

FY 2017

CONGRESSIONAL BUDGET JUSTIFICATION

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

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**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

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**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

APPROPRIATION LANGUAGE

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, [\$58,552,000] \$59,846,000, to remain available until expended: Provided, That the Secretary of Labor may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed. (*Department of Labor Appropriations Act, 2016.*)

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ANALYSIS OF APPROPRIATION LANGUAGE

Language Provision	Explanation
<p><i>Provided</i>, That the Secretary of Labor may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed."</p>	<p>This language provides authority to require disclosure of Social Security account numbers (SSN's) by individuals filing claims under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). The use prevents duplicate claims being filed by the same claimant and makes it easier to match data from different benefit programs to detect errors (including fraud), consistent with Congressional mandates to do so. This legislative language is needed because the Privacy Act prevents agencies from requiring disclosure of SSN's unless disclosure is required by Federal statute. (See Privacy Act, December 31, 1974, P.L. 93-579, section 7, Statute 909)</p>

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AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2015 Enacted		FY 2016 Enacted		FY 2017 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	263	\$56,406	255	\$58,552	255	\$59,846
Sequestration reduction	0	-\$5,359	0	-\$5,445	0	\$0
A.1. Subtotal Appropriation	263	\$51,047	255	\$53,107	255	\$59,846
Unobligated balance available start-of year (Part B)	0	\$2,958	0	\$3,799	0	\$0
Recoveries of prior -year unpaid obligations	0	\$719	0	\$0	0	\$0
DOL Administrative Expenses: (Part E) (Indefinite Authority)	236	\$74,429	235	\$74,894	235	\$76,794
Sequestration reduction	0	-\$7,071	0	-\$7,012	0	\$0
Offsetting collections	0	\$186	0	\$0	0	\$0
B. Gross Budget Authority	499	\$122,268	490	\$125,288	490	\$136,640
Unobligated balance available start-of year (Part B)	0	-\$2,958	0	-\$3,799	0	\$0
Recoveries of prior -year unpaid obligations	0	-\$719	0	\$0	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	-236	-\$67,358	-235	-\$68,382	-235	-\$76,794
Offsetting collections	0	-\$186	0	\$0	0	\$0
C. Budget Authority Before Committee	263	\$51,047	255	\$53,107	255	\$59,846
Unobligated balance available start-of year (Part B)	0	\$2,958	0	\$3,799	0	\$0
Recoveries of prior -year unpaid obligations	0	\$719	0	\$0	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	236	\$67,358	235	\$68,382	235	\$76,794
Offsetting collections	0	\$186	0	\$0	0	\$0
D. Total Budgetary Resources (Appropriated and Indefinite)	499	\$122,268	490	\$125,288	490	\$136,640
Unobligated Balances Carrying Forward for Part B	-11	-\$3,799	0	\$0	0	\$0
Unobligated Balances Expiring for Part E	-7	-\$1,349	0	\$0	0	\$0
E. Total, Estimated Obligations	481	\$117,120	490	\$125,288	490	\$136,640

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2016 Enacted	FY 2017 Request	Net Change
Budget Authority			
General Funds	\$121,489	\$136,640	+\$15,151
Total	\$121,489	\$136,640	+\$15,151
Full Time Equivalents			
General Funds	490	490	0
Total	490	490	0

FY 2017 Change

Explanation of Change	FY 2016 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	490	\$44,360	0	\$0	0	\$745	0	\$745
Personnel benefits	0	\$10,722	0	\$0	0	\$187	0	\$187
Employee health benefits	0	\$3,264	0	\$0	0	\$58	0	\$58
Moving allowance	0	\$0	0	\$0	0	\$0	0	\$0
Two days less of Pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$228	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$28	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$447	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$5	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$5,616	0	\$0	0	\$208	0	\$208
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$690	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$30	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$0	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$16,921	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$13,076	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$493	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$7,291	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$18	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$17,500	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$260	0	\$0	0	\$0	0	\$0

