

Energy Employees Occupational Illness Compensation Program



Joint Outreach Task Group
Town Hall Meeting
Idaho - June 2016

Important Information

- Emergency Exits
- Restrooms
- Photographs & Videotaping
- Cell Phones
- Q&A
- Slide Presentation will be available on DOL web site:
<http://www.dol.gov/owcp/energy/>

The EEOICPA

- Administered by the Labor Department's Division of Energy Employees Occupational Illness Compensation (DEEOIC)
- Provides lump-sum compensation and medical benefits to current and former nuclear weapons workers
- Survivors of qualified workers may also be entitled to benefits

Administration of the EEOICPA

■ Agencies:

- Department of Labor (DOL)
- Department of Energy (DOE)
- Department of Health and Human Services
 - National Institute for Occupational Safety and Health (NIOSH)
- Department of Justice (DOJ)

Eligibility – Two Paths

Part B
(Enacted 2000)

- Employment
- Medical
- Survivors

Part E
(Enacted 2004)

- Employment
- Medical
- Survivors

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

Eligibility – Medical

Part B

- Cancer
- Chronic Beryllium Disease
- Chronic Silicosis
- RECA Section 5 awardees

Part E

- Any condition related to toxic substances

Eligibility – Survivors

Part B

- Spouse
- Adult Children
- Grandchildren
- Grandparents

Part E

- Spouse (death related)
- Children (<age 18, <age 23 if full time student, Medically incapable of self support)

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 (+ lump-sum Wage Loss if eligible)
\$400,000 CAP for B+E combined	

Means of Verifying Employment

- DOE – Earnings Records
- Oak Ridge Institute for Science and Education (ORISE)
- Corporate Verifiers
- SSA Wage Data
- Other Sources
 - Affidavits
 - Records/documents created by state/federal agencies

Part B: Dose Reconstruction & Probability of Causation (PoC)

- Part B Cancer Cases and Dose Reconstruction
 - NIOSH
 - Level and extent of occupational radiation dose
- PoC
 - Scientific calculation of likelihood that radiation exposure caused cancer
 - NIOSH Computer System
 - PoC - 50% or greater for award

Part B: Special Exposure Cohort (SEC)

- Presumption of causation - cancer
- Employment
 - Covered in class defined by NIOSH
 - Work day requirement – 250 work days
- “Specified” Cancer
 - 22 cancers named in law
- No need for dose reconstruction

Part B: Adding New SEC Classes

- NIOSH designates new SEC classes
 - 4 statutory SEC classes; plus
 - As of March 19, 2016, HHS has designated 115 additional SEC classes
- DOL administers SEC cases
 - No role in designation

Idaho National Laboratory

SEC Class

- Qualifying Employment:
 - DOE (or predecessors iteration i.e. Atomic Energy Commission)
 - DOE contractors or subcontractors

- Worked at the Idaho National Laboratory
 - 250 work days between March 1, 1970 through December 31, 1974

- Monitored for External Radiation

- Will become effective **July 3, 2016**

Argonne National Laboratory

SEC Class

- Qualifying Employment:
 - DOE (or predecessors iteration i.e. Atomic Energy Commission)
 - DOE contractors or subcontractors

- Worked at the Idaho National Laboratory
 - 250 work days between March 10, 1951 through December 31, 1957

- Will become effective **July 3, 2016**

Part E: Causation

- Exposure to toxic substances
- Causation standard different than under Part B
 - Includes aggravation, contribution
- DOL Tools:
 - Occupational History Questionnaire (OHQ)
 - Site Exposure Matrices (SEM)
 - DAR records
 - Former Worker Medical Screening Program (FWP) work history interviews
 - Other Sources: Affidavits/facility records

Site Exposure Matrices (SEM) Website

- Toxic substances present at DOE and RECA Section 5 Facilities
- Information gathered from a variety of sources
- Scientifically established links between certain toxic substances and certain illnesses
- Available at www.sem.dol.gov

