

FY 2023

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, \$64,564,000, to remain available until expended: Provided, That the Secretary 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.

Note.—A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2022 (Division A of P.L. 117-43, as amended). The amounts included for 2022 reflect the annualized level provided by the continuing resolution.

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AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2021 Revised Enacted		FY 2022 Full Year C.R.		FY 2023 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	207	\$62,507	206	\$63,428	206	\$64,564
Sequestration Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$5,188	0	-\$5,265	0	\$0
A.1. Subtotal Appropriation	207	\$57,319	206	\$58,163	206	\$64,564
Unobligated balance available start-of year (Part B)	0	\$2,847	0	\$2,119	0	\$0
DOL Administrative Expenses: (Part E) (Indefinite Authority)	207	\$79,256	198	\$80,175	198	\$81,316
Sequestration Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$6,578	0	-\$6,655	0	\$0
B. Gross Budget Authority	414	\$132,844	404	\$133,802	404	\$145,880
Unobligated balance available start-of year (Part B)	0	-\$2,847	0	\$0	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	0	-\$72,678	0	-\$73,520	0	\$0
C. Budget Authority Before Committee	414	\$57,319	404	\$60,282	404	\$145,880
Unobligated balance available start-of year (Part B)	0	\$2,847	0	\$0	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	0	\$72,678	0	\$73,520	0	\$0
D. Total Budgetary Resources (Appropriated and Indefinite)	414	\$132,844	404	\$133,802	404	\$145,880
Unobligated Balances Carrying Forward for Part B	-10	-\$2,119	0	\$0	0	\$0
Unobligated Balances Expiring for Part E	-5	-\$1,168	0	\$0	0	\$0
E. Total, Estimated Obligations	399	\$129,557	404	\$133,802	404	\$145,880

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SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2022 Full Year C.R.	FY 2023 Request	Net Change
Budget Authority			
General Funds	\$131,683	\$145,880	+\$14,197
Total	\$131,683	\$145,880	+\$14,197
Full Time Equivalents			
General Funds	404	404	0
Total	404	404	0

Explanation of Change	FY 2022 Base		FY 2023 Change					
	FTE	Amount	Trust Funds		General Funds		Total	
			FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	404	\$44,057	0	\$0	0	\$1,025	0	\$1,025
Personnel benefits	0	\$15,386	0	\$0	0	\$368	0	\$368
Employee health benefits	0	\$0	0	\$0	0	\$0	0	\$0
Moving allowance	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$312	0	\$0	0	\$20	0	\$20
Benefits for former personnel	0	\$22	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$236	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$7	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$3,727	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$239	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$55	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	\$28,729	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$13,525	0	\$0	0	\$864	0	\$864
Other Federal sources (DHS Charges)	0	\$552	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$18,845	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$5,739	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$116	0	\$0	0	\$0	0	\$0
Equipment	0	\$76	0	\$0	0	\$0	0	\$0

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FY 2023 Change

Explanation of Change	FY 2022 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Grants, subsidies, and contributions	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$60	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	404	+\$131,683	0	\$0	0	+\$2,277	0	+\$2,277
B. Programs:								
Mandatory Workload OWCP Part E	0	\$0	0	\$0	0	\$6,531	0	\$6,531
Mandatory Workload OWCP Part B	0	\$0	0	\$0	0	\$5,201	0	\$5,201
Mandatory Workload Ombudsman E	0	\$0	0	\$0	0	\$81	0	\$81
Mandatory Workload Ombudsman B	0	\$0	0	\$0	0	\$64	0	\$64
Energy Advisory Board	0	\$0	0	\$0	0	\$43	0	\$43
Programs Subtotal			0	\$0	0	+\$11,920	0	+\$11,920
Total Increase	404	+\$131,683	0	\$0	0	+\$14,197	0	+\$14,197
Decreases:								
A. Built-Ins:								
To Provide For:								
Built-Ins Subtotal	0	\$0	0	\$0	0	\$0	0	\$0
B. Programs:								
Total Decrease	0	\$0	0	\$0	0	\$0	0	\$0
Total Change	404	+\$131,683	0	\$0	0	+\$14,197	0	+\$14,197

