U.S. Department of Labor

Benefits Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001

BRB No. 25-0119 BLA

MICHAEL LANCE LEE Claimant-Respondent v. REDHAWK MINING, LLC and ZURICH AMERICAN INSURANCE COMPANY Employer/Carrier-Petitioner DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR Party-in-Interest	)	**NOT-PUBLISHED** DATE ISSUED: 03/23/2026 DECISION and ORDER

Appeal of the Decision and Order Awarding Benefits of Jason A. Golden, Administrative Law Judge, United States Department of Labor.

Joseph E. Wolfe and Rachel Wolfe (Wolfe Williams & Austin), Norton, Virginia, for Claimant.

John R. Sigmond (Penn, Stuart & Eskridge), Bristol, Virginia, for Employer.

Before: GRESH, Chief Administrative Appeals Judge, ROLFE and ULMER, Administrative Appeals Judges.

PER CURIAM:

Employer appeals Administrative Law Judge (ALJ) Jason A. Golden's Decision and Order Awarding Benefits (2022-BLA-05014) rendered on a subsequent claim filed on December 20, 2018,[1] pursuant to the Black Lung Benefits Act, as amended, 30 U.S.C. §§901-944 (Act).

The ALJ accepted the parties' stipulation that Claimant has nineteen years of underground coal mine employment and found he established a totally disabling respiratory or pulmonary impairment. 20 C.F.R. §718.204(b)(2). Thus, he found Claimant invoked the presumption of total disability due to pneumoconiosis at Section 411(c)(4) of the Act,[2] 30 U.S.C. §921(c)(4), and established a change in an applicable condition of entitlement.[3] 20 C.F.R. §725.309. He further found Employer did not rebut the presumption and awarded benefits.

On appeal, Employer argues the ALJ erred in finding Claimant is totally disabled and thereby invoked the Section 411(c)(4) presumption. It also contends the ALJ erred in

[1] This is Claimant's third claim for benefits. On July 6, 2015, the district director denied his second claim by reason of abandonment. Director's Exhibit 2. A denial by reason of abandonment is "deemed a finding that the claimant has not established any applicable condition of entitlement." 20 C.F.R. §725.409(c).

[2] Section 411(c)(4) of the Act provides a rebuttable presumption that a miner is totally disabled due to pneumoconiosis if he has at least fifteen years of underground or substantially similar surface coal mine employment and a totally disabling respiratory or pulmonary impairment. 30 U.S.C. §921(c)(4); 20 C.F.R. §718.305.

[3] When a miner files a claim for benefits more than one year after the denial of a previous claim becomes final, the ALJ must also deny the subsequent claim unless he finds that "one of the applicable conditions of entitlement . . . has changed since the date upon which the order denying the prior claim became final." 20 C.F.R. §725.309(c); *see White v. New White Coal Co.*, 23 BLR 1-1, 1-3 (2004). The "applicable conditions of entitlement" are "those conditions upon which the prior denial was based." 20 C.F.R. §725.309(c)(3). Because Claimant's prior claim was denied as abandoned, he had to submit new evidence establishing at least one element of entitlement to obtain review of the merits in his current claim. *See White*, 23 BLR at 1-3; 20 C.F.R. §725.309(c); Director's Exhibit 2.

finding it did not rebut the presumption.[4] Claimant responds in support of the award of benefits. The Director, Office of Workers' Compensation Programs, declined to file a substantive response.

The Benefits Review Board's scope of review is defined by statute. We must affirm the ALJ's Decision and Order if it is rational, supported by substantial evidence, and in accordance with applicable law.[5] 33 U.S.C. §921(b)(3), as incorporated by 30 U.S.C. §932(a); *O'Keeffe v. Smith, Hinchman and Grylls Assocs., Inc.*, 380 U.S. 359, 361-62 (1965).