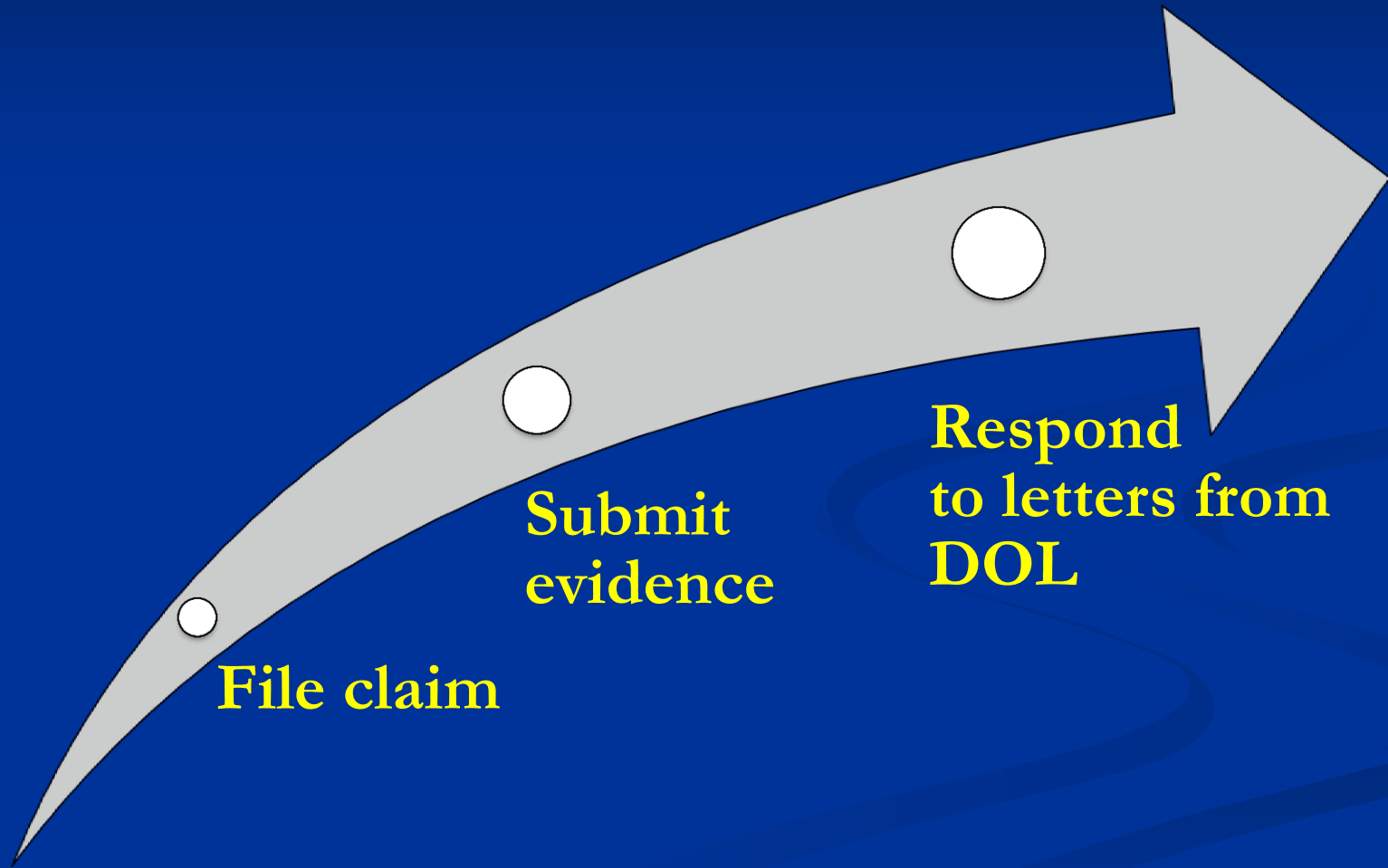
Part E: Employee Impairment

- % permanent whole person impairment due to covered illness
- AMA's Guides to the Evaluation of Permanent Impairment, 5th Edition
- \$2,500 awarded for each % of impairment

Part E: Employee Wage Loss

- Decreased capacity to work due to an accepted medical condition
- Employee Compensation:
 - Any year $< 50\%$ of pre-disability annual wage = \$15,000 compensation
 - Any year $> 50\%$ but $< 75\%$ of pre-disability annual wage = \$10,000 compensation

Application – Claimant Responsibilities



File claim

**Submit
evidence**

**Respond
to letters from
DOL**

DOL Responsibilities

Gather Evidence

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graph TD; A[Gather Evidence] --> B[Issue Recommended Decision]; B --> C[Respond to Objections]; C --> D[Issue Final Decision]; D --> E[Pay Benefits];
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Issue Recommended
Decision

