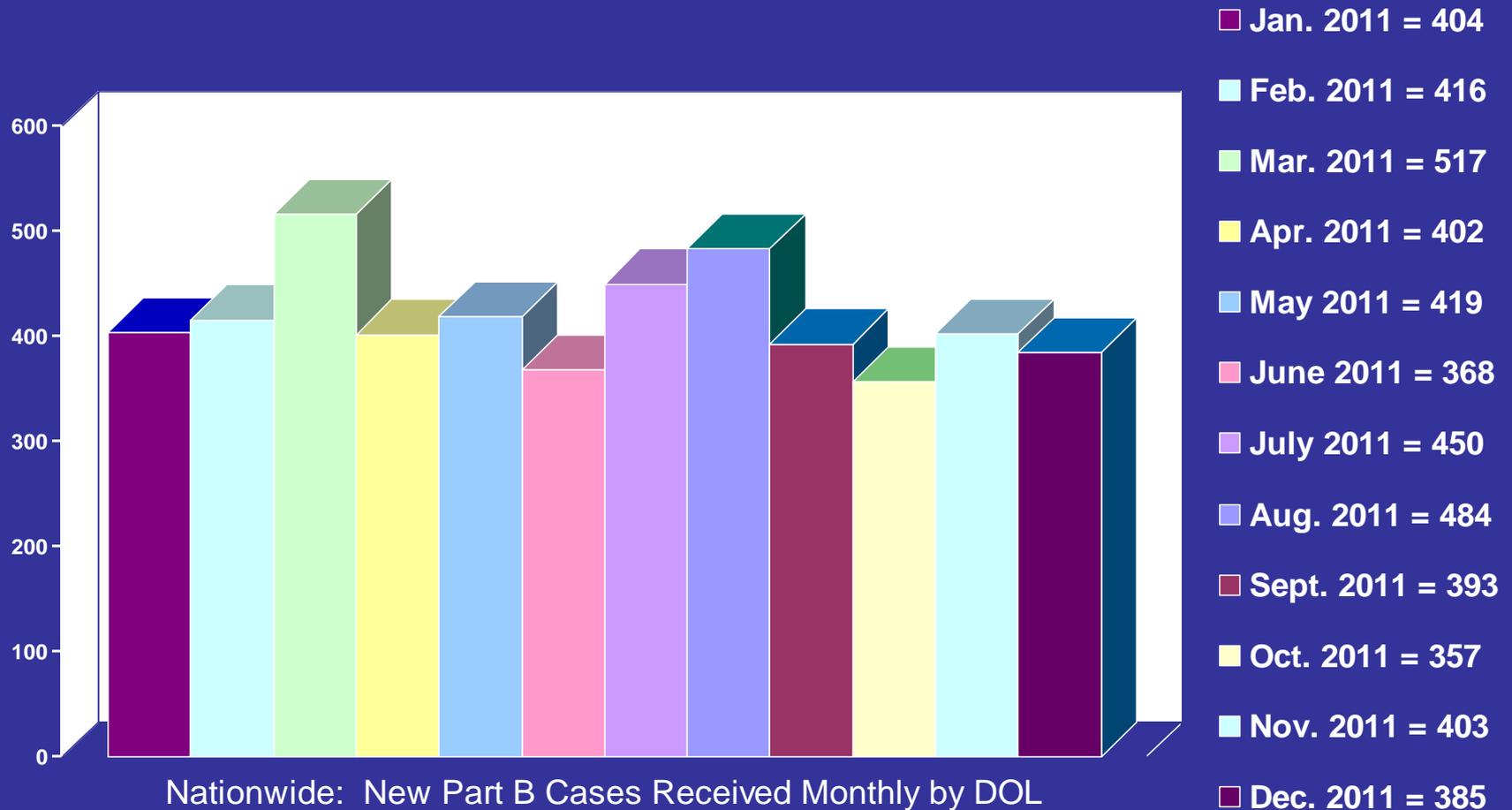
- Accepted DR Cases – 8,095
 - 11,424 Payees
 - \$ 1.2 Billion in Compensation
- Accepted SEC Cases – 14,818
 - 24,699 Payees
 - \$2.2 Billion in Compensation
- Cases Accepted Based on SEC Status and POC < 50% - 533
 - 659 Payees
 - \$79.7 Million in Compensation
- Totals: All Accepted SEC and DR Cases – 23,446
 - 36,782 Payees
 - \$3.4 Billion in Compensation