Invocation of the Section 411(c)(4) Presumption: Total Disability

To invoke the Section 411(c)(4) presumption, Claimant must establish he has a totally disabling respiratory or pulmonary impairment. 20 C.F.R. §718.305(b)(1)(iii). A miner is totally disabled if his pulmonary or respiratory impairment, standing alone, prevents him from performing his usual coal mine work and comparable gainful work.[6] 20 C.F.R. §718.204(b)(1). A claimant may establish total disability based on qualifying pulmonary function studies or arterial blood gas studies,[7] evidence of pneumoconiosis and cor pulmonale with right-sided congestive heart failure, or medical opinions. 20 C.F.R. §718.204(b)(2)(i)-(iv). The ALJ must weigh all relevant supporting evidence against all relevant contrary evidence. *See Defore v. Ala. By-Products Corp.*, 12 BLR 1-27, 1-28-29 (1988); *Rafferty v. Jones & Laughlin Steel Corp.*, 9 BLR 1-231, 1-232 (1987); *Shedlock v.*

[4] We affirm, as unchallenged on appeal, the ALJ's finding that Claimant established nineteen years of qualifying coal mine employment. *See Skrack v. Island Creek Coal Co.*, 6 BLR 1-710, 1-711 (1983); Decision and Order at 3.

[5] This case arises within the jurisdiction of the United States Court of Appeals for the Sixth Circuit because Claimant performed his coal mine employment in Kentucky. *See Shupe v. Director, OWCP*, 12 BLR 1-200, 1-202 (1989) (en banc); Hearing Tr. at 28.

[6] The ALJ found Claimant's usual coal mine employment was working as a roof bolter, rock duster, and machinery operator which required heavy manual labor. Decision and Order at 5. As this finding is unchallenged on appeal, we affirm it. *See Skrack*, 6 BLR at 1-711.

[7] A "qualifying" pulmonary function study or blood gas study yields results equal to or less than the applicable table values in Appendices B and C of 20 C.F.R. Part 718, respectively. A "non-qualifying" study yields results exceeding those values. *See* 20 C.F.R. §718.204(b)(2)(i), (ii).

Bethlehem Mines Corp., 9 BLR 1-195, 1-198 (1986), *aff'd on recon.*, 9 BLR 1-236 (1987) (en banc).

The ALJ found Claimant established total disability based on the pulmonary function study, blood gas study, and medical opinion evidence, and the evidence as a whole. 20 C.F.R. §718.204(b)(2)(i), (ii), (iv); Decision and Order at 5-15.

Employer argues the ALJ erred in weighing each category. Employer's Brief at 5-10.

Pulmonary Function Studies

The ALJ considered five pulmonary function studies dated March 1, 2019, October 17, 2019, November 19, 2021, November 30, 2021, and October 13, 2022. Decision and Order at 6-9. The March 1, 2019, October 17, 2019, November 19, 2021, and November 30, 2021 studies are non-qualifying pre-bronchodilator and do not contain post-bronchodilator studies. Director's Exhibits 25 at 11, 34 at 16; Claimant's Exhibits 1 at 9, 4 at 9. The October 13, 2022 study produced qualifying results before and after the administration of a bronchodilator. Employer's Exhibit 1 at 12. The ALJ found the October 13, 2022 study is valid and assigned it greater weight based on its recency and thus concluded the pulmonary function study evidence supports a finding of total disability at 20 C.F.R. §718.204(b)(2)(i). Decision and Order at 8-9.

Employer argues the ALJ erred in finding the October 13, 2022 study is valid. Employer's Brief at 5-6. We disagree.

When considering pulmonary function study evidence, the ALJ must determine whether the studies are in substantial compliance with the quality standards. 20 C.F.R. §§718.101(b), 718.103(c); 20 C.F.R. Part 718, App. B; *see Keener v. Peerless Eagle Coal Co.*, 23 BLR 1-229, 1-237 (2007) (en banc). A study need not precisely conform to the quality standards; if it is in substantial compliance, it "constitute[s] evidence of the fact for which it is proffered." 20 C.F.R. §718.101(b); *Clinchfield Coal Co. v. Director, OWCP* [*Vanderpool*], 164 F.4th 342, 350 (4th Cir. 2026) (claim-developed objective studies need only be in substantial compliance). The ALJ, as the factfinder, must determine the probative weight to assign the study. *See Orek v. Director, OWCP*, 10 BLR 1-51, 1-54-55 (1987). "In the absence of evidence to the contrary, compliance with the [regulatory quality standards] shall be presumed." 20 C.F.R. §718.103(c). Thus, the party challenging the validity of a study has the burden to establish the results are suspect or unreliable. *Vivian v. Director, OWCP*, 7 BLR 1-360, 1-361 (1984).