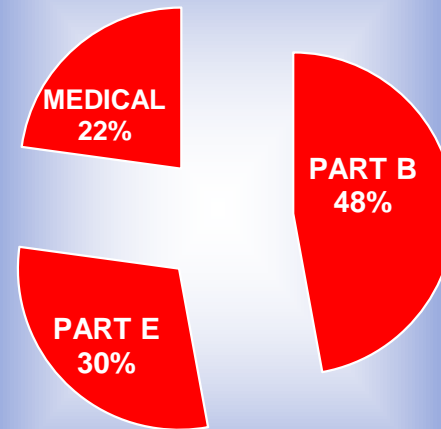
Respond to Objections

Issue Final Decision

Pay Benefits

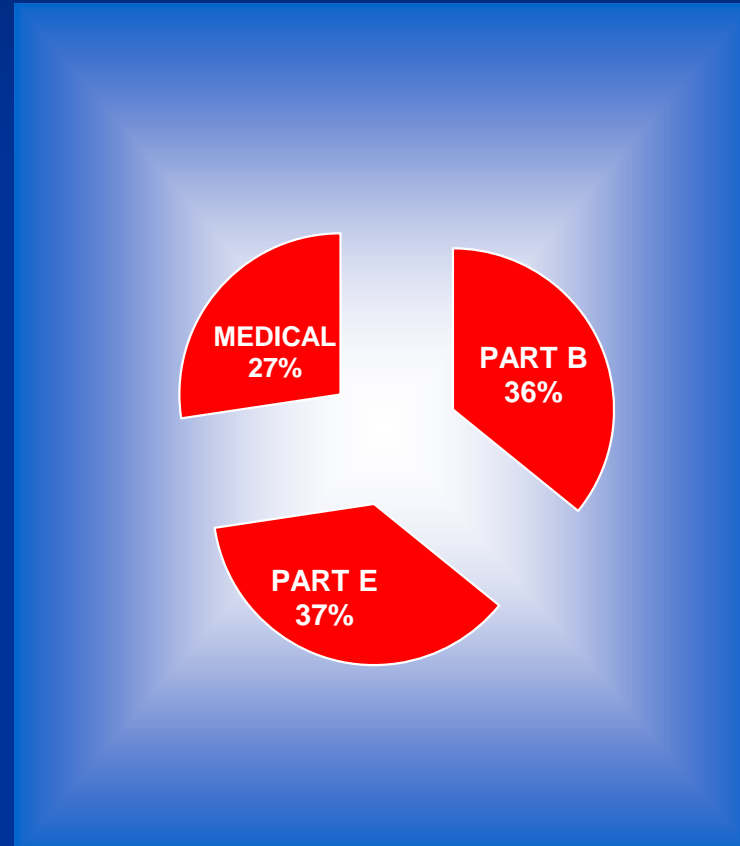
EEOICPA Compensation

- \$12.6 Billion Total Compensation
- \$6 Billion Part B
- \$3.75 Billion Part E
- \$2.85 Billion Medical



Idaho Compensation

- \$198.4 Million Total Compensation
- \$71.1 Million Part B
- \$73 Million Part E
- \$54.3 Million Medical



Covered Facilities Website

<https://ehss.energy.gov/Search/Facility/findfacility.aspx>

* Includes all covered facilities in Idaho

Claimant Resources

■ 11 Resource Centers Nationwide

- Idaho Resource Center toll free number:
(800) 861-8608

■ 4 District Offices

- Seattle District Office toll free number: (888) 805-3401

■ DEEOIC web site

www.dol.gov/owcp/energy/

- General program information
- SEM website
- Forms
- Sample decisions

Division of Energy Employees Occupational Illness Compensation (DEEOIC)

Resource Center Locations

A list of the DEEOIC Resource Center locations and a map that shows their geographical jurisdictions is shown below. Click on an area of the map to see the contact information for the relevant Resource Center. Click [here](#) for a text listing of states.

