



U.S. DEPARTMENT OF LABOR

Office of Workers' Compensation Programs (OWCP)

Division of Energy Employees Occupational Illness Compensation Webinar Series

2024 Stakeholder Update

Presented by:

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U.S. DEPARTMENT OF LABOR

Office of Workers' Compensation Programs (OWCP)

Our Mission

Our mission is to protect the interests of workers who were injured or became ill on the job, or their families, by making timely, appropriate, and accurate decisions on claims and providing prompt payment of benefits to eligible claimants.





EEOICPA Information

- 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.





U.S. DEPARTMENT OF LABOR

Office of Workers' Compensation Programs (OWCP)

Updates from the OWCP Director

- Big picture priorities for DOL
- Changes to pharmacy billing
- Questions about medical treatment
- Collaboration with the Advisory Board



Program Updates

Beryllium (Be) Sensitivity Criteria Update:

- On December 22, 2023, the National Defense Authorization Act (NDAA) was signed into law. This new law includes a statutory change to the EEOICPA, in relation to the establishment of beryllium sensitivity.
- In addition to the existing statutory provisions, beryllium sensitivity can now also be established by submitting three borderline beryllium lymphocyte proliferation test (BeLPT) or beryllium lymphocyte transformation test (BeLTT) performed on blood cells that are conducted over a period of three years.
- EEOICPA Bulletin No. 24-01 was released on January 30, 2024, to update procedures to align to the new statutory provision for establishing claims for beryllium sensitivity.
- DEEOIC will incorporate the new statutory provision into the next version of the Federal (EEOICPA) Procedure Manual.



Program Updates

Beryllium Sensitivity under the EEOICPA:

- When Beryllium Sensitivity is accepted, the claimant receives medical monitoring for this condition only (no lump-sum or full medical benefits are available immediately with just Be Sensitivity accepted).
- Claimants with previously denied claims for Be Sensitivity who have 3 Borderline BeLPT or BeLTT tests (within 3 years) may submit a reopening request in writing.
- Claimants who have not previously filed for Beryllium Sensitivity can file new claims, but they will need evidence sufficient to meet the standards (including now 3 borderline BeLPT or BeLTT tests).
- Claimants with a claim in progress who have one or two borderline test results but less than three, and do not meet the other criteria for Beryllium Sensitivity, should notify their Claims Examiner if they will be seeking additional testing and schedule the additional BeLPT or BeLTT tests ASAP.



Program Updates

Federal (EEOICPA) Procedure Manual (PM):

- The purpose of the [Federal \(EEOICPA\) Procedure Manual](#) is to provide DEEOIC staff with internal guidance related to the adjudication process, authorities, tools and procedures.
- DEEOIC makes the PM publically available to assist claimants and stakeholders in understanding how our claims adjudication process works.





Program Updates

Federal (EEOICPA) Procedure Manual 8.0 (Released on November 17, 2023):

Chapter 15 - Establishing Toxic Substance Exposure and Causation :

- Edited to clarify that the eligibility begin date for COVID-19 cannot predate the claim filing date.
- When COVID-19 is accepted as a consequential illness, the eligibility begin date is the date of diagnosis of COVID-19, but no earlier than the date of filing for the underlying accepted condition.

Exhibit 15-4 - Exposure and Causation Presumptions with Development Guidance for Certain Conditions:

- To clarify that if an organ transplant is accepted, it will be presumed to be a consequential condition.



Program Updates

Federal (EEOICPA) Procedure Manual 8.0 (Continued):

Chapter 21 - Impairment Ratings:

- Added language that a claimant's eligibility for an impairment award is not extinguished while awaiting an organ transplant.
- Updated to include a new procedure for handling claimant delays in scheduling or obtaining an impairment rating appointment with their chosen physician.
 - Impairment claims may be put in deferral status for up to 1 year if the claimant does not provide an impairment report or notification of an impairment rating appointment.
 - After 1 year, if no such report or notification is received, a recommended decision to deny the claim will be issued.



Program Updates

Federal (EEOICPA) Procedure Manual 8.0 (Continued)

Chapter 29 - Ancillary Medical Benefits & Chapter 30 - Home and Residential Health Care:

- Updated to include language to ensure that impacted providers are provided a copy of all decisions related to medical benefits.