Dr. Dahhan, who ordered the October 13, 2022 study, opined it is invalid due to "poor effort as confirmed by premature termination of airflow, excessive hesitation and

lack of plateau formation." Employer's Exhibit 1 at 2. The ALJ permissibly found Dr. Dahhan's opinion is not reasoned because he did not provide any explanation for how he concluded that Claimant prematurely terminated airflow and excessively hesitated during testing or why he opined that there was a lack of plateau formation. *See Cumberland River Coal Co. v. Banks*, 690 F.3d 477, 489 (6th Cir. 2012); Decision and Order at 8. In addition, the ALJ permissibly determined that Dr. Dahhan failed to describe how Claimant's alleged poor effort[8] makes this study unreliable for purposes of supporting a total disability finding. *Tenn. Consol. Coal Co. v. Crisp*, 866 F.2d 179, 185 (6th Cir. 1989); *Director, OWCP v. Rowe*, 710 F.2d 251, 255 (6th Cir. 1983); Decision and Order at 8. Thus, we affirm the ALJ's finding that Dr. Dahhan's opinion does not credibly establish the October 13, 2022 study is invalid and unreliable. *See Vivian*, 7 BLR at 1-361.

Next, Employer argues the ALJ erred in crediting the October 13, 2022 study based on its recency. Employer's Brief at 7. We are not persuaded.

The ALJ found that because pneumoconiosis is a progressive and irreversible disease, it is appropriate to give more weight to the more recent evidence of record when it shows the miner's condition has worsened, especially when a significant period of time separates the more recent evidence from the older evidence. Decision and Order at 8-9. Thus, contrary to Employer's argument, the ALJ permissibly credited the October 13, 2022 study, as it is the most recent and demonstrates a worsening of Claimant's condition. *See Woodward v. Director, OWCP*, 991 F.2d 314, 319-20 (6th Cir. 1993); *Kincaid v. Island Creek Coal Co.*, 26 BLR 1-43, 1-52-53 n.14 (2023) ("[A] factfinder may, consistent with the progressive nature of pneumoconiosis, credit newer evidence showing a deterioration in a miner's condition over older evidence based on chronological order[.]"); *see also Adkins v. Director, OWCP*, 958 F.2d 49, 51-52 (4th Cir. 1992) (because pneumoconiosis is a latent and progressive disease, more recent evidence may be rationally credited if it shows a miner's condition has worsened).

Additionally, we reject Employer's argument that the ALJ violated the Administrative Procedure Act[9] by failing to make a specific finding that a significant

[8] The ALJ indicated that the technician who conducted the October 13, 2022 study noted good cooperation and good effort. Employer's Exhibit 1 at 12. While the ALJ did not give more weight to the technician's observations over Dr. Dahhan's opinion, he stated that they "do make me question, with a more critical eye, how Dr. Dahhan reached his opinion on validity." Decision and Order at 8 n.29.

[9] The Administrative Procedure Act requires that every adjudicatory decision include "findings and conclusions, and the reasons or basis therefor, on all the material issues of fact, law, or discretion presented on the record . . . ." 5 U.S.C. §557(c)(3)(A), as

amount of time separated the October 13, 2022 qualifying pulmonary function study from the earlier, non-qualifying studies. Employer's Brief at 7-8. The United States Court of Appeals for the Sixth Circuit, within whose jurisdiction this case arises, upheld an ALJ's finding that the more recent pulmonary function studies of several conducted within a seven-month period were qualifying and supported total disability. *Sunny Ridge Mining Co. v. Keathley*, 773 F.3d 734, 740 (6th Cir. 2014). Given that holding, where the earlier non-qualifying and later qualifying studies were separated by less than seven months, Employer has not presented the Board with any reason to think that a nearly eleven-month gap in this case would not be significant and would therefore require some special justification by the ALJ for crediting a study that he found showed worsening of Claimant's condition.[10] *See id.*