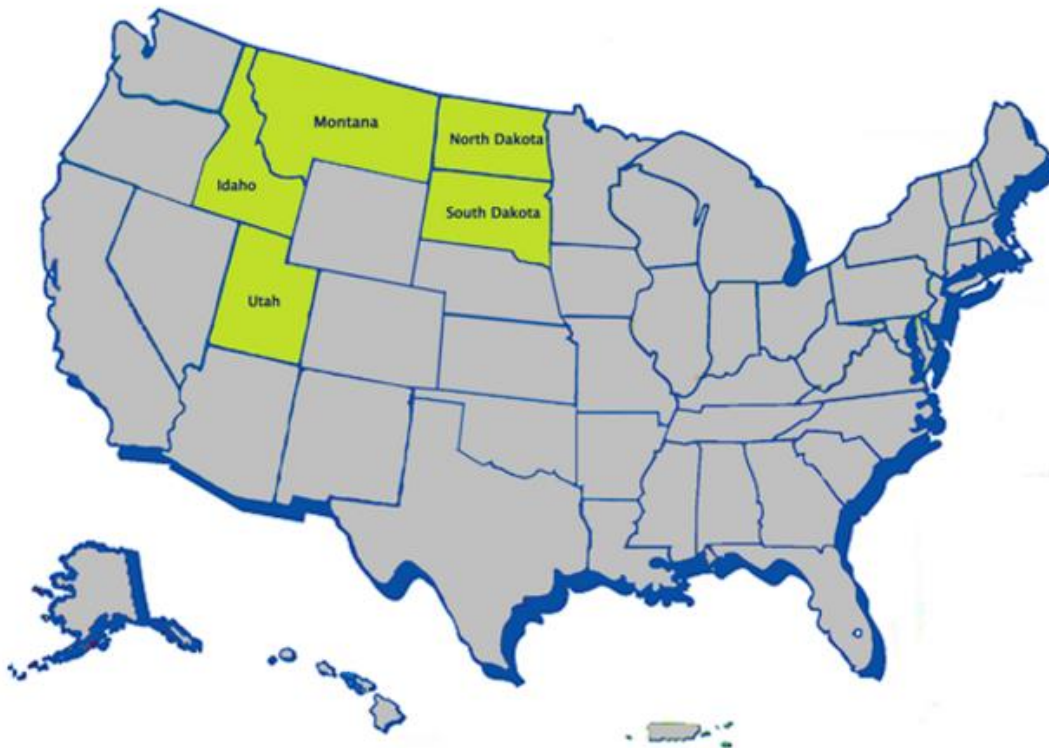


Next Map

Division of Energy Employees Occupational Illness Compensation (DEEOIC)