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2021 Revised Enacted		FY 2022 Full Year C.R.		FY 2023 Request		Diff. FY23 Request / FY22 Full Year C.R.	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Energy Employees Occupational Illness Compensation Program Act - Admin	399	\$129,997	404	\$131,683	404	\$145,880	0	14,197
Energy Employees Occupational Illness Compensation Program Part B	197	\$57,319	206	\$58,163	206	\$64,564	0	6,401
OWCP	194	\$56,632	204	\$57,460	204	\$63,784	0	6,324
Ombudsman	3	\$687	2	\$703	2	\$780	0	77
Energy Employees Occupational Illness Compensation Program Part E	202	\$72,678	198	\$73,520	198	\$81,316	0	7,796
Energy Advisory Board	1	\$470	1	\$476	1	\$523	0	47
OWCP	201	\$71,334	195	\$72,156	195	\$79,815	0	7,659
Ombudsman	0	\$874	2	\$888	2	\$978	0	90
Energy Employees Occupational Illness Compensation Program Act - Benefits	0	\$1,735,205	0	\$1,801,553	0	\$1,889,584	0	88,031
Energy Employees Occupational Illness Compensation Program Part B	0	\$1,279,125	0	\$1,413,924	0	\$1,498,271	0	84,347
Energy Employees Occupational Illness Compensation Program Part E	0	\$456,080	0	\$387,629	0	\$391,313	0	3,684
Total	399	\$1,865,202	404	\$1,933,236	404	\$2,035,464	0	102,228

NOTE: FY 2021 reflects actual FTE. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

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BUDGET AUTHORITY BY OBJECT CLASS¹					
(Dollars in Thousands)					
		FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.
	Full-Time Equivalent				
	Full-time Permanent	414	404	404	0
	Total	414	404	404	0
	Average ES Salary	\$186,266	\$188,129	\$192,362	\$4,233
	Average GM/GS Grade	12/6	12/6	12/6	0
	Average GM/GS Salary	\$97,247	\$99,873	\$103,318	\$3,445
11.1	Full-time permanent	44,670	43,101	44,126	1,025
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	850	956	956	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	45,520	44,057	45,082	1,025
12.1	Civilian personnel benefits	15,822	15,698	16,086	388
13.0	Benefits for former personnel	32	22	22	0
21.0	Travel and transportation of persons	357	236	236	0
22.0	Transportation of things	3	7	7	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	4,994	3,727	3,727	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	436	239	239	0
24.0	Printing and reproduction	34	55	55	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	20,686	28,729	34,970	6,241
25.3	Other goods and services from Federal sources 1/	25,723	32,922	39,465	6,543
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	15,935	5,739	5,739	0
26.0	Supplies and materials	275	116	116	0
31.0	Equipment	107	76	76	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	73	60	60	0
	Total	129,997	131,683	145,880	14,197
	1/Other goods and services from Federal sources				
	Working Capital Fund	22,705	13,525	14,389	864
	DHS Services	687	552	552	0
	Services by DOL Agencies	2,331	18,845	24,524	5,679

¹ The FY 2021 and FY 2022 level reflect the post-sequestration amounts. The FY 2023 level reflects the pre-sequestration amount.

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PROGRAM ACT
AUTHORIZING STATUTES**

Public Law / Act	Legislation	Statute No. / US Code	Expiration Date
Pub. L. 106-398	Energy Employees Occupational Illness Compensation Program Act (Part B administration and benefits)	42 U.S.C. § 7384e	Does not expire
Pub. L. 108-375	Energy Employees Occupational Illness Compensation Program Act (Part E administration)	42 U.S.C. § 7385s-13	Does not expire
Pub. L. 108-375	Energy Employees Occupational Illness Compensation Program Act (Part E benefits)	42 U.S.C. § 7385s-14	Does not expire

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2013					
Base Appropriation...1/	\$129,000			\$117,010	519
2014					
Base Appropriation...2/	\$129,218			\$116,555	505
2015					
Base Appropriation...3/	\$130,835			\$118,601	499
2016					
Base Appropriation...4/	\$133,446	\$58,552	\$58,552	\$121,563	490
2017					
Base Appropriation...5/	\$136,640			\$124,205	476
2018					
Base Appropriation...6/	\$138,840	\$59,846		\$126,482	446
2019					
Base Appropriation...7/ 8/	\$138,092		\$59,098	\$126,078	451
2020					
Base Appropriation...9/ 10/	\$138,840	\$59,846		\$126,900	435
2021					
Base Appropriation...10/ 11/	\$141,763			\$129,997	414
2022					
Base Appropriation...12/ 13/	\$143,603	\$63,428			0
2023					
Base Appropriation	\$145,880				404

^{1/} 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.