Program Updates



Enhanced opportunities for DEEOIC staff development:

- Redesign of DEEOIC training intranet page
- More opportunities for employees to ask questions/get clarification related to program guidelines or updates
- Increased collaboration throughout the division to identify and address the training needs of claims examiners



Program Updates

Radiation Exposure Compensation Act (RECA)

- RECA is currently scheduled to sunset in June 2024
- The Department of Justice will deem timely filed any claims that bear a date of June 10, 2024, on the postmark or stamp by another commercial carrier.
- The Energy Compensation Program will host a webinar in conjunction with the Dept. of Justice, RECA Program in May of 2024 to provide updates and information regarding the RECA program sunset, as well as information about EEOICPA eligibility for uranium workers after the scheduled sunset.
- More information, including contact information, can be found on the RECA website via the following link:

<https://www.justice.gov/civil/common/reca>



Program Updates

Advisory Board on Toxic Substances & Worker Health:

Recommendation:

- Expand quality assessment of contract medical consultants (CMC) performance by implementing independent peer review of an appreciable number of CMC reports by a small panel (2 to 3 physicians) of medical experts in causation analysis of occupational diseases.

DEEOIC Response:

- DEEOIC recognizes the concerns raised and is committed to working with the Board to determine a process to review medical opinions.
- DEEOIC requested further information from the Board, including more input on the reasoning for the recommendation, and case examples of medical screenings that would require additional review.



Program Updates

Advisory Board on Toxic Substances & Worker Health:

Recommendation:

- The Board recommends a single program staff person at each district office be designated to serve as an initial point of contact for claims that involve people who report that they are terminally ill.

DEEOIC Response:

- DEEOIC has procedures in place to provide expedited assistance to claimants with a terminal prognosis.
- Program staff are empowered to provide priority handling of terminal claims, and there are systems in place within the District Offices, Final Adjudication Branch (FAB), and National Office fiscal staff to ensure backup coverage in the event that the assigned staff person is unavailable.



Program Updates

Advisory Board on Toxic Substances & Worker Health:

Recommendation:

- The Board recommends DEEOIC require the Industrial Hygienist (IH) to explicitly address in their reports all reported exposures in the Occupational History Questionnaire (OHQ). Describe what exposure-relevant information was found in each of the data sources reviewed or if none, explicitly state none.
- The Board also recommends DEEOIC provide OHQ to any physician asked to use the IH report for causation analysis.

DEEOIC Response:

- DEEOIC agrees that acknowledging all relevant exposure information will improve the quality of the IH reports and will work with its IH contractor to develop feasible changes to IH reports to better communicate the examination of case-specific exposure data.
- DEEOIC does not agree it is appropriate to provide the OHQ to a physician who is assessing causation because providing unvalidated OHQ information to a physician would invite the physician to potentially rely on unproven or inaccurate exposure data to inform their opinion, which may result in the need for clarification of an opinion and thus unnecessary delay



Customer Experience

DEEOIC Customer Experience (CX) & Outreach Initiative:

- Customer experience is the sum of all interactions that a customer has with an organization.
- From navigating the DEEOIC website to calling or visiting one of our Resource Centers, every interaction with our stakeholders is part of the customer experience.





Customer Experience

DEEOIC Customer Experience (CX) & Outreach Initiative:

- The DEEOIC Customer Experience & Outreach Unit (OCXU) was created in 2023 as a part of our commitment to our stakeholder.
- OCXU staff collect customer feedback through surveys, phone interviews, outreach events, and focus groups. Insights gathered from a variety of channels and touchpoints are used to make recommendations for programmatic improvements to senior management.
- OCXU staff also work with other branches within DEEOIC to provide a customer-centric perspective on our digital tools.
- Through this work, the OCXU aims to improve the experience for DEEOIC claimants and Authorized Representatives.