Therefore, we affirm the ALJ's finding that the pulmonary function study evidence supports a finding of total disability at 20 C.F.R. §718.204(b)(2)(i). *See Martin v. Ligon Preparation Co.*, 400 F.3d 302, 305 (6th Cir. 2005); Decision and Order at 9.

Arterial Blood Gas Studies

The ALJ considered five blood gas studies dated March 1, 2019, August 28, 2020, November 19, 2021, November 30, 2021, and October 13, 2022. Decision and Order at 9-11. All the studies are non-qualifying at rest. Director's Exhibits 25 at 21, 34 at 23; Claimant's Exhibits 1 at 20, 4 at 19; Employer's Exhibit 1 at 13. The March 1, 2019 study is qualifying with exercise, the August 28, 2020 study is non-qualifying with exercise, and the remaining studies do not contain an exercise study.[11] *Id.* The ALJ credited the qualifying March 1, 2019 exercise study over the resting studies because he found it is more probative of Claimant's ability to perform the exertional requirements of his usual coal mine employment, and over the non-qualifying August 28, 2020 study because the

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incorporated into the Act by 30 U.S.C. §932(a); *see Wojtowicz v. Duquesne Light Co.,* 12 BLR 1-162, 1-165 (1989).

[10] Review of the record does not reveal a medical opinion stating that an eleven-month gap between earlier non-qualifying pulmonary function studies and a later, qualifying pulmonary function study is not significant.

[11] The ALJ determined that all the exercise arterial blood gas studies post September 23, 2019, are "properly medically contraindicated" based on a report by Dr. Nadar, an orthopedic surgeon, that Claimant is unable to exercise on a bicycle ergometer for three to five minutes, walk on a treadmill, or climb stairs to complete the exercise study due to a left ankle injury sustained on that date. Decision and Order at 10; Employer's Exhibits 15, 16 at 4.

exercise on that study was less strenuous than on the March 1, 2019 study.[12] Decision and Order at 10-11.

Employer argues that the ALJ substituted his own lay opinion for that of medical professionals when finding Dr. Nader's[13] March 1, 2019 exercise blood gas study more probative than Dr. Dahhan's August 28, 2020 study. Employer's Brief at 8. Again, we disagree.

Contrary to Employer's argument, the ALJ permissibly accorded the most weight to the qualifying exercise test over the non-qualifying at rest studies, explaining that it is the most indicative of Claimant's ability to perform the exertional requirements of his usual coal mine employment. *See Peabody Coal Co. v. Groves*, 277 F.3d 829, 836 (6th Cir. 2002) (exercise studies may be more probative than resting blood gas studies regarding whether a miner is capable of performing his coal mine work); *Tenn. Consol. Coal Co. v. Crisp*, 866 F.2d 179, 185 (6th Cir. 1989); *Rowe*, 710 F.2d at 254-55; *Coen v. Director, OWCP*, 7 BLR 1-30, 1-31-32 (1984); Decision and Order at 10-11. In addition, the ALJ permissibly determined the March 1, 2019 qualifying exercise study is entitled to "greater weight" than the non-qualifying August 28, 2020 study because Claimant exercised for a longer period on the March 1, 2019 study and the exertion it required of him more closely resembled the heavy labor required by his usual coal mine work. *See Banks*, 690 F.3d at 489; *Cornett v. Benham Coal, Inc.*, 227 F.3d 569, 578 (6th Cir. 2000); Decision and Order at 11. Therefore, we affirm, as supported by substantial evidence, the ALJ's finding that the blood gas study evidence as a whole supports a finding of total disability. 20 C.F.R. §718.204(b)(2)(ii); *see Martin*, 400 F.3d at 305; Decision and Order at 11.