^{2/} 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.

^{3/} 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.

^{4/} Reflects Part B - \$53,107 and 241 FTE. This amount includes \$675 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,457.

^{5/} Reflects Part B - \$54,400 and 243 FTE. This amount includes \$680 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,435.

^{6/} Reflects Part B - \$54,520 and 228 FTE. This amount includes \$681 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,358.

^{7/} Reflects Part B - \$53,956 and 228 FTE. This amount includes \$0 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,014.

^{8/} This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

^{9/} Reflects Part B - \$54,699 and 217 FTE. This amount includes \$684 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$11,940.

^{10/} FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

^{11/} Reflects Part B - \$57,319 and 207 FTE. This amount includes \$687 for the Ombudsman's Office. The

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appropriated amount includes sequestration amount of -\$11,766.

- ^{12/} This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or the full Senate Appropriations Committee.
- ^{13/} The full-year FY 2022 appropriation was not enacted at the time the budget was prepared.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

OVERVIEW

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA), enacted in October 2000, provides lump sum compensation 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. Part E of the EEOICPA covers contractors and subcontractors of DOE (or their survivors) who sustained any illness that is determined to be caused, contributed to, or aggravated by any toxic substances in the work environment. Benefits for uranium workers covered by the Radiation Exposure Compensation Act (RECA) are also provided.

EEOICPA's FY 2023 Request includes \$780,000 in Part B funds and \$978,000 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 COMMITTEE²				
(Dollars in Thousands)				
	FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.
Activity Appropriation (Part B)	57,319	58,163	64,564	6,401
FTE (Part B)	197	206	206	0
Activity Appropriation (Part E)	72,678	73,520	81,316	7,796
FTE (Part E)	202	198	198	0
Total Parts B and E	129,997	131,683	145,880	14,197
Total FTE Part B and E	399	404	404	0

NOTE: FY 2021 reflects actual FTE. Authorized FTE for FY 2021 was 414. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

Introduction

The mission of OWCP’s Energy Employees Occupational Illness Compensation 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 four District Offices that develop evidence to determine diagnoses, employment and exposure information, and causation, and issue recommended decisions before a case is transferred to the Final Adjudication Branch (FAB); eleven resource centers that provide assistance to claimants in completing benefit applications for both Part B and E; and a FAB where final decisions are issued.

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 due to 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 RECA, and, where applicable, their survivors.

Under Part E, OWCP provides compensation and medical benefits 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 DOE contractor 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 Energy Compensation Fund for both EEOICPA and RECA benefits.

² The FY 2021 and FY 2022 level reflect the post-sequestration amounts. The FY 2023 level reflects the pre-sequestration amount.

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Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2018	\$54,519	228
2019	\$53,956	228
2020	\$54,699	220
2021	\$57,319	207
2022	\$0	0

NOTE: A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared.

FY 2023

Total resources at the FY 2023 Request level for OWCP’s Energy program are \$145,880,000 and 404 FTE. Of this total, Part B funds are \$64,564,000 and 206 FTE, including \$780,000 and 2 FTE for the Office of the Ombudsman, and Part E funds are \$81,316,000 and 198 FTE, including \$978,000 and 2 FTE for the Office of the Ombudsman, and \$523,000 and 1 FTE for the operations of the Advisory Board on Toxic Substances and Worker Health. The FY 2023 administrative request is the pre-sequester level and includes a built-in increase of \$2,277,000 for inflationary costs of pay, benefits, and non-pay activities. These built-ins are necessary to prevent further staff erosion from pay raises and increased benefit costs.

At the Request level, the Division of Energy Employees Occupational Illness Compensation (DEEOIC) will continue focus on the priorities in the President’s Management Agenda and the Secretary’s vision.