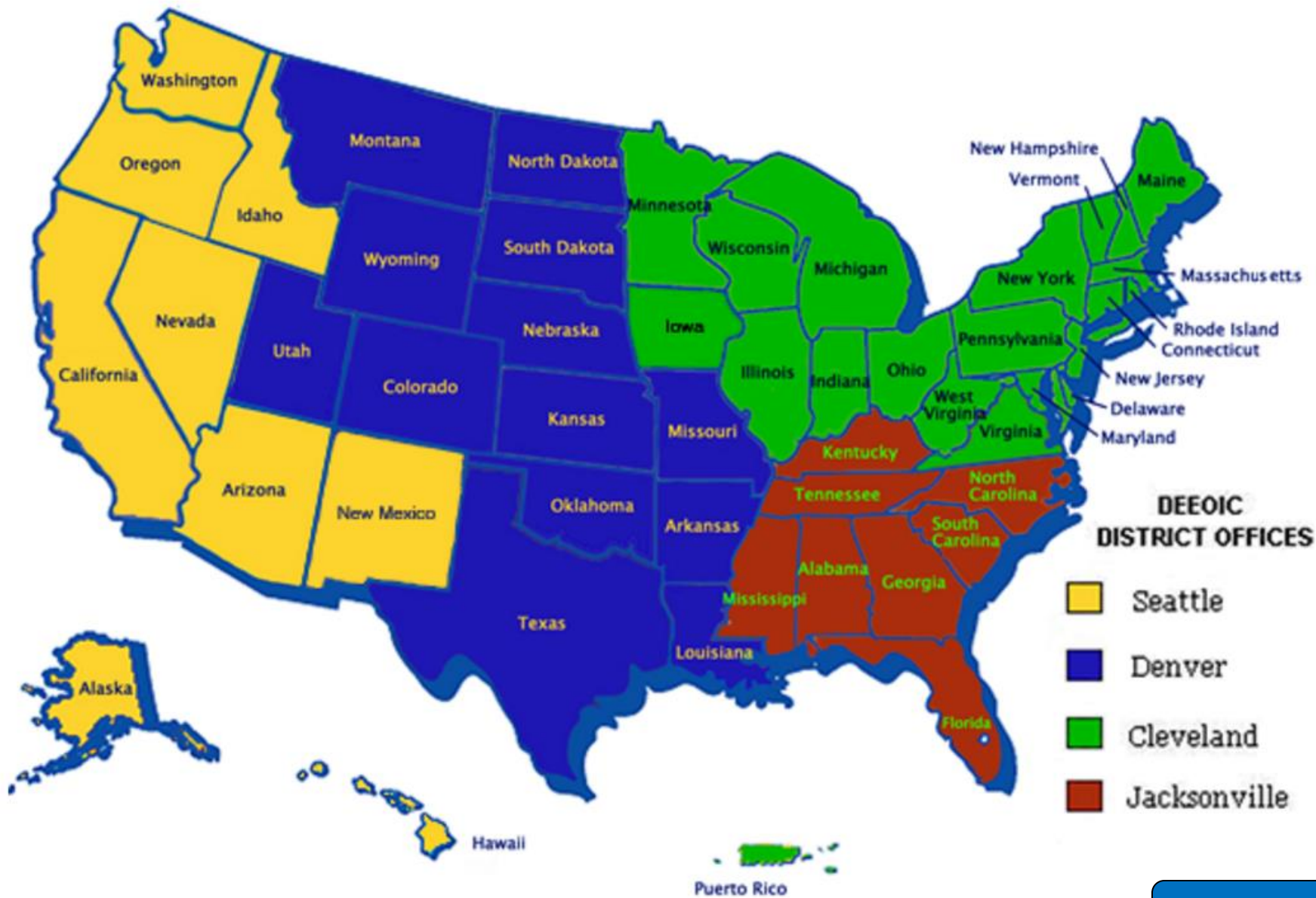
Idaho Resource Center

Site/Open Date	Office Manager
Idaho Falls July 20, 2001	Name: Joe Krachenfels E-mail: idaho@dolrc.com
Resource Center Address/Phone	
Exchange Plaza 1820 East 17th Street, Suite 250 Idaho Falls, ID 83404	Telephone: (208) 523-0158 Fax: (208) 557-0551 Toll Free: (800) 861-8608



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Division of Energy Employees Occupational Illness Compensation (DEEOIC)



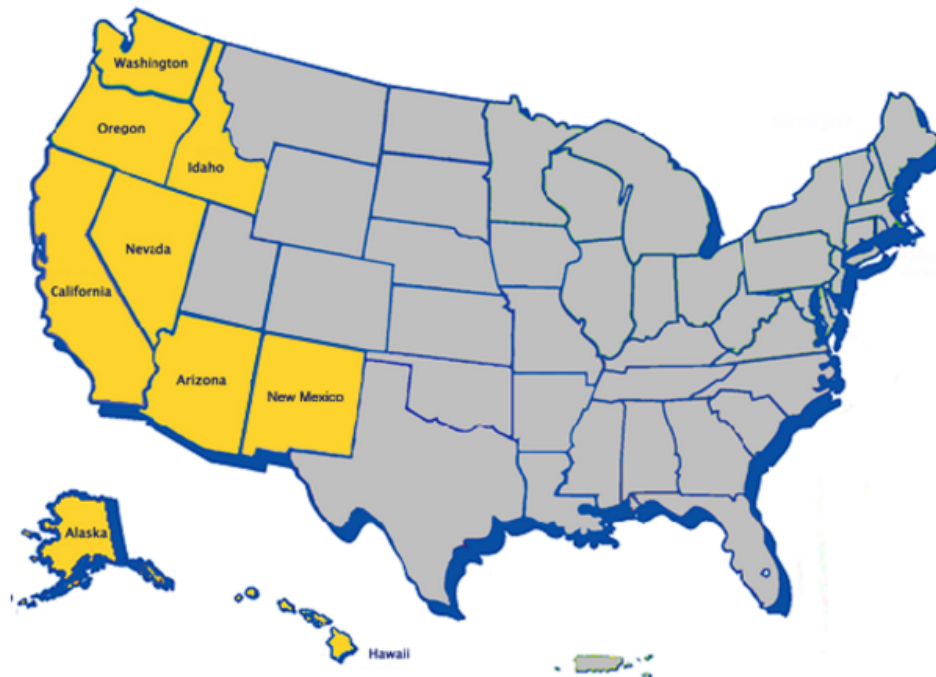
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Division of Energy Employees Occupational Illness Compensation (DEEOIC)