[12] During the March 2019 exercise study, Claimant exercised on the treadmill for three minutes and fifty-nine seconds with a maximum heart rate of 136 beats per minute and a total workload of 6.9 metabolic equivalents (METS). Director's Exhibit 25 at 4, 21. Dr. Nader noted on the arterial blood gas study report that Claimant produced "max workload." *Id.* at 21. In contrast, during the August 28, 2020 study, Claimant exercised on a bike for two minutes and "terminated exercise due to no rotation in ankle from previous fracture." Director's Exhibit 34 at 23. Claimant's maximum heart rate was 120 beats per minute, and Dr. Dahhan indicated Claimant's revolutions per minute (RPM) reached "27 indicating a low workload." *Id.* at 22-23.

[13] Employer argues the ALJ erred in giving more weight to Dr. Forehand's blood gas study, rather than Dr. Nader's study. Employer's Brief at 8. However, as Dr. Forehand did not order or conduct any of the blood gas studies submitted in conjunction with the current claim, we attribute Employer's reference to this physician as a scrivener's error.

Medical Opinions

The ALJ considered medical opinions from Drs. Nader, Shamma-Othman, Raj, and Dahhan. Decision and Order at 12-15. Drs. Nader, Shamma-Othman, and Raj opined Claimant is totally disabled based on the March 1, 2019 blood gas study. Director's Exhibits 25 at 4, 33 at 4; Claimant's Exhibits 1 at 7, 4 at 7. Dr. Dahhan opined Claimant is not totally disabled because none of the valid pulmonary function or blood gas studies show a pulmonary impairment or disability. Director's Exhibit 34 at 3; Employer's Exhibit 1 at 5-6.

The ALJ gave no weight to Dr. Dahhan's opinion because he did not adequately address the valid, qualifying October 13, 2022 pulmonary function study and March 1, 2019 qualifying exercise blood gas study. Decision and Order at 14-15. He further found the opinions of Drs. Nader, Shamma-Othman, and Raj documented and reasoned, gave them probative weight, and therefore concluded the medical opinion evidence supports a finding of total disability at 20 C.F.R. §718.204(b)(2)(iv). *Id.* at 12-15.

Employer argues the ALJ erred in discrediting Dr. Dahhan's opinion.[14] Employer's Brief at 8-9. We disagree.

Dr. Dahhan examined Claimant on October 17, 2019, and opined that the pulmonary function and blood gas studies he conducted do not indicate a "functional pulmonary impairment and/or disability," and Claimant retains the respiratory capacity to perform his usual coal mine work. Director's Exhibit 34 at 3. In an October 13, 2022 supplemental report based on an examination of Claimant and a review of records, Dr. Dahhan again found that Claimant does not have a totally disabling respiratory or pulmonary impairment. Employer's Exhibit 1 at 6. He stated the October 13, 2022 pulmonary function study conducted as part of his examination is invalid and therefore cannot be used to assess Claimant's pulmonary function. *Id.* at 5. Concerning the blood gas study evidence, Dr. Dahhan indicated he "cannot see how a decision can be made regarding exercise induced hypoxemia based on only one test that was performed more than 3.5 years ago that has not been duplicated and all of the respiratory parameters . . . are normal." *Id.*

[14] To the extent Employer argues the ALJ erred in crediting Drs. Nader's, Shamma-Othman's, and Raj's opinions because the physicians did not review all the blood gas studies, we disagree. Employer's Brief at 8. An ALJ is not required to discredit a physician who did not review all of a miner's medical records when the opinion is otherwise well-reasoned, documented, and based on his own examination of the miner and objective test results. *See Smith v. Kelly's Creek Res.*, 26 BLR 1-15, 1-28 (2023); *Church v. E. Assoc. Coal Corp.*, 20 BLR 1-8, 1-13 (1996).