DEEOIC will continue to support the President’s priority of improving the customer experience as well as the Secretary’s vision of empowering workers by making enhancements to the OWCP Employees’ Compensation Operations and Management Portal (ECOMP) to continue to afford claimants and their sole survivors and Authorized Representatives (AR) continual access to their digital case files. DEEOIC will also continue development and implementation of the Ancillary Medical Services Module in the Energy Compensation System to improve efficiency and accuracy in adjudication of requests for authorization of post-approval for medical equipment and services. Additionally, DEEOIC will continue to expand the use of the Accountability Review Tracking System (ARTS) to provide an easily accessible and central way for managers at all levels to assess and report on the quality of work. These efforts will continue to improve the delivery, efficiency, security, and effectiveness of the services that DEEOIC provides to the public.

DEEOIC will continue to support the President’s priority of delivering excellent and equitable services by continuing to conduct outreach, either in person or through monthly Webinar presentations. DEEOIC Resource Centers will continue to host a variety of outreach events, utilizing various platforms and mechanisms, to ensure information reaches communities without access to the Internet, and traditionally disenfranchised tribal and rural communities. DEEOIC’s Customer Experience (CX) team will continue to work to identify ways to improve and

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implement strategies that advance equity and the program's engagement with traditionally disenfranchised communities.

DEEOIC will continue to survey stakeholders in order to gather feedback of their experience with services at various points in the adjudication process and to identify potential issues and trends in service quality and/or delivery. DEEOIC will design survey questions that identify barriers of entry to the program in order to ascertain whether there are specific groups that are disparately experiencing challenges. The program will collect and analyze feedback to inform improvement strategies that will be implemented throughout the fiscal year and strategize solutions to address any challenges by making program improvements that address equity and program access. Additionally, the program will continue to report its quarterly customer experience results to OMB, conduct the annual customer experience self-assessment, and identify its customer experience strengths and opportunities for improvement.

DEEOIC will partner with other agencies within DOL, and with the Department of Justice (DOJ) to reach out to the Navajo community to educate them about the benefits available under the program. When in-person outreach becomes feasible, DEEOIC will use customer experience surveys and other materials to determine locations in the country that may be less aware of the program, and plan to conduct outreach events in those areas. In addition, the program will continue to identify and translate documents and webpages into Spanish. These efforts will continue to advance equity, enhance the customer interactions, and uplift the lives of those in underserved communities.

Lastly, the Performance Management Branch (PMB) Program Integrity Team (Program Integrity) will continue to identify improper payment practices by providers; review whether payments made to claimants or providers were accurate and appropriate, and align with necessary treatments for approved conditions; work with providers to correct those practices; recoup overpayments; and make referrals to the Office of Inspector General, when appropriate. Additionally, Program Integrity will provide applicable documentation and data to state and federal investigatory agencies, and provide professional technical support for their investigations, upon request. DEEOIC will continue efforts to ensure proper claims handling and payments by assuring that staff is provided technical assistance. The Employee Engagement Team (EET) will continue to collect feedback from employees on the delivery of varied soft skills trainings. The quality review analysts (QA) will also continue to assist program management and staff by conducting quality assurance reviews throughout the year, and supervisors will continue to sample quality for each employee each month. As a result, the program will implement training or policy improvements from ongoing analyses of these initiatives.

FY 2022

Total resources at the post sequestration FY 2022 Full Year CR level for OWCP's Energy program are \$131,683,000 and 404 FTE. Of this total, Part B funds are \$58,163,000 and 206 FTE, including \$703,000 and 2 FTE for the Office of the Ombudsman. Part E funds are \$73,520,000 and 198 FTE, including \$888,000 and 2 FTE for the Office of the Ombudsman, and \$476,000 and 1 FTE, and other support costs for the operations of the Advisory Board on Toxic Substances and Worker Health.

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OWCP continues to support developing its workforce to improve the customer experience with Federal services. OMB has designated OWCP, DEEOIC specifically, as a High-Impact Service Provider (HISP), which is a federal Department or Agency that provides transactional customer-facing services. Because of this designation, DEEOIC will continue to report its quarterly customer experience results, conduct the annual customer experience self-assessment, and identify its customer experience strengths and opportunities for improvement. Additionally, DEEOIC is continually working to improve and enhance its public facing website, increasing program transparency by proactively publishing information to the Public Reading Room, improving claimant and medical provider experience by developing customer centric web pages that specifically tailor information and processes to each appropriate audience, and improving its 508 compliance for stakeholders with alternative audio or visual needs. In coordination with the Office of Public Affairs, DEEOIC created a Social Media Kit, which has been released to the public website. Social Media Stakeholders will be able to use the toolkit to let their followers know about the EEOICPA program. DEEOIC will develop a DOE specific DOL toolkit that will be used by DOE Headquarters and specific sites to send information about our the Energy program, via social media.