EEOICPA Part B Cases

Final Decisions – Covered Applications

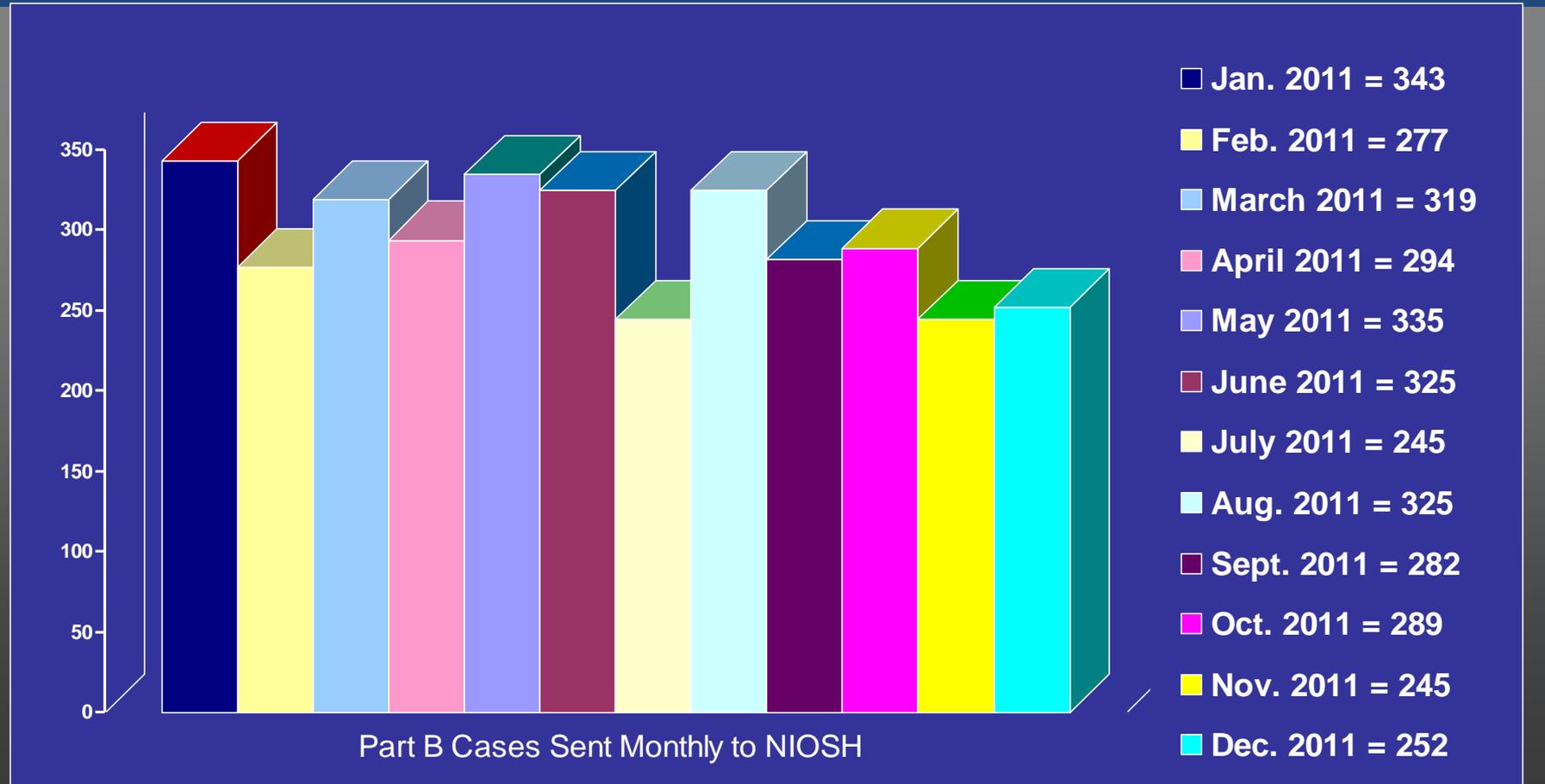


New Part B Cases Received Monthly by DOL



Data as of January 13, 2012

Part B Cases Sent to NIOSH Monthly



Data as of January 13, 2012

Top Four Worksites: Generating New Part B Cases

- During the 1st quarter of FY 2012 (Oct. 2011 – Dec. 2011):
 - Sandia National Laboratory
 - 139 new Part B claims generated
 - Hanford
 - 107 new Part B claims generated
 - Y-12 Plant
 - 102 new Part B claims generated
 - Savannah River
 - 90 new Part B claims generated

