



BLBA BULLETIN NO 14-11

Issue Date: **SEP 29 2014**

Expiration Date: Indefinite

Subject: Digital X-ray Rule – Date Applicability

Background and Purpose: To ensure that claims are treated consistently at the district director level, DCMWC needs to clarify when the procedures explained in Bulletin #14-08 (which explains how digital X-rays should be evaluated under the revised regulations) apply.

References: BLBA Bulletin #14-08, *Digital X-rays*, dated June 2, 2014.

Applicability: DCMWC District Directors and appropriate DCMWC Personnel.

Action: DCMWC claims personnel must handle X-ray readings as follows:

1. ***If the claim was filed on or after May 19, 2014:*** Bulletin #14-08 applies to all digital X-ray readings.

2. ***If the claim was filed before May 19, 2014:***
 - Bulletin #14-08 applies to digital X-ray readings made on or after May 19, 2014 (this refers to the date of the reading, not the date the X-ray was taken).
 - Bulletin #14-08 does not apply to digital X-ray readings made before May 19, 2014. Those X-rays are evaluated under 20 C.F.R. § 718.107. Any reading based on a converted X-ray should not be considered because it is not medically acceptable or reliable evidence. If the reading is not based on a converted X-ray, it should be treated like digital X-ray evidence before the revised regulations were issued.

Disposition: Retain this Bulletin until further notice or its incorporation into the Black Lung Benefits Procedure Manual.

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Distribution: All DCMWC staff