DEEOIC continues to work with the Joint Outreach Task Group, comprising leadership from DOE, Department of Health and Human Services, DOL, and the National Institute for Occupational Safety and Health (NIOSH) and DOL Ombudsman offices, to educate the public about the program, provide updates regarding new Special Exposure Cohort classes, and other new initiatives. Additionally, DEEOIC continues to support the Secretary in working with the statutorily mandated Advisory Board for Toxic Substances and Worker Health, by providing any and all information necessary to its serving in an advisory capacity. This includes involvement with public meetings, responding to requests for information, and discussing recommendations.

DEEOIC will continue its efforts to deliver services effectively and efficiently by reducing improper payments through the ongoing evaluation of medical bills and other payment-related issues. The program has increased resources to improve timeliness and quality of home health care management, including the centralization of medical benefit case adjudication activities, development of improved case management resources, and publication of more clear procedural guidance. Throughout FY 2022, DEEOIC will provide education to claimants and providers about available home health care benefits, processes and procedures, and the limitations imposed under the EEOICPA.

DEEOIC will introduce innovative, video-based training modules for staff in order to facilitate the sharing of best practices. Based on feedback from the EET, DEEOIC will continue to enhance soft skills training for staff. Each education discipline will be expanded upon, ensuring confidence that management and staff can perform claims management as efficiently as possible. Additionally, throughout FY 2022, the PMB Program Integrity team will continue to identify improper payment practices by providers. QA will continue to assist program management and staff by conducting quality assurance reviews. Supervisors will continue sampling throughout the year, and implement resulting training or policy improvements from ongoing analyses of these initiatives.

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Finally, in the area of IT modernization and transforming the customer experience, the program will continue to improve management reporting and tracking of various performance metrics utilizing low cost and integrated business intelligence tools, such as Microsoft Power BI, that works effectively with the Microsoft SQL server and the database used by the program. DEEOIC will continue to expand the use of the ARTS to provide an easily accessible and central way for managers at all levels to assess and report on the quality of work. DEEOIC will continue the expansion of ECOMP to allow employee claimant's AR access to their case files. DEEOIC will complete development and implementation of the Ancillary Medical Services Module in the Energy Compensation System to improve efficiency and accuracy in adjudication of requests for authorization of post-approval for medical equipment and services. Lastly, DEEOIC will utilize the Energy Document Portal (EDP) to allow digital signatures on new applications and payment forms that currently require wet signatures.

FY 2021

Total resources at the post sequestration FY 2021 Enacted level for OWCP's Energy program are \$129,997,000 and 414 FTE. Of the total, Part B funds are \$57,319,000 and 207 FTE, including \$687,000 and 3 FTE for the Office of the Ombudsman. Part E funds are \$72,678,000 and 207 FTE, including \$874,000 and 2 FTE for the Office of the Ombudsman, and \$470,000 and 1 FTE, and other support costs for the operations of the Advisory Board on Toxic Substances and Worker Health.

DEEOIC supported the President's priority of improving the customer experience as well as the Secretary's vision of empowering workers by utilizing requested funding to support several IT initiatives that built on prior-year investments and leveraged improvements and functionality available through other OWCP programs to gain performance efficiencies and improvements. DEEOIC continued both software and hardware improvements in imaging services, fulfilling the initiative of eliminating paper files in March 2021, before the 2022 cutoff date set by the National Archives and Records Administration. To improve customer service, DEEOIC utilized ECOMP to provide claimants access to their digital case files, reducing the time it takes for claimants to see their case files, and reducing the staff burden in copying and mailing case files to claimants. By re-using the existing ECOMP portal, instead of developing a new portal, the speed to deployment was reduced for DEEOIC and our claimant population.

To empower the workforce in FY 2021, DEEOIC established the EET to empower employees, improve employee engagement and enhance communication between staff and management. The 12-15 member volunteer team consists of members from across DEEOIC's offices. The team was created to serve as a collaborative forum between supervisors and staff to openly discuss ideas. The team was responsible for recommending and helping to implement a number of strategies that improved employee engagement and communication between staff and leadership.

