



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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January 29, 2010

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The Honorable Kathleen Sebelius
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Madam Secretary:

This is the second report from the Advisory Board on Radiation and Worker Health describing the activities and progress related to our overview of the procedures developed by the National Institute of Occupational Safety and Health in fulfilling the requirement of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). Section 3642(b)(42 U.S.C. §7384o (b)(2) of the Act directs that the Board shall advise the President on the "scientific validity and quality of efforts being performed for purposes of the compensation program."

As detailed in our initial report dated July 18, 2008, as part of our responsibility to assure the completeness and scientific validity of procedures being used by NIOSH to receive, process, and complete claims, the Board has selected groups of procedures and supplementary documents for in-depth review. This professional review is a major function of the Board's technical contractor, Sanford Cohen and Associates (SC&A), and is administered by the Board's Subcommittee on Procedure Reviews. The Subcommittee was originally established in October, 2006, as the Work Group on Procedures; due to the continuing nature of its responsibilities, the Work Group was chartered as a Subcommittee in August, 2009. The Subcommittee consists of five Board members, Wanda Munn, Chair; Michael H. Gibson; Mark Griffon; Dr. Paul Ziemer; and Robert Presley, alternate.

To date the Board has selected three sets of critical procedures being utilized by NIOSH in performing program requirements. The first set was selected in 2005, the second in 2006, and the third set 2007, thus encompassing the period of highest activity in the development and implementation of agency process. In each case, SC&A was directed to perform a thorough technical review to identify any concerns, technical issues, or potential weakness in the procedural method. In the course of the Board's deliberations, other individual procedures have been of sufficient significance to be added to the collection already under review. The complete group of procedures so scrutinized totals 105, including revision of certain procedures when circumstances appeared to require that action. The number of individual findings totals 538, more than 80% of which have been deliberated upon and 49% of the total have been closed.

Findings and observations made from the technical reviews range from minor issues with no measurable impact on compensation decisions to matters of scientific debate which may have complex-wide implications. Initially, these findings and the resultant process of addressing them was undertaken with a spread-sheet matrix tool for tracking progress. Subsequently a dedicated database tracking system has been developed.

The depth of scrutiny and level of detail pursued in bringing the findings to closure has had significant impact on the quality and technical accuracy of the procedures used throughout the program.

- Multiple modifications have been made to procedures, including some changes of such a nature that new revisions of the document were required.
- By highlighting subjects which recurred in the review of procedures for individual sites, the Board has been able to identify several 'overarching issues' which have potential for complex-wide concern.
- The process of identifying these recurring topics has been a major factor in the ongoing process of administering and eliminating redundancy from the procedure collection.

The Subcommittee continues to meet at approximately six week intervals, with extensive interim communication taking place among the involved parties. It is the consensus of the Board that this process continues to be effective in assuring the clarity, efficiency, and scientific accuracy of the procedures in use. A current summary of the status of the findings is attached in both tabular and graphic format. The glossary of terms being used in these applications is included at the foot of the numeric table.

We trust you will find this information of value. If you desire or require additional information on the work of the Subcommittee, we will be most pleased to provide you with whatever detail you wish.

Sincerely,

[Signature on file]

Paul L. Ziemer, Ph.D.
Chair

Enclosure

Table 1. Summary of Numbers of Findings and their Disposition

Finding Date	Number of Total Findings	Open	In Progress	In Abeyance	Addressed in Finding	Transferred	Closed
1/17/2005	183			44	4	4	131
6/8/2006	112	1	6	13	4	10	78
7/30/2007	16		6	1	1	2	6
9/20/2007	8		1	2	5		
10/29/2007	145	54	20	24	1	10	36
11/9/2007	9	9					
3/17/2008	26	26					
4/21/2008	13					13	
8/29/2008	15	15					
12/8/2008	4			2			2
3/30/2009	7	6					1
TOTALS	538	111	33	86	15	39	254
Percentage of Total Findings		21%	6%	16%	3%	7%	47%

Open
 Open – In Process
 In Abeyance

 Addressed In Finding
 Transferred
 Closed

No meeting discussion has occurred concerning this finding
 Some meeting discussion started – more work needs to be done on finding
 Finding has been addressed but resolution is that NIOSH will change procedure –
 Closed from the Board's perspective
 Multiple finding in a Procedure – All findings are effected with correction of the first finding
 Transferred to another Work Group or to OCAS
 Finding Closed from the Board's perspective