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FY 2017 Change

Explanation of Change	FY 2016 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Equipment	0	\$500	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$40	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	490	+\$121,489	0	\$0	0	+\$1,198	0	+\$1,198
B. Programs:								
Sequestration Restoration-OWCP Energy E	0	\$0	0	\$0	0	\$6,924	0	\$6,924
Sequestration Restoration-OWCP Energy B	0	\$0	0	\$0	0	\$5,376	0	\$5,376
Industrial Hygienist Support - Energy E	0	\$0	0	\$0	0	\$1,000	0	\$1,000
VoiP IVR IT Initiative – Energy B	0	\$0	0	\$0	0	\$900	0	\$900
Sequestration Restoration- Ombudsman Energy E	0	\$0	0	\$0	0	\$88	0	\$88
Sequestration Restoration- Ombudsman Energy B	0	\$0	0	\$0	0	\$69	0	\$69
Programs Subtotal			0	\$0	0	+\$14,357	0	+\$14,357
Total Increase	490	+\$121,489	0	\$0	0	+\$15,555	0	+\$15,555
Decreases:								
A. Built-Ins:								
To Provide For:								
Two days less of Pay	0	\$0	0	\$0	0	-\$404	0	-\$404
Built-Ins Subtotal	0	\$0	0	\$0	0	-\$404	0	-\$404
B. Programs:								
Programs Subtotal			0	\$0	0	\$0	0	\$0
Total Decrease	0	\$0	0	\$0	0	-\$404	0	-\$404
Total Change	490	+\$121,489	0	\$0	0	+\$15,151	0	+\$15,151

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SUMMARY BUDGET AUTHORITY AND FTE BY APPROPRIATION								
(Dollars in Thousands)								
	FY 2015 Enacted		FY 2016 Enacted		FY 2017 Request		Diff. FY17 Request / FY16 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Energy Employees Occupational Illness Compensation Program Act - Admin	481	\$118,405	490	\$121,489	490	\$136,640	0	\$15,151
Energy Employees Occupational Illness Compensation Program Part B	250	\$51,047	253	\$53,107	253	\$59,846	0	\$6,739
OWCP	248	\$50,384	251	\$52,432	251	\$59,098	0	\$6,666
Ombudsman	2	\$663	2	\$675	2	\$748	0	\$73
Energy Employees Occupational Illness Compensation Program Part E	231	\$67,358	237	\$68,382	237	\$76,794	0	\$8,412
OWCP	227	\$66,514	233	\$67,523	233	\$75,843	0	\$8,320
Ombudsman	4	\$844	4	\$859	4	\$951	0	\$92
Energy Employees Occupational Illness Compensation Program Act - Benefits	0	\$1,011,461	0	\$966,351	0	\$955,194	0	-\$11,157
Energy Employees Occupational Illness Compensation Program Part B	0	\$726,891	0	\$649,335	0	\$644,652	0	-\$4,683
Energy Employees Occupational Illness Compensation Program Part E	0	\$284,570	0	\$317,016	0	\$310,542	0	-\$6,474
Total	481	\$1,129,866	490	\$1,087,840	490	\$1,091,834	0	\$3,994

NOTE: 2015 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2015 Enacted	FY 2016 Enacted	FY 2017 Request	Diff. FY17 Request / FY16 Enacted
	Full-Time Equivalent				
	Full-time Permanent	499	490	490	0
	Total	499	490	490	0
	Average ES Salary	\$170,596	\$172,302	\$174,542	\$2,240
	Average GM/GS Grade	12/6	12/6	12/6	0
	Average GM/GS Salary	\$89,576	\$90,472	\$91,648	\$1,176
11.1	Full-time permanent	43,306	43,922	44,476	554
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	228	221	224	3
11.8	Special personal services payments	205	217	220	3
11.9	Total personnel compensation	43,739	44,360	44,920	560
12.1	Civilian personnel benefits	13,338	14,214	14,397	183
13.0	Benefits for former personnel	0	28	28	0
21.0	Travel and transportation of persons	448	447	524	77
22.0	Transportation of things	11	5	12	7
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	6,377	5,616	5,824	208
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	722	690	751	61
24.0	Printing and reproduction	44	30	49	19
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	19,488	16,921	24,187	7,266
25.3	Other goods and services from Federal sources 1/	19,127	20,860	25,277	4,417
25.4	Operation and maintenance of facilities	19	18	19	1
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	14,041	17,500	19,819	2,319
26.0	Supplies and materials	288	260	293	33
31.0	Equipment	263	500	500	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	500	40	40	0
	Total	118,405	121,489	136,640	15,151
	1/Other goods and services from Federal sources				
	Working Capital Fund	12,792	13,076	13,076	0
	DHS Services	511	493	508	15
	Services by DOL Agencies	3,451	4,567	4,567	0
	GSA Services	1	1	1	0
	Services by Other Government Departments	2,372	2,723	6,125	3,402
	HHS Services	0	0	1,000	1,000