The ALJ found Dr. Dahhan "effectively ignore[d]" Claimant's qualifying March 2019 exercise blood gas study, instead relying on the non-qualifying August 2020 exercise study, despite Employer's concession and the other physicians' reports that Claimant could not properly exercise on that study due to his left ankle injury. Decision and Order at 14. In addition, the ALJ accurately determined that Dr. Dahhan's opinion is contrary to his finding that the October 13, 2022 pulmonary function is valid and that the pulmonary function study evidence as a whole supports a finding of total disability. *Id.* at 14-15. Further, the ALJ permissibly found Dr. Dahhan's statement about Claimant's other respiratory parameters being normal unpersuasive as the objective studies measure different types of impairment. *Sheranko v. Jones & Laughlin Steel Corp*., 6 BLR 1-797, 1-798 (1984); Decision and Order at 14-15. Thus, he permissibly discredited Dr. Dahhan for failing to adequately explain his opinion that Claimant can perform his usual coal mine employment despite the qualifying pulmonary function study and exercise blood gas study evidence. *See Banks*, 690 F.3d at 489; Decision and Order at 14-15.

We therefore affirm the ALJ's determination that the medical opinion evidence supports a finding of total disability.[15] 20 C.F.R. §718.204(b)(2)(iv); Decision and Order at 15. As Employer raises no additional arguments, we affirm the ALJ's finding that the evidence, when weighed together, establishes total disability.[16] *See Rafferty*, 9 BLR at 1-232; *Shedlock*, 9 BLR at 198; 20 C.F.R. §718.204(b)(2); Decision and Order at 15-16. We therefore affirm the ALJ's finding that Claimant established a change in an applicable condition of entitlement and invoked the Section 411(c)(4) presumption. 20 C.F.R. §§718.305, 725.309; Decision and Order at 16.

[15] To the extent it is sufficiently briefed, we reject Employer's assertion that Claimant cannot establish total disability because he performed manual labor after the qualifying March 1, 2019 blood gas study. Employer's Brief at 9-10. Once Claimant establishes he is unable to perform his usual coal mine work, a prima facie case for total disability exists and the party opposing entitlement bears the burden of proving that he is able to perform comparable and gainful work. 20 C.F.R. §718.204(b)(2); *Taylor v. Evans & Gambrel Co.*, 12 BLR 1-83, 1-87 (1988). Here, Employer has not alleged that Claimant's work for East Kentucky Contracting, where he was working when he was injured on September 23, 2019, was comparable and gainful to his usual coal mine work. *See* Employer's Brief at 9-10; Employer's Brief before the ALJ at 3-4.

[16] We affirm, as unchallenged on appeal, the ALJ's determination that Claimant's medical treatment records corroborate the physicians' testimony concerning Claimant's respiratory symptoms. *See Skrack*, 6 BLR at 1-711; Decision and Order at 15.

Rebuttal of the Section 411(c)(4) Presumption

Because Claimant invoked the Section 411(c)(4) presumption, the burden shifted to Employer to establish Claimant has neither legal nor clinical pneumoconiosis,[17] or "no part of [his] respiratory or pulmonary total disability was caused by pneumoconiosis as defined in [20 C.F.R.] § 718.201." 20 C.F.R. §718.305(d)(1)(i), (ii). The ALJ found Employer failed to rebut the presumption by either method.[18]

Legal Pneumoconiosis

To disprove legal pneumoconiosis, Employer must establish Claimant does not have a chronic lung disease or impairment "significantly related to, or substantially aggravated by, dust exposure in coal mine employment." 20 C.F.R. §§718.201(a)(2), (b), 718.305(d)(1)(i)(A); *see Minich v. Keystone Coal Mining Corp.*, 25 BLR 1-149, 1-155 n.8 (2015). The Sixth Circuit holds that this standard requires Employer to show Claimant's "coal mine employment did not contribute, in part, to his alleged pneumoconiosis." *Island Creek Coal Co. v. Young*, 947 F.3d 399, 405 (6th Cir. 2020). "An employer may prevail under the not 'in part' standard by showing that coal-dust exposure had no more than a *de minimis* impact on the miner's lung impairment." *Id.* at 407 (citing *Arch on the Green, Inc. v. Groves*, 761 F.3d 594, 600 (6th Cir. 2014)).