DEEOIC SEC Outreach

- In response to new SECs:
 - During FY 2012: To date, 3 Town Hall Meetings and Traveling Resource Centers have been conducted
 - Sandia National Labs – November 1, 2011
 - GE Evendale – November 2, 2011
 - Y-12 – January 18, 2012
 - Upcoming SEC Town Hall Meetings and Traveling Resource Centers:
 - Pantex Plant – March 14, 2012
 - Linde Ceramics – April 2012 (tentative)
 - Savannah River Site – April/May 2012 (tentative)
 - Information regarding upcoming events is available on DEEOIC's website at:
<http://www.dol.gov/owcp/energy/>
 - In cases of smaller SECs – press releases are issued

Outreach to Covered Facilities (50 claims or less filed)

- Identified several covered facilities where less than 50 claims have been filed
 - Majority AWE facilities
- Concentrating efforts to notify individuals who worked at these facilities of potential EEOICPA benefits
 - Issuing press releases
 - Reaching out to unions, local government, other key stakeholders
 - Utilizing Resource Center staff

Joint Outreach Task Group

- Joint Outreach Task Group (JOTG) members
 - DEEOIC
 - Ombudsman for the EEOICPA
 - NIOSH
 - Ombudsman to NIOSH under the EEOICPA
 - DOE Former Workers Medical Screening Program (FWP)
- Monthly conference call with all members

JOTG Outreach Events

- FY 2011 JOTG Town Hall Meetings:
 - Kansas City Plant (October 20, 2010)
 - Oak Ridge (April 13, 2011)
 - Savannah River Site (May 3, 2011)
 - Fermi National Accelerator Lab. And Argonne National Lab. – East (June 7, 2011)
- FY 2012 JOTG Town Hall Meetings still being finalized
- Town Hall Meeting video

SEC Petition Site Discussions ABRWH Agenda February 2012

	Electro Metallurgical	Hangar 481	Sandia National Laboratories
Cases (Claims) Part B & E	358 (699)	16 (19)	1,812 (2,589)
Cases Returned by NIOSH w/ DR	109	6	347
Final Decisions (Part B)	142	7	548
Part B Approvals	53	1	252
Part E Approvals	36	0	268
Total Comp. & Medical Bills Paid	\$11.7 Million	\$150 ,000	\$59.4 Million

Data as of February 22, 2012

SEC Petition Site Discussions

ABRWH Agenda February 2012

	Clinton Engineering Works	Feeds Materials Production Center	Brookhaven National Laboratory	Weldon Spring
Cases (Claims) Part B & E	80 (204)	3,857 (5,129)	1,664 (2,295)	1,042 (1,491)
Cases Returned by NIOSH w/ DR	17	1,164	244	207
Final Decisions (Part B)	32	1,455	679	330
Part B Approvals	13	565	506	174
Part E Approvals	8	671	435	127
Total Comp. & Medical Bills Paid	\$2.9 Million	\$144.9 Million	\$104.7 Million	\$38.7 Million

Data as of February 22, 2012

SEC Petition Site Discussions

ABRWH Agenda February 2012

	Lawrence Berkeley National Lab.	Stanford Linear Accelerator	Lawrence Livermore National Lab.
Cases (Claims) Part B & E	713 (908)	121 (142)	2,937 (3,960)
Cases Returned by NIOSH w/ DR	168	30	641
Final Decisions (Part B)	292	42	1,195
Part B Approvals	150	10	745
Part E Approvals	148	13	661
Total Comp. & Medical Bills Paid	\$34.2 Million	\$2.9 Million	\$160.3 Million

QUESTIONS ?

NIOSH Advisory Board Presentation

Handout Slides

February 2012

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	

Means of Verifying Employment

- **DOE**
 - EE-5 Employment Verification Form
- **Oak Ridge Institute for Science and Education (ORISE)**
- **Center for Construction Research and Training (CPWR)**
- **Corporate Verifiers**
- **SSA wage data**
- **Affidavits**