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AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
Pub. L. 106-398	Energy Employees Occupational Illness Compensation Program Act	42 U.S.C. § 7385 <i>et seq.</i>			Does not expire
Pub. L. 108-375	Energy Employees Occupational Illness Compensation Program Act	42 U.S.C. § 7384 <i>et seq.</i>			Does not expire

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2007					
Base Appropriation...1/	\$161,838			\$158,966	464
2008					
Base Appropriation...2/	\$161,630			\$158,278	598
2009					
Base Appropriation...3/4/	\$108,178		\$49,654	\$115,713	598
2010					
Base Appropriation...5/	\$111,209	\$51,197	\$51,197	\$127,137	580
2011					
Base Appropriation...6/	\$126,567			\$130,127	494
2012					
Base Appropriation...7/	\$125,590			\$127,490	464
2013					
Base Appropriation...8/	\$129,000			\$120,285	522
2014					
Base Appropriation...9/	\$129,218			\$120,191	505
2015					
Base Appropriation...10/	\$130,835			\$118,405	499
2016					
Base Appropriation...11/	\$133,446	\$58,552	\$58,552	\$122,811	490
2017					
Base Appropriation	\$136,640				490

^{1/} Reflects Part B - \$49,971 and 275 FTE, and HHS \$52,336.

^{2/} Reflects Part B - \$49,387 and 305 FTE, and HHS \$55,358.

^{3/} Reflects Part B - \$49,654 and 305 FTE. DOL has requested that the \$55,358 funding for HHS/NIOSH be appropriated directly to HHS.

^{4/} Reflects Part B - \$49,654 and 305 FTE. Funding for HHS/NIOSH was appropriated directly to HHS.

^{5/} Reflects Part B - \$51,900 and 305 FTE. This amount includes \$703 for the Ombudsman's Office.

^{6/} Reflects Part B - \$51,900 and 285 FTE. This amount includes \$703 for the Ombudsman's Office.

^{7/} Reflects Part B - \$52,147 and 219 FTE. This amount includes \$703 for the Ombudsman's Office.

^{8/} Reflects Part B - \$52,147 and 272 FTE. This amount includes \$703 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$10,174.

^{9/} Reflects Part B - \$49,769 and 264 FTE. This amount includes \$639 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,663.

^{10/} Reflects Part B - \$51,047 and 263 FTE. This amount includes \$663 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,429.

^{11/} Reflects Part B - \$53,107 and 255 FTE. This amount includes \$675 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,457.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

Overview

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA), enacted in October 2000, directly supports the Secretary's strategic vision of "*Promoting and Protecting Opportunity*" by providing income support and medical care to claimants. OWCP provides benefits under Part B of EEOICPA to covered employees or survivors of employees of the Department of Energy (DOE), and private companies under contract with DOE, who have been diagnosed with a radiation-related cancer, beryllium-related disease, or chronic silicosis as a result of their work in producing or testing nuclear weapons. Benefits for uranium workers covered by the Radiation Exposure Compensation Act (RECA) are also provided. Administrative funds for Part B are appropriated annually. For Part E, administrative funds are provided through indefinite appropriations.

EEOICPA's FY 2017 Request includes \$748,000 in Part B funds and \$951,000 in Part E funds for the Office of the Ombudsman for EEOICPA. The Office of the Ombudsman was created by Congress to address the concerns of claimants and potential claimants regarding their receipt of benefits under Part E of EEOICPA and was later expanded to Part B. By law, this office is required to be independent from the Division of Energy Employees Occupational Illness Compensation (DEEOIC) program office.