Employer relies on Dr. Dahhan's opinion that there is "no evidence of legal pneumoconiosis as confirmed by the normal pulmonary function studies and normal arterial blood gases."[19] Director's Exhibit 34 at 3; *see also* Employer's Exhibit 1 at 6. The

[17] "Legal pneumoconiosis" includes "any chronic lung disease or impairment and its sequelae arising out of coal mine employment." 20 C.F.R. §718.201(a)(2). The definition includes "any chronic pulmonary disease or respiratory or pulmonary impairment significantly related to, or substantially aggravated by, dust exposure in coal mine employment." 20 C.F.R. §718.201(b). "Clinical pneumoconiosis" consists of "those diseases recognized by the medical community as pneumoconioses, *i.e.*, the conditions characterized by permanent deposition of substantial amounts of particulate matter in the lungs and the fibrotic reaction of the lung tissue to that deposition caused by dust exposure in coal mine employment." 20 C.F.R. §718.201(a)(1).

[18] The ALJ found Employer disproved the existence of clinical pneumoconiosis. Decision and Order at 20; *see* 20 C.F.R. §718.305(d)(1)(i)(B).

[19] Employer argues that if the Board vacates the ALJ's finding of total disability, it must also vacate the ALJ's determination concerning Dr. Dahhan's opinion on rebuttal of the existence of legal pneumoconiosis. Decision and Order at 10.

ALJ noted Dr. Dahhan does not elaborate on the cause of Claimant's impairment aside from stating that he does not have one or provide alternative reasoning as to why Claimant's impairment is not related to coal dust exposure. Decision and Order at 22. Thus, the ALJ determined his opinion is not reasoned and entitled to no probative value. *Id.*

The ALJ permissibly discredited Dr. Dahhan's opinion because he failed to adequately explain why coal mine dust exposure did not significantly contribute to, or aggravate, Claimant's respiratory impairment, which the ALJ determined was present based on the objective studies and medical opinion evidence. *See Young*, 947 F.3d at 408; *Banks*, 690 F.3d at 489; *Rowe*, 710 F.2d at 255; Decision and Order at 22. Because the ALJ provided valid reasons for discrediting Dr. Dahhan's opinion, the only opinion supportive of Employer's burden on rebuttal,[20] we affirm his determination that Employer did not disprove legal pneumoconiosis. *See* 20 C.F.R. §718.305(d)(1)(i)(A); Decision and Order at 23. Employer's failure to disprove legal pneumoconiosis precludes a rebuttal finding that Claimant does not have pneumoconiosis. 20 C.F.R. §718.305(d)(1)(i).

Disability Causation

The ALJ next considered whether Employer established "no part of the [M]iner's respiratory or pulmonary total disability was caused by pneumoconiosis as defined in [20 C.F.R.] § 718.201." 20 C.F.R. §718.305(d)(1)(ii); Decision and Order at 23. He permissibly discredited Dr. Dahhan's opinion on the cause of Claimant's respiratory disability because he did not diagnose legal pneumoconiosis, contrary to the ALJ's finding that Employer failed to disprove the disease. *See Big Branch Res., Inc. v. Ogle*, 737 F.3d 1063, 1074 (6th Cir. 2013); Decision and Order at 23. As Employer raises no specific allegations of error as to the ALJ's findings, we affirm the ALJ's determination that Employer failed to establish no part of Claimant's respiratory disability was caused by legal pneumoconiosis. 20 C.F.R. §718.305(d)(1)(ii); Decision and Order at 23-24.

[20] The ALJ also considered the opinions of Drs. Nader, Shamma-Othman, and Raj but accurately found they do not aid Employer in rebutting the presumption, as they all diagnosed legal pneumoconiosis. Decision and Order at 22-23.

Accordingly, we affirm the ALJ's Decision and Order Awarding Benefits.

SO ORDERED.

DANIEL T. GRESH, Chief
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge