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

<table>
<thead>
<tr>
<th>Employed By</th>
<th>Part B</th>
<th>Part E</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOE Contractors and Subcontractors</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>DOE Federal Employees</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>AWE Employees</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Beryllium Vendors</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>RECA</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Part B</th>
<th>Part E</th>
</tr>
</thead>
<tbody>
<tr>
<td>$150,000 Employee + Survivor</td>
<td>Impairment $2,500 per % (Employee)</td>
</tr>
<tr>
<td>$50,000 RECA Employee + Survivor</td>
<td>Wage Loss $10,000 - $15,000 per year (Employee)</td>
</tr>
<tr>
<td></td>
<td>$125,000 Survivor (+ lump-sum Wage Loss if eligible)</td>
</tr>
<tr>
<td></td>
<td>$400,000 CAP for B+E combined</td>
</tr>
</tbody>
</table>
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
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

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

Data as of June 12, 2016
Idaho Compensation

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

Data as of June 12, 2016
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 EEOICP 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.
# Division of Energy Employees Occupational Illness Compensation (DEEOIC)

## Idaho Resource Center

<table>
<thead>
<tr>
<th>Site/Open Date</th>
<th>Office Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idaho Falls</td>
<td>Name: Joe Krachenfels</td>
</tr>
<tr>
<td>July 20, 2001</td>
<td>E-mail: <a href="mailto:idaho@dolrc.com">idaho@dolrc.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resource Center Address/Phone</th>
<th>Telephone: (208) 523-0158</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exchange Plaza</td>
<td>Fax: (208) 557-0551</td>
</tr>
<tr>
<td>1820 East 17th Street, Suite 250</td>
<td>Toll Free: (800) 861-8608</td>
</tr>
<tr>
<td>Idaho Falls, ID 83404</td>
<td></td>
</tr>
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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)*

<table>
<thead>
<tr>
<th>Address</th>
<th>Phone Numbers</th>
<th>Directors</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Physical Address:</strong></td>
<td>(206) 373-6750 (Main)</td>
<td>Regional Director: Sharon Tyler</td>
</tr>
<tr>
<td>U.S. Department of Labor, DEEOIC</td>
<td>(206) 224-1216 (Fax)</td>
<td>District Director: Joleen Smith</td>
</tr>
<tr>
<td>300 Fifth Avenue, Suite 1050E</td>
<td>(888) 805-3401 (Toll Free)</td>
<td>Assistant District Director: Charles Eiseen</td>
</tr>
<tr>
<td>Seattle, Washington 98104</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mailing Address:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DOL DEEOIC Central Mail Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO BOX 8306</td>
<td></td>
<td></td>
</tr>
<tr>
<td>London, KY 40742-8306</td>
<td></td>
<td></td>
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<tr>
<td><strong>Medical Bill Pay Address:</strong></td>
<td></td>
<td></td>
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<tr>
<td>DEEOIC – Medical Billing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO BOX 8304</td>
<td></td>
<td></td>
</tr>
<tr>
<td>London, KY 40742-8304</td>
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![Map of the United States showing states covered by District Office 4](image)
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.

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
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
NETWORK PROVIDER LOCATIONS

www.btmed.org
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)

www.btmed.org
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%

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

www.btmed.org
1-800-866-9663
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:

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