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Request	Diff. FY17 Request / FY16 Enacted
EEOICPA Part B	51,047	53,107	59,846	6,739
FTE	250	253	253	0

NOTE: FY 2015 reflects actual FTE. Authorized FTE for FY 2015 was 263.

Introduction

The mission of OWCP’s Energy Employees Occupational Illness Compensation’s program is to adjudicate and pay benefits for claims filed under Part B and Part E of EEOICPA. The work for this program is accomplished in 4 District Offices, 11 resource centers that provide assistance to claimants in completing benefit applications for both Part B and E, and a Final Adjudication Branch where claims are adjudicated.

Part B authorizes a lump-sum payment of \$150,000 and medical benefits to DOE employees, contractors, or subcontractors who are seriously ill from exposure to beryllium, silica, or radiation while working in the nuclear weapons industry. Part B also provides compensation for some employees’ survivors and supplemental lump-sum payments of up to \$50,000 to individuals already eligible for benefits for illnesses covered under Section 5 of the Radiation Exposure Compensation Act (RECA), and, where applicable, their survivors.

Under Part E, OWCP provides compensation to covered DOE contractors who are determined to have contracted a covered illness through exposure at a DOE facility. Part E authorizes compensation benefits to employees based upon the degree of impairment and lost wages. Certain survivors of covered DOE contractors also receive compensation if the covered illness contributed to the employee’s death. Additionally, uranium workers eligible under Section 5 of the RECA may also receive compensation under Part E for illnesses due to toxic substance exposure at a uranium mine or mill covered under that Act. Benefits are paid from the Compensation Fund for both EEOICPA and RECA benefits.

Social Security Administration Data Matching

The Administration is working to address longstanding Government Accountability Office and Labor Inspector General recommendations to improve program integrity by cross-matching Office of Workers’ Compensation Programs records with Social Security records. Such matching has the potential to reduce improper payments in the FECA, Black Lung, and EEOICPA programs by improving reporting of outside income for purposes of calculating benefit levels.

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Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2012	\$52,147	219
2013	\$47,805	272
2014	\$49,769	264
2015	\$51,047	263
2016	\$53,107	255

FY 2017

Total resources at the FY 2017 Request level for OWCP’s Energy program are \$136,640,000 and 490 FTE. Part B funds are \$59,846,000 and 255 FTE, including \$748,000 and 2 FTE for the Office of the Ombudsman. The request provides an increase of \$6,739,000 (including \$73,000 for the Office of the Ombudsman). Part E funds are \$76,794,000 and 235 FTE, including \$951,000 and 4 FTE for the Office of the Ombudsman. The request provides an increase of \$8,412,000 (including \$92,000 for the Office of the Ombudsman). The amount above also includes funding under Part E for the requirements of the Advisory Board on Toxic Substances and Worker Health.

The request provides an overall increase for Part B and Part E of \$15,151,000 (including \$165,000 for the Office of the Ombudsman) when compared to the FY 2016 Enacted level. This funding level includes \$12,457,000 for sequestration restoration in order to maintain high levels of performance in the face of increasing effort required to process claims, as described below. The request also includes \$900,000 for the IT Voice-over-Internet Protocol/Interactive Voice Response Initiative, discussed in the Overview Section. Finally, the request includes \$1,000,000 to fund contracts with industrial hygienists to review a growing number of claims that require their expertise.

At the Request level, OWCP will closely monitor and improve the provision and management of home health care services for beneficiaries. Expenditures in this area have risen steadily in the past few years warranting increased oversight. In addition, the requested funding will maintain timely adjudication of claims, quality decisions, and prompt benefit delivery and income support to all EEOICPA claimants. The program will also utilize requested funding to support several IT initiatives that build on prior-year investments and leverage improvements and functionality available through other OWCP programs to gain performance efficiencies and improvements.

