



EEOICPA BULLETIN NO. 23-07

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Effective Date: August 28, 2023

Expiration Date: August 28, 2024

Subject: Following Up on Unreturned Form EN-20.

Background: The timely payment of lump-sum compensation benefits is a critical administrative function of the Division of Energy Employees Occupational Illness Compensation (DEEOIC). When a final determination is made to award payment of lump-sum compensation under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), a Form EN-20 is provided to the claimant for completion and submission to DEEOIC. Occasionally, EN-20s are not promptly returned, and this impedes the ability of the DEEOIC to process the payment promptly. This bulletin is being published to guide DEEOIC staff about appropriate actions for handling outstanding EN-20s.

References: Federal (EEOICPA) Procedure Manual (Version 7.1)

Purpose: To provide guidance as to the proper follow-up actions in situations involving the non-receipt of Form EN-20.

Applicability: All staff.

Actions:

1. Upon the issuance of a final decision with an accompanying Form EN-20, the Chief of Operations will routinely screen the *Daily EN-20 Tracking Report* to identify non-receipt of a claimant completed EN-20. If the form has not been returned within 21 days since its issuance, the Chief of Operations will refer the claim to a staff person designated by the District Director [e.g., Claims Examiner (CE) or Claims Assistant (CA)] for the purpose of facilitating a call to the claimant or designated Authorized Representative (AR). The function of the call will be to assess the reasons for the unreturned EN-20 and facilitate solutions for the submission of the form. For example, if the claimant/AR informs the CE or CA that they did not receive the EN-20, or a new form is needed, the CE/CA will confirm the claimant's mailing address and resend a copy of the final decision and EN-20. The CE/CA will also advise the claimant/AR of the option to submit the EN-20 digitally through the Energy Document Portal (EDP), visit a local Resource Center (RC) to submit the EN-20 in person, or mail the form.

- a. Should a claimant/AR notify the CE/CA that the claimant has changed residence and has not received the EN-20, the CE/CA will obtain the claimant's new mailing address for the case record and request that the claimant/AR submit a signed request for an official change of address in the Energy Compensation System (ECS). The CE/CA is to explain that DEEOIC must receive the written/signed request to change an address before a copy of the EN-20 can be mailed to the new address. The CE/CA will check on the status of the address change within 30 days. In the absence of an acceptable notice of address change, the CE/CA will again call the claimant/AR soliciting a written change of address request to allow for a copy of the EN-20 to be mailed.
 - b. If the claimant /AR communicates that they do not intend to complete the EN-20, the CE/CA will acknowledge the decision and advise the claimant/AR that they may submit the completed form in the future. The CE/CA will then prepare a letter to the claimant/AR documenting the outcome of the conversation, denoting the claimant's decision regarding the non-return of the EN-20, and reiterating the ability of the claimant/AR to submit the EN-20 in the future. Once completed, the letter is to be mailed to the claimant/AR, and a copy uploaded to the OWCP Imaging System (OIS). The CE/CA is to update ECS correspondence as appropriate.
 - c. When attempts to call the claimant/AR have not resulted in successful contact, the CE/CA will document each call made in ECS, so that a record will be produced for inclusion in OIS.
2. If an EN-20 is not returned within 45 days of decision issuance, and there has been no successful contact with the claimant/AR, the Chief of Operations must refer the case to a Fiscal Operations Specialist (FOS) for further development. The FOS will query the Do Not Pay (DNP) portal to ascertain any information about the possible death of the claimant. A record of the search outcome, regardless of the result, is to be imaged into OIS. If a DNP search reveals the death of the payee, the FOS must email the date-of-death information to the CE. The CE is then to undertake the necessary steps in accordance with established program procedures to initiate an administrative closure of the claim. The FOS will send an email notification to the Chief of Operations about the search outcome.
3. For those situations where the EN-20 has not been returned within 45 days, and there is no evidence of a payee's death through the DNP portal, the Chief of Operations will request a final attempt be made by the CE/CA to contact the claimant/AR by telephone. If the efforts to solicit a completed EN-20 are unsuccessful, then the CE/CA sends a letter to the claimant/AR describing the development actions taken to solicit a completed EN-20 and requesting that the claimant/AR submit the form for payment processing.
4. Throughout the sequence of development to obtain a completed EN-20, the FOS, and CE/CA must ensure that all appropriate steps are taken to update ECS with proper phone notes and correspondence coding that aligns with the issuance of correspondence seeking the submission of an outstanding EN-20. If, at any point during the development regarding the non-

receipt of an EN-20, an accurately completed EN-20 is received, the responsible FOS will be notified for immediate payment processing.

Disposition: Retain until incorporated in the Federal (EEOICPA) Procedure Manual.

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SUPERSEDED