District Office 4 -- Seattle, Washington

(Alaska, Arizona, California, Idaho, Hawaii, Marshall Islands, Nevada, New Mexico, Oregon and Washington)

Address	Phone Numbers	Directors
<p>Physical Address: U.S. Department of Labor, DEEOIC 300 Fifth Avenue, Suite 1050E Seattle, Washington 98104-2397</p> <p>Mailing Address: DOL DEEOIC Central Mail Room PO BOX 8306 London, KY 40742-8306</p> <p>Medical Bill Pay Address: DEEOIC – Medical Billing PO BOX 8304 London, KY 40742-8304</p>	<p>(206) 373-6750 (Main) (206) 224-1216 (Fax) (888) 805-3401 (Toll Free)</p>	<p>Regional Director: Sharon Tyler District Director: Joleen Smith Assistant District Director: Charles Elsen</p>



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THE OFFICE OF THE OMBUDSMAN FOR EEOICPA

June 2016

Pocatello & Idaho Falls, ID

EEOICPA and THE OFFICE OF THE OMBUDSMAN

History:

- October 2000 – Congress enacted EEOICPA
 - Part B administered by Department of Labor
 - Part D administered by Department of Energy
- October 2004 - Congress repealed Part D and established Part E.
 - Part E administered by the Department of Labor



OFFICE OF THE OMBUDSMAN

- In October 2004, legislation created the Office of the Ombudsman.
- The Office of the Ombudsman is independent from the offices within the Department of Labor that administer EEOICPA.
- The Office initially only had authority to address Part E claims. The 2010 National Defense Authorization Act expanded authority to include Part B of the EEOICPA.
- The National Defense Authorization Act for FY 2015 extends the sunset date for the Office until October 28, 2019.



OFFICE OF THE OMBUDSMAN

■ Duties:

1. Provide information on the benefits available under the EEOICPA.
2. Make recommendations regarding the location of resource centers for the acceptance and development of claims – there are currently 11 resource centers.
3. Submit an annual report to Congress detailing:
 - a) The number and types of complaints, grievances and requests for assistance received during the year and;
 - b) An assessment of the most common difficulties encountered by claimants during the year.

OFFICE OF THE OMBUDSMAN

■ Limitations – the Office cannot:

1. Rule or make decisions on claims.
2. “Make” DEEOIC reverse or change a decision.
3. Make Congress revise the EEOICPA.
4. Take DEEOIC to court
5. Lobby Congress
6. Act as an advocate



OMBUDSMAN ASSISTANCE

- **When the Office receives complaints, grievances, and requests for assistance:**
 1. We respond to claimants, attorneys, lay representatives, congressional staff and others.
 2. We explain, review and discuss aspects of the EEOICPA claims process.
 3. We answer questions and provide other assistance to individuals encountering difficulties with claims pending with DEEOIC.
 4. We discuss your concerns in our annual report to Congress.



OMBUDSMAN ASSISTANCE

- **Outreach efforts and initiatives include:**
 1. Sponsoring town hall meetings.
 2. Participating in DEEOIC sponsored town hall meetings and traveling resource centers.
 3. Offering opportunities for individuals to speak one-on-one with Ombudsman staff.
 4. Coordinating efforts with the Joint Outreach Task Group (JOTG).



OMBUDSMAN CONTACT INFORMATION

Mail: U.S. Department of Labor
Office of the Ombudsman
200 Constitution Ave., NW,
Room N2454
Washington, D.C. 20210

Toll Free: 1-877-662-8363

Email: ombudsman@dol.gov

Website: www.dol.gov/eeombd



Department of Energy Support to the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and the Former Worker Medical Screening Program (FWP)



Office of Environment, Health, Safety and Security
June 2016



DOE Responsibilities



1. Respond to DOL and NIOSH requests for information related to individual claims (employment verification, exposure records).
2. Provide support and assistance to DOL, NIOSH, and Advisory Board on large-scale research and site characterization projects through records research and retrieval efforts at various DOE sites.
3. Conduct research, in coordination with DOL and NIOSH, on issues related to covered facilities designations.



Individual Records



- Claimants often worked at multiple DOE sites, for multiple contractors and subcontractors, and in different jobs or divisions over a career.
- Records packages that DOE provides to DOL and NIOSH can be hundreds of pages long.



