



Part E of EEOICPA

Part E of EEOICPA is a system of federal payments created to compensate employees of Department of Energy contractors and subcontractors, as well as eligible survivors, for covered illnesses or death related to exposure to toxic substances arising from employment at covered Department of Energy facilities.

Part E also provides monetary and medical benefits to uranium miners, millers, and ore transporters covered by Section 5 of the Radiation Exposure Compensation Act (RECA). Where applicable, survivors of RECA Section 5 employees are also entitled to monetary payments under Part E.

EMPLOYMENT ELIGIBILITY

- Department of Energy Contractor
- Department of Energy Subcontractor
- RECA Section 5 uranium miner; miller; ore transporters

ELIGIBILITY IF THE WORKER IS DECEASED

- Eligible Spouse
- Child, who at the time of the death of the employee was:
 - o Under the age of 18;
 - o Under the age of 23 & a full time continuous student; or
 - o Any age, if medically incapable of self-support.

COVERED ILLNESS

Any illness or death (including illness or death related to cancer or beryllium) where it is “at least as likely as not” that exposure to a toxic substance was a significant factor in aggravating, contributing to, or causing the employee’s illness or death.

BENEFITS (IF APPROVED)

- Employees:
 - o Employees who are determined to be eligible for Part E benefits are entitled to medical benefits to cover the reasonable cost of treatment for their covered condition(s).
 - o In addition, living eligible employees may also be eligible to receive up to a maximum of \$250,000 in monetary compensation. Monetary compensation is based on the level of wage loss and/or impairment.
- **Wage Loss:**
 - o Based on the number of years that the employee was unable to work or sustained a reduction in earnings as a result of the covered illness.
 - o Payable for years of lost wages prior to one’s normal Social Security Retirement age.
- **Impairment:**
 - o Based on the decrease in the functioning of a body part or organ as it affects the whole body, due to a covered illness under EEOICPA.
 - o Impairment rating is performed once the claimant reaches maximum medical improvement (i.e. the condition is stabilized and is unlikely to improve with additional medical treatment)
 - o Impairment rating is performed by a qualified physician using the American Medical Associations’ Guide to the Evaluation of Permanent Impairment 5th Edition.
- Eligible survivors – if approved under Part E may receive compensation ranging from \$125,000 to \$175,000 depending upon the level of proven wage loss.

Note: The maximums for benefits under Part E do not include:

- Medical expenses for the accepted illness; or
- Compensation received under Part B



CONTACT INFORMATION

Email: OMBUDSMAN@DOL.GOV

Address

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 Energy Employee’s Occupational Illness
 Compensation Program
 U.S. Department of Labor
 Room N-2454
 200 Constitution Ave., NW
 Washington, DC 20210

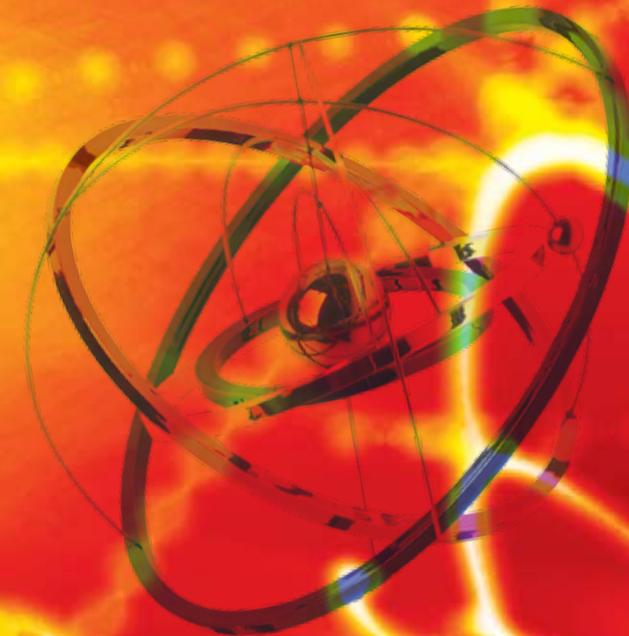
Toll Free Phone Number 1-877-662-8363

Fax Number 202-693-5899

For additional information, visit our website

www.dol.gov/eeombd

Office of the
Ombudsman
 for **Part B & E**





The Office of the Ombudsman



The Office of the Ombudsman for the Energy Employees Occupational Illness Compensation Program was created by Congress in October 2004 as an independent office within the Department of Labor to provide information and to address concerns relating to the benefits available under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

As designated by Congress, the Office of the Ombudsman has three primary responsibilities:

1. To provide information to claimants and potential claimants, and other interested parties on the benefits available under EEOICPA and the requirements and procedures applicable to the provision of these benefits;
2. To make recommendations to the Secretary of Labor on where to locate resource centers for the acceptance and development of claims;
3. To submit an Annual Report to Congress by February 15th of each year, setting forth the numbers and types of complaints, grievances, and requests for assistance received by the Ombudsman and to provide an assessment of the most common difficulties encountered by claimants and potential claimants during the year.

When originally created in October 2004, the Office of the Ombudsman only had authority with respect to claims filed under Part E of EEOICPA and was scheduled to end on October 27, 2007. However, in January 2007, Congress passed the National Defense Authorization Act of 2008 extending the Office until October 28, 2012. More recently, the National Defense Authorization Act for Fiscal Year 2010 expanded the authority of this Office to include Part B of EEOICPA.

Claimants and potential claimants with questions and issues concerning EEOICPA are encouraged to contact the Office of the Ombudsman. In addition, the Ombudsman and staff members travel across the country to meet with employees, former employees and surviving family members to hear their concerns and problems. For more information regarding the Office of the Ombudsman, please visit our website at www.dol.gov/eeombd or telephone us using our toll free number: **1-877-662-8363**.

We look forward to hearing your comments!

Part B of EEOICPA

Part B of EEOICPA covers current and former workers who have been diagnosed with cancers, beryllium diseases, or silicosis if the illness was caused by exposure to radiation, beryllium or silica while working at a Department of Energy facility; Beryllium Vendor; Atomic Weapons Employer; or at RECA mines or mills

ELIGIBILITY

EMPLOYMENT ELIGIBILITY

- Department of Energy employees
- Department of Energy contractors and subcontractors
- Beryllium Vendors
- Atomic Weapons Employers
- Approved Section 5 RECA claims

SURVIVOR ELIGIBILITY

- Eligible Spouse
- Children – regardless of age
- Parents
- Grandchildren
- Grandparents

COVERED ILLNESSES

- Cancers (other than chronic lymphocytic leukemia) with a 50% or greater probability of causation that the cancer was at least as likely as not caused by radiation exposure;
- Chronic Beryllium Disease (CBD);
- Chronic Silicosis (only if the employee worked during mining of atomic weapon test tunnels in Nevada or Alaska);
- Beryllium Sensitivity

PART B CANCER CLAIMS

- To be compensated for
 - One of the 22 specified cancers covered by the Special Exposure Cohort (SEC) provision, the employee must have worked 250 or more aggregate workdays at one or more SEC facilities and be diagnosed with one of the specified cancers
 - All other cancers, the dose reconstruction's probability of causation (PoC) must be 50% or greater
- NIOSH performs the dose reconstruction
- Department of Labor uses the dose reconstruction to determine PoC

AVAILABLE COMPENSATION

- For Beryllium Sensitivity:
 - o Medical monitoring
 - o No lump sum compensation
- Approved Section 5 RECA claims
 - o \$50,000 (lump sum)
 - o Medical treatment for covered illness
- Other Illnesses covered by Part B
 - o \$150,000 (lump sum)
 - o Medical treatment for covered Part B illness