In recent years, a substantial number of claims now require additional or ongoing review based on new information, although they are not counted as new claims. For instance, new policies or procedures and changes to the National Institute for Occupational Safety & Health (NIOSH) dose reconstruction methods result in coverage to individuals who may have previously been denied. As a result, the level of effort required to resolve claims has drastically increased. So, while the overall new incoming caseload is not increasing, there is a need for significant

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investment in staffing to ensure accurate and timely determinations for all cases, ongoing and new.

There have been more requests for reopening at any time after a final decision. When such requests are received, a significant amount of work is required on the part of the claims staff. These instances result in a re-review of existing or previous cases and often new recommended and final decisions, in effect extending the period of time over which such claims are actively worked. Special Exposure Cohorts (SEC) can result in the need for re-review of old claims, but again, these are not counted as new claims.

Additionally, many cases now involve home health care, requiring additional coordination and evaluation. As of December 31, 2014, the program spent over \$1 billion for cases involving home health care cases alone, which is more than half of the total amount of medical benefits paid for all other bills. The number of requests has increased by over 30 percent in the last two years alone; this requires significant development, oversight and staff time.

Incoming claims projections also do not reflect the extensive communications and outreach required with the claimant community or the level of correspondence, including FOIA and Congressional inquiries that the program addresses each year. The improved functionality provided by the IT investments will allow the program to address these complex adjudication issues more efficiently and to enhance communication and outreach activities.

Resource Centers and the Site Exposure Matrices (SEM) will remain program priorities in FY 2017. The Resource Center staff provides critical local and front-line assistance and quality customer service and the SEM is an essential tool for claims examiners to assess the relationship of an exposure to a claimant's injuries and illnesses. Adequate funding for SEM is critical to ensure documents that address exposures are reviewed and posted timely. In FY 2017, funds will be used to ensure timely review and posting of new documents to update SEM, which includes conducting additional research on an ongoing basis to determine whether there are additional toxic substances or causal links that can be added. As NIOSH continues to add new SEC classes, it is paramount that the Resource Center staffing levels remain at the level supported by the FY 2017 Request to support Town Hall Meetings for potential claimants and the influx of inquiries about filing claims that occur after the outreach events and the addition of new cohorts. Resource Centers also respond to questions and concerns that arise from the public as they utilize the additional online information in the SEM.

Industrial hygienists are also an integral component in the development of claims and their professional judgement is used to adjudicate Part E causation issues. In certain instances, a case may not contain enough information regarding occupational toxic exposure. If the evidence of record does not adequately identify a route and extent of exposure, a request is made for a review by an industrial hygienist. After a review, the IH will render an expert opinion based upon the relevant facts of the claim, the information available through SEM, and professional judgement regarding the likelihood and extent of any exposure. In recent years, there has been an increase in the number of cases referred to industrial hygienists for their opinions. To eliminate the current

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backlog and provide faster and higher quality adjudication, the increase requested in FY 2017 will be used to hire 6 IH contractors to support increased use of IHs for evaluation of case evidence under Part E of the EEOICPA. This will be funded out of the Part E indefinite appropriation.

FY 2016

Total resources at the FY 2016 Enacted level for OWCP's EEOICPA program are \$121,489,000 and 490 FTE. Part B funds are \$53,107,000 and 255 FTE, including \$675,000 and 2 FTE for the Office of the Ombudsman. The request provides an increase of \$2,060,000 (including \$12,000 for the Office of the Ombudsman). Part E funds are \$68,382,000 and 235 FTE, including \$859,000 and 4 FTE for the Office of the Ombudsman. The request provides an overall increase of \$3,084,000 (including \$27,000 for the Office of the Ombudsman) when compared to the FY 2015 Enacted level.

The Energy Compensation System (ECS) which unifies claims management for Parts B and E became operational in FY 2012. The ECS generates claims processing efficiencies and improves accuracy and timeliness, particularly for claims that require adjudication under both Parts of the Act. Claimants receive a higher level of customer service and improved program reporting will allow greater transparency for the public. In FY 2016, the program will develop an automated reporting mechanism, and update, improve and maintain the system, including software developers to provide additional upgrades and releases every three to four months. In addition, program staff will be working to determine what parts of the ECS platform can be leveraged across other OWCP programs, which requires significant coordination with other Divisions in OWCP to determine commonalities across systems.