Customer Experience

2023 Mailed Surveys:

- Oxygen Accessories and Durable Medical Equipment (DME) Survey
- Wage Loss or Impairment Survey
- Home Health Care Survey

Ongoing Surveys:

- Energy Document Portal
- Post-Webinar Survey
- Phone Survey
- Resource Center Survey
- Outreach Event Survey





Customer Experience

Implemented Recommendations:

- Changes to OWCP-957 Form
- Energy Document Portal Upgrades
- Development of consequential claims form
- Creation of informational and educational materials
- Webinar topics



Customer Experience

Other Projects In Progress:

- Brochure/informational material redesign initiative
- DEEOIC website review and updates
- Implementation of survey on DEEOIC websites
- Development of additional journey map





Outreach

2023 In-Person Outreach:

- After a long pause due to the COVID-19 pandemic, the Energy Compensation Program resumed in-person outreach operations in 2023.
- A total of ten in-person outreach events (including one Authorized Representative Workshop) were held throughout the country in 2023.
- The outreach events were held in conjunction with partner agencies from the Joint Outreach Task Group (JOTG), including U.S. Department of Justice (DOJ), U.S. Department of Energy (DOE) and their Former Worker Program, National Institute for Occupational Safety and Health (NIOSH), and the DOL and NIOSH Offices of the Ombudsman.



Outreach

Upcoming In-Person Outreach 2024:

Location	Event Type	Date
Pahrump, NV	Traveling Resource Center	Friday, March 29, 2024
Portsmouth, OH	JOTG Outreach Event	Wednesday, April 10, 2024
Kansas City, MO	JOTG Outreach Event	Wednesday, May 8, 2024
Amarillo, TX	Traveling Resource Center	Tuesday, May 21, 2024
Ames, IA	DEEOIC Outreach Event	Tuesday, June 11, 2024
Burlington, IA	DEEOIC Outreach Event	Wednesday, June 12, 2024
Bolingbrook, IL	AR Workshop	Tuesday, July 16, 2024
Bolingbrook, IL	AR Workshop	Wednesday, July 17, 2024
Bolingbrook, IL	JOTG Outreach Event	Thursday, July 18, 2024
Livermore/Berkely, CA	DEEOIC Outreach Event	Wednesday, August 14, 2024
Gallup, NM	JOTG Outreach Event	Tuesday, September 10, 2024
Grants, NM	JOTG Outreach Event	Wednesday, September 11, 2024
Albuquerque, NM	JOTG Outreach Event	Thursday, September 12, 2024

More information regarding these events can be found on the DEEOIC website at:
<https://www.dol.gov/agencies/owcp/energy/regs/compliance/Outreach/UpcomingEventsWeb>



Outreach

Webinars:

- The DEEOIC webinar series, which originated shortly after the COVID-19 pandemic started, has proven to be a successful means of engaging and informing DEEOIC stakeholders.
- Webinars typically take place monthly from January through October.
- CX staff collect survey data from webinar attendees to develop topics and make improvements.
- Webinar dates, topics, and presentations can be found on our [Outreach and Events](#) web page.
- To stay up-to-date on DEEOIC webinars and receive updates about the program, please join our [email distribution list](#).



Outreach

2024 Webinar Topics:

Month	Topic
January	Industrial Hygienist (IH) Referrals
February	Medical Benefit Authorizations
March	Stakeholder Updates from the Director
April	National Institute for Occupational Safety and Health (NIOSH)
May	Radiation Exposure Compensation Act (RECA)
June	Tools and Resources Available to Stakeholders
July	Medical Benefits Coverage and Reimbursements
August	Learn about who you work with at DEEOIC
September	Covered Conditions
October	Claims Process

More information regarding these events can be found on the DEEOIC website at:
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Stakeholder Resources

- [Energy Compensation Workers Program Website](#)
 - Contact Info, About Energy Workers Program, Provider Enrollment Information, How-to Guides, Outreach & Events, Featured Stories, Latest Program Highlights, Procedure Manual, Statistics and Public Reading Room, Program Guidance and Resources.
- [Resource Centers](#)
 - Contracted through DOL to provide cost-free assistance to stakeholders.
 - Assist with eligibility questions, claims filing, forms, medical benefits, medical reimbursement, provider enrollment, etc.
- [Energy Document Portal](#)
 - File a claim, upload documents to existing case file, complete impairment or wage loss forms, complete benefit payment forms, check status of documents.
- DEEOIC Public Mailbox: DEEOIC-public@dol.gov



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Questions



Questions can also be submitted to DEEOIC-Outreach@dol.gov

Thank you for attending the DEEOIC
2024 Stakeholder Updates Webinar!