Figure 1. Bar Graph Summary of Findings and Their Disposition
 (Note: Dates represent Subcommittee meeting dates at which findings were dealt with)

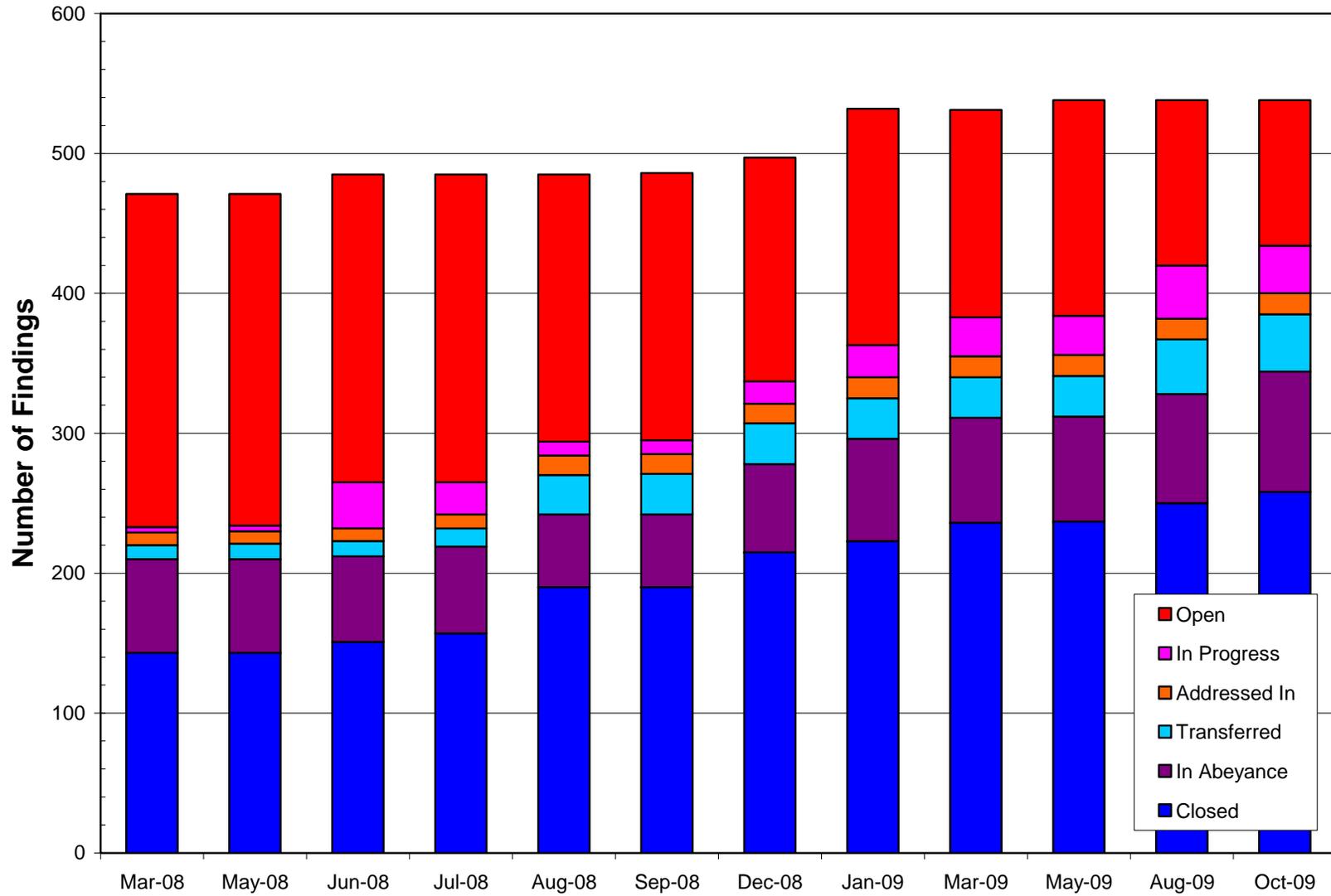


Figure 2. Bar Graph Summary of Findings and Their Disposition by Percentages

(Note: Dates represent Subcommittee meeting dates at which findings were dealt with)