In FY 2016, the program also plans to work with NIOSH to develop a portal for sharing case files and dose reconstruction reports electronically, rather than through the US Postal Service. The program plans to leverage the new OWCP Imaging System (OIS) deployed in FY13 and FY14 in this process.

The program will also continue IT investments for deployment of document imaging and the new ICD-10 coding standard mandated by the Department of Health and Human Services. In addition, the program will develop an Energy Document Portal (EDP) which will allow stakeholders and claimants to submit documents electronically through a portal, rather than relying on U.S. mail. These will build upon program investments by other OWCP components and therefore, minimize the costs while maximizing the benefits of implementation.

Advisory Board on Toxic Substances and Worker Health

As part of the National Defense Authorization Act (NDAA) of 2015, Congress added a provision to establish an Advisory Board on Toxic Substances and Worker Health to Part E of EEOICPA. Per the statutory language in the NDAA, the Board will advise the Secretary of Labor with respect to the Site Exposure Matrices; medical advice for claims examiners to consider on weighing medical evidence in claims for covered illnesses under Part E; enhancing the evidentiary requirements for claims under Part B for lung disease (beryllium diseases and

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chronic silicosis); and reviewing samples of work of the industrial hygienists and staff physicians and consulting physicians and their reports to enhance quality, objectivity and consistency. The Board will comprise 15 members: five each from the scientific, medical, and claimant communities. Appointments are expected in early 2016, and the first meeting will be scheduled soon after the appointments are made. The Advisory Board must meet at least twice per year. The expenses for the Advisory Board will total approximately \$500,000 which will be funded out of the Part E indefinite appropriation.

FY 2015

Total resources at the FY 2015 Enacted level for the EEOICPA program were \$118,405,000 and 499 FTE. Part B funds were \$51,047,000 and 263 FTE, including \$663,000 and 2 FTE for the Office of the Ombudsman. Part E funds are \$67,358,000 and 236 FTE, including \$844,000 and 4 FTE for the Office of the Ombudsman.

At the Enacted level, the program improved the provision and management of home health care services, and created a centralized unit within the Division to process these types of claims as efficiently as possible. In addition, staff expanded collaboration with the Social Security Administration (SSA) to allow the program to submit requests via digital fax for employment and earnings information to SSA without obtaining written authorization from claimants. This change has resulted in a 45-day savings in processing time for certain claims. The program also maintained timely adjudication of claims, quality decisions, and prompt benefit delivery and income support to all EEOICPA claimants.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2015 Enacted		FY 2016 Enacted	FY 2017 Request
		Target	Result	Target	Target
Energy Employees Occupational Illness Compensation Program Part B					
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security					
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
Performance Measures					
EE 4a	Average number of days between filing date and final decision for cases sent to NIOSH when a hearing is held	--	497	--	--
EE 4b	Average number of days between filing date and final decision for cases sent to NIOSH when a hearing is not held	--	352	--	--
EE 5	Percent of telephone inquiries responded to within 1 work day	93.00%	96.52%	93.00%	93.00%
EE 7	Average time (days) to process initial claims (Part B and E)	100	98	100	100
Workload Measures					
EE WL 1	Initial Claims Received	5,500	6,181	5,400	5,300
EE WL 2	Initial Claims Processed	6,602	6,421	6,470	6,341
EE WL 3	Final Decisions Issued	9,375	8,433	9,188	9,004
EE WL 4	Payments Issued	3,835	3,161	3,758	3,683
EE WL 9	Consequential Claims Received (Part B and E)	737	773	722	708
EE WL 10	Number of Cases Requiring Review due to a new SEC	655	444	642	629

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2015 Enacted		FY 2016 Enacted	FY 2017 Request
		Target	Result	Target	Target
EE WL 11	Directors Orders Received (Part B and E)	2,000	1,614	1,800	1,650
EE WL 12	Threads - Medical Authorizations (Part B and E)	40,000	36,008	45,000	51,000