Former Worker Medical Screening Program



FWP Background



Program serves ***all*** former Federal, contractor, and subcontractor workers from ***all*** DOE sites

Mission:

- Identify and notify former workers at risk for occupational disease.
- Offer them medical screening that can lead to treatment.
- Provide information and assistance about medical follow-up and compensation.
- Use findings to strengthen safety and health protection for current and future workers.



Former Worker Program Contacts



- Worker Health Protection Program (WHPP)
 - ✓ All former Production Workers from WIPP
 - ✓ 1-888-241-1199 or <http://worker-health.org/>

- Building Trades National Medical Screening Program (BTMed)
 - ✓ Construction and subcontractor workers
 - ✓ 1-800-866-9663 or www.btmed.org

Building Trades National Medical Screening Program (BTMed)

Did you work construction
at a DOE site?

www.btmed.org

BTMed Overview

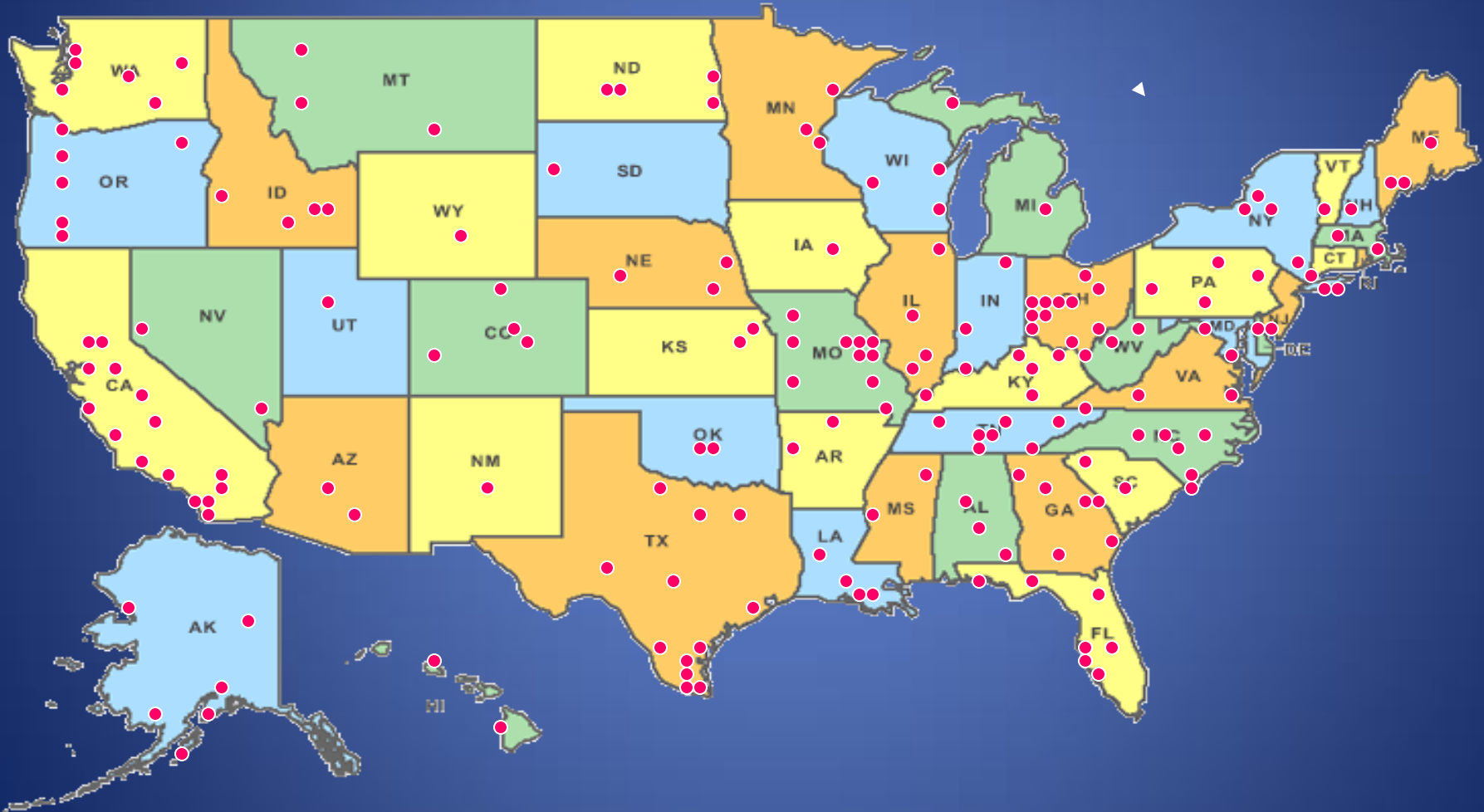
- Offers free screening services to former DOE construction/trades workers
- Provides a free re-screen every 3 years
- Covers 27 DOE sites – about 33,500 screens
- Completed 978 screenings on former trades workers from INL and 34 from ANL

www.btmed.org

BTMed Covered Sites



NETWORK PROVIDER LOCATIONS



Medical Services

Screenings (200+ medical providers)