DEEOIC implemented a comprehensive FY 2021 outreach plan that included monthly webinars. The webinars featured DEEOIC presentations, as well as presentations by NIOSH, DOE, DOJ, and the Department of Labor's Office of the Ombudsman. The webinars gave the stakeholders a look into policy, workflow, best practices, and functions of different areas of the

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

programs. Due to their success, outreach will include virtual meetings and presentations even after it is deemed safe to resume public meetings for claimants, medical providers, and physicians regarding pertinent issues related to the program's medical benefits.

DEEOIC continued efforts to ensure proper claims handling and payments. With the creation of a Quality Assurance Team (QA) under the Performance Management Branch in FY 2020, QA's mission is to enhance the District Office, FAB, and Medical Benefit Adjudication Units work product(s) by identifying opportunities for improvement at all levels and ensuring consistency in programmatic outcomes. Additionally, QA continued to assist program management and staff by assessing the accuracy, efficiency, and effectiveness of the claims adjudication and payment processes through quality reviews of various aspects of the development, adjudication, and payment of claims. These quality reviews occur in real time, throughout the year.

Finally, DEEOIC field offices worked diligently to reduce and consolidate space in three of the four district office locations, including moving into a federally owned building in Cleveland, which resulted in substantial savings to the program and government in space related costs.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2021 Revised Enacted		FY 2022 Full Year C.R.	FY 2023 Request
		Target	Result	Target	Target
Energy Employees Occupational Illness Compensation Program					
Strategic Goal 3 - Improve Administration of and Strengthen Worker Safety Net Programs					
Strategic Objective 3.1 - Ensure timely and accurate income support when work is unavailable by strengthening benefits programs and program administration.					
Performance Measure					
EE 10	Complete initial processing of Energy claims within 145 days of receipt	--	--	90.0%	92.0%
Quality Measures					
EE Qa	Percent of sampled Part B and Part E initial claims rated as being accurate	90.00%	92.00%	90.00%	90.50%
Workload Measures					
EE WL 1	Number of Initial Claims Received (Part B)	4,976[p]	3,035	4,153[p]	3,887[p]
EE WL 2	Number of Initial Claims Processed (Part B)	5,013[p]	3,207	4,495[p]	4,259[p]
EE WL 9	Number of Consequential Condition Claims Received (Part B and E)	11,850[p]	17,695	13,149[p]	18,500[p]
EE WL 12	Number of Threads - Medical Authorizations (Part B and E)	53,858[p]	32,324	48,559[p]	39,000[p]
Strategic Goal 3 - Improve Administration of and Strengthen Worker Safety Net Programs					
Strategic Objective 3.1 - Ensure timely and accurate income support when work is unavailable by strengthening benefits programs and program administration.					
Workload Measures					
EE WL 5	Number of Initial Claims Received (Part E)	4,620[p]	3,895	4,360[p]	4,225[p]

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WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2021 Revised Enacted		FY 2022 Full Year C.R.	FY 2023 Request
	Target	Result	Target	Target
EE WL 6	Number of Initial Claims Processed (Part E)		4,695[p]	4,573[p]
	4,843[p]	3,848		

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

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Workload and Performance

Performance Measures

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 and ensuring that correct and appropriate decisions are made during the claim development and adjudication process. This is accomplished by promptly and accurately processing claims.

OWCP measures the total time from initial claim filing date to final decision. This provides a transparent view of claims processing time and ensures the program focuses on shortening the time it takes to provide monetary compensation and medical benefits. In FY 2022, the Energy program expects to complete initial processing of 90 percent of Energy claims within 145 days of receipt.

In FY 2020, the Energy program created a new unit of quality assurance analysts, who review the quality of individual cases throughout the year, supplementing the existing annual accountability reviews. In FY 2021, the Energy program rated 92 percent of sampled Part B and Part E initial claims as being accurately processed. In FY 2023, the program expects at least 90 percent of sampled Part B and Part E initial claims to be rated as being accurately processed.

Workload Measures

In FY 2023, if current trends continue, OWCP expects to receive 3,887 initial Part B and 4,225 initial Part E claims and complete initial processing (development until a claim is closed, sent to another agency for action, or until a Recommended Decision is issued) on 4,259 Part B and 4,573 Part E claims.