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

DETAILED WORKLOAD AND PERFORMANCE					
		FY 2015 Enacted		FY 2016 Enacted	FY 2017 Request
		Target	Result	Target	Target
Energy Employees Occupational Illness Compensation Program Part E					
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security					
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
Workload Measures					
EE WL 5	Initial Claims Received	4,533	5,011	4,442	4,353
EE WL 6	Initial Claims Processed	5,214	5,073	5,110	5,008
EE WL 7	Final Decisions Issued	12,540	12,155	12,290	12,044
EE WL 8	Payments Issued	3,658	3,770	3,585	3,513
EE WL 13	Wage Loss Claims Received	300	323	280	250
EE WL 14	Impairment Claims Received	3,230	3,993	3,165	3,102

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

Workload Summary

The Office of Workers' Compensation Programs (OWCP) workload activities include the provision of income and medical support. Performance measures for this program are focused on shortening the time it takes to provide monetary and medical compensation benefits to which claimants may be entitled. This is accomplished by promptly and accurately processing claims to determine entitlement and delivering benefits. OWCP balances quality and accuracy with production demands to ensure that claimants receive in a timely manner the benefits and services to which they are entitled.

OWCP's Energy program aims to process initial Part B and Part E claims within 100 days. In 2015 the program achieved faster claims processing times, with an average of 98 days.

OWCP revised the joint measures with the Department of Energy (DOE) and the National Institute of Occupational Safety and Health (NIOSH) in 2012 due to the complications of developing valid targets combining the performance of the three programs. These measures display the overall time to make claims decisions and to provide information that can be used to improve program implementation. OWCP is exploring converting these measures into indices for FY 2017. The measures account for the various actions a case may require, including employment verification, dose reconstruction or oral hearing. These measures provide a more transparent view of the claims process, including time spent in case development outside of OWCP.

The most significant item of note in the workload tables is the spike in the number of threads. Threads refer to the electronic communication between the program and the medical bill contractor granting approval of incoming medical requests (home health care, durable medical equipment, wheelchairs, etc.) for which it must provide pre-authorization. These types of requests will continue to increase as more cases are accepted for medical benefits and do not necessarily correlate with the number of incoming cases or final decisions. Total threads more than doubled from 15,038 in FY 2013 to 36,008 in FY 2015, with similar or increased levels to FY 2015 expected in fiscal years 2016 and 2017. The increase in threads over a five-year span has increased workload and required additional oversight. The increase in number and complexity of medical authorizations is the reason OWCP is seeking to centralize the medical authorization process in FY 2016.

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT PART B**

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2015 Enacted	FY 2016 Enacted	FY 2017 Request	Diff. FY17 Request / FY16 Enacted
11.1	Full-time permanent	22,766	22,351	22,624	273
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	228	221	224	3
11.9	Total personnel compensation	22,994	22,572	22,848	276
12.1	Civilian personnel benefits	6,766	7,228	7,316	88
13.0	Benefits for former personnel	0	15	15	0
21.0	Travel and transportation of persons	232	155	232	77
22.0	Transportation of things	7	0	7	7
23.1	Rental payments to GSA	3,045	2,370	2,469	99
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	412	351	412	61
24.0	Printing and reproduction	32	13	32	19
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	5,108	3,438	6,810	3,372
25.3	Other goods and services from Federal sources 1/	7,180	8,772	10,578	1,806
25.4	Operation and maintenance of facilities	11	10	11	1
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	4,387	7,568	8,468	900
26.0	Supplies and materials	164	131	164	33
31.0	Equipment	209	444	444	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	500	40	40	0
	Total	51,047	53,107	59,846	6,739
1/Other goods and services from Federal sources					
	Working Capital Fund	5,284	5,357	5,357	0
	DHS Services	265	262	262	0
	Services by DOL Agencies	1,204	2,332	2,332	0
	GSA Services	1	1	1	0
	Services by Other Government Departments	426	820	2,626	1,806

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT PART B

CHANGES IN FY 2017 (Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$382
Personnel benefits	95
Employee health benefits	30
Moving allowance	0
Two days less of Pay	-212
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	99
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$394**

Net Program **\$6,345**

Direct FTE **0**

	Estimate	FTE
Base	\$53,501	253
Program Increase	\$6,345	0
Program Decrease	\$0	0