- Occupational and medical history
- Physical exam
- Chest X-ray
- Blood test (including GHP, BeLPT)
- Spirometry
- Hearing test

Clinics:

- St. Alphonsus Medical Group Occ. Medicine (Boise)
- Portneuf WorkMed (Pocatello)
- Dr. Eric Perttula – Health and Wellness Center of Idaho (Idaho Falls)

Medical Findings

- Abnormal chest x-rays in 18%,
- Abnormal pulmonary function in 40%,
- Evidence of hearing loss in 64%.
- Beryllium sensitization in about 1.5%

If you worked construction at
a DOE site please call us.

www.btmed.org

1-800-866-9663

www.btmed.org

Worker Health Protection Program

A Medical Screening Program for
DOE Workers

Idaho National Labs(INL)
Public Joint Outreach Task Group Meetings

June 28-29, 2016



Worker Health Protection Program Background

- Joint effort between the United Steelworkers (USW) and Queens College of the City University of New York, partnering with local medical clinics.
- Developed and administered by experienced Occupational Health Physicians at Queens College, City University of New York.
- Began providing screening in Idaho in 2000, over 4,000 former workers have been screened to date.
- Covers former workers from 14 Department of Energy (DOE) facilities nationwide. Over 32,000 DOE workers screened nationally.

Worker Health Protection Program

Primary Goals

1. Offer occupational health screening that may lead to diagnosis and treatment for occupational conditions such as:

- Asbestosis
- Chronic beryllium disease
- Emphysema
- Hearing loss
- Silicosis
- Certain cancers

Worker Health Protection Program

Primary Goals

2. Provide information and assistance about medical follow-up and compensation, including the Energy Employees Occupational Illness Compensation Program (EEOICP).
3. Additional component of screening for high-risk individuals: Low-dose CT scan for the early detection of lung cancer.

Worker Health Protection Program

Exam Information

- Occupational Health Screening is available to former and current INL production workers who worked for 30 days or more
- Available to both Salary and Hourly workers
- Screenings occur at:

Dr. Rocco Cifrese	1995 E. 17th St. Idaho Falls,
Community Care – Idaho Falls	2725 Channing Way, Idaho Falls
Community Care - Pocatello	1595 Yellowstone Ave., Pocatello
First Medical	441 S. Redwood Rd., Salt Lake City
Dr. Shane Machen	3500 Potomac Way, Ste. 100, Idaho Falls
St. Alphonsus Medical Group	6533 Emerald St., Boise
Medical Imaging Associates (ELCD)	2265 E Sunnyside Rd, Idaho Falls

Worker Health Protection Program Exam Information

- Rescreens are available and recommended every:



- Even if you feel healthy, you should still participate

Early Lung Cancer Detection (ELCD)

- Low-dose CT scan for the early detection of lung cancer are provided for workers most at risk
- Available to workers who meet strict smoking, occupational, age and health criteria
- Annual screening for those who meet the criteria is strongly recommended

Early Lung Cancer Detection (ELCD)

- In absence of screening, lung cancer is often detected only after symptoms occur, when treatment is unlikely to be effective
- The goal of lung cancer screening is to detect lung cancer before symptoms occur, when treatment can be effective

Lung Cancer Screening Timeline

2000-ELCD began as a pilot program at 3 GDPs

2011- National Cancer Institute (NCI) study found low-dose CT scan reduces death from lung cancer by 20% among smokers

2013-New recommendation for lung cancer screening from US Preventive Task Force

2013-ELCD introduced at INL

2016-ELCD has screened over 12,000 DOE workers, **136** cancers found, **71%** in early, treatable stages

Worker Health Protection Program Contact

- Appointment information: 1-208- 522-4748
- Other program information: 270-556-4489
- Website: www.worker-health.org
- Table set up in entrance: David Fry, Gaylon Hanson, JC Colvin