In addition to new incoming claims, overall workload is increasingly attributable to the cumulative number of claims previously adjudicated by the program from inception to present. The annually increasing cumulative number of these approved claims increases the workload related to ongoing case management, which is reflected in the consequential condition claims and medical authorization threads measures. Consequential condition claims, which are additional medical conditions claimed as a result of previously accepted medical conditions, continue to increase. In FY 2023, if current trends continue, OWCP expects 18,500 consequential claims, up from 13,149 projected in FY 2022.

Medical pre-authorization requests (referred to as Threads in reporting tables) refer to the electronic communication between OWCP and the medical bill contractor for granting approval of incoming medical benefit requests for accepted medical conditions (for example, home health care, durable medical equipment and other treatments). Medical pre-authorization requires OWCP's review, determination, and oversight. Medical pre-authorization requests have decreased in part due to the selection of a new bill pay contractor in FY 2020 that administered the Workers Compensation Medical Bill Processing Portal. The new contractor employs a different methodology from the previous contractor when counting pre-authorization requests. The program will also continue to use the centralization of services to improve, monitor, and manage the provision of home health care services.

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

BUDGET ACTIVITY BY OBJECT CLASS³					
(Dollars in Thousands)					
		FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.
11.1	Full-time permanent	22,301	21,783	22,466	683
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	410	436	436	0
11.9	Total personnel compensation	22,711	22,219	22,902	683
12.1	Civilian personnel benefits	7,812	8,041	8,295	254
13.0	Benefits for former personnel	2	0	0	0
21.0	Travel and transportation of persons	99	94	94	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	1,974	984	984	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	222	137	137	0
24.0	Printing and reproduction	14	31	31	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	4,586	4,256	5,556	1,300
25.3	Other goods and services from Federal sources 1/	6,827	17,456	21,620	4,164
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	12,844	4,765	4,765	0
26.0	Supplies and materials	97	74	74	0
31.0	Equipment	86	71	71	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	45	35	35	0
	Total	57,319	58,163	64,564	6,401
	1/Other goods and services from Federal sources				
	Working Capital Fund	5,229	5,229	5,428	199
	DHS Services	212	155	155	0
	Services by DOL Agencies	1,386	12,072	16,037	3,965

³ The FY 2021 and FY 2022 level reflect the post-sequestration amounts. The FY 2023 level reflects the pre-sequestration amount.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT PART B

CHANGES IN FY 2023

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$683
Personnel benefits	249
Employee health benefits	0
Moving allowance	0
Federal Employees' Compensation Act (FECA)	5
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	199
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 **\$1,136**

Net Program **\$5,265**

Direct FTE **0**

	Estimate	FTE
Base	\$59,299	206
Program Increase	\$5,265	0
Program Decrease	\$0	0

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

BUDGET ACTIVITY BY OBJECT CLASS⁴					
(Dollars in Thousands)					
		FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.
11.1	Full-time permanent	22,369	21,318	21,660	342
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	440	520	520	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	22,809	21,838	22,180	342
12.1	Civilian personnel benefits	8,010	7,657	7,791	134
13.0	Benefits for former personnel	30	22	22	0
21.0	Travel and transportation of persons	258	142	142	0
22.0	Transportation of things	3	7	7	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	3,020	2,743	2,743	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	214	102	102	0
24.0	Printing and reproduction	20	24	24	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	16,100	24,473	29,414	4,941
25.3	Other goods and services from Federal sources 1/	18,896	15,466	17,845	2,379
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	3,091	974	974	0
26.0	Supplies and materials	178	42	42	0
31.0	Equipment	21	5	5	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	28	25	25	0
	Total	72,678	73,520	81,316	7,796
	1/Other goods and services from Federal sources				
	Working Capital Fund	17,476	8,296	8,961	665
	DHS Services	475	397	397	0
	Services by DOL Agencies	945	6,773	8,487	1,714

⁴ The FY 2021 and FY 2022 level reflect the post-sequestration amounts. The FY 2023 level reflects the pre-sequestration amount.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT PART E

CHANGES IN FY 2023

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$342
Personnel benefits	119
Employee health benefits	0
Moving allowance	0
Federal Employees' Compensation Act (FECA)	15
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
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	665
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 **\$1,141**

Net Program **\$6,655**

Direct FTE **0**

	Estimate	FTE
Base	\$74,661	198
Program Increase	\$6,655	0
Program Decrease	\$0	0