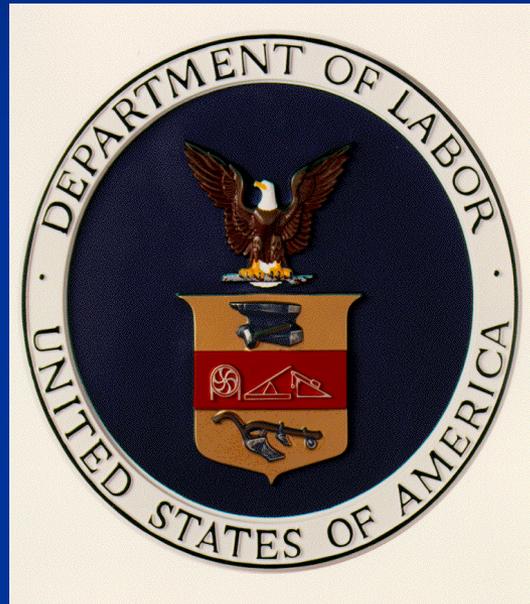


# Energy Employees Occupational Illness Compensation Program



Joint Outreach Task Group Meeting  
Bolingbrook, Illinois  
June 19, 2013

# Administration of the EEOICPA

- Part B (October 2000)
- Part E (October 2004)
- Department of Labor administers the EEOICPA
  - Division of Energy Employees Occupational Illness Compensation (DEEOIC)

# Part B: Who's Eligible?

## ■ Covered Employees

- DOE employees or its contractors/subcontractors
- Atomic Weapons Employers (AWE)
- Beryllium vendors (BV)
- RECA Section 5 awardees

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## ■ Eligible Survivors

- Surviving spouse
- Children – Regardless of age
- Parents
- Grandchildren
- Grandparents

# Covered Time Periods

- Eligible employees need to have worked at a covered facility during a covered time period
- Argonne National Laboratory – East
  - Location: Argonne, Illinois
  - Covered Time Period: 1946 – Present
- Fermi National Accelerator Laboratory
  - Location: Batavia, Illinois
  - Covered Time Period: 1972 – Present
- Covered Facility Database:
  - <http://www.hss.energy.gov/healthsafety/fwsp/advocacy/faculist/findfacility.cfm>

# Means of Verifying Employment

- **DOE**
  - EE-5 Employment Verification Form
- **Oak Ridge Institute for Science and Education (ORISE)**
- **The Center for Construction Research and Training (CPWR)**
- **Corporate Verifiers**
- **SSA wage data**
- **Other Sources**
  - Including affidavits and records or documents created by state and federal agencies

# Part B: Covered Conditions

- Radiation induced cancer
- Beryllium Disease
  - Beryllium Sensitivity – Medical Monitoring Only
- Chronic Silicosis (for miners in Nevada and Alaska)
- “Supplement” for RECA Section 5 uranium workers

# Part B: Dose Reconstruction & Probability of Causation

## ■ Part B Cancer Cases:

- Dose Reconstruction Needed - Conducted by NIOSH
- Level and extent of occupational radiation dose

## ■ Probability of Causation (PoC)

- Scientific calculation of likelihood that radiation exposure caused cancer
- NIOSH-IREP
- PoC - 50% or greater for award

# Part E: Who's Eligible?

## ■ Eligible Covered Employees

- DOE contractor or subcontractor employees
  - Does NOT include DOE, AWE, and BV workers
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## ■ Eligible Survivors

- Surviving Spouse
- Employee's Children, if no surviving spouse, and if at the time of the employee's death the child was:
  - Under the age of 18
  - Under the age of 23 and a full-time student, continuously enrolled in an educational institution since age 18
  - Any age if medically incapable of self support

# DOE Contractors

- **Argonne National Laboratory – East**
  - Location: Argonne, Illinois
  - University of Chicago: 1946 – Present
  
- **Fermi National Accelerator Laboratory**
  - Location: Batavia, Illinois
  - Universities Research Association:  
1972 – Present

# Part E: Illness from Toxic Exposure

- All conditions (not symptoms of conditions) are covered
- Must show that toxic exposure at a covered DOE facility was a significant factor in:
  - Causing, Contributing to, or Aggravating the claimed condition
- DOL will assist with verifying Part E toxic exposure
  - Claimant bears overall burden of proving his or her claim.

# Part E: Means of Verifying Toxic Exposure

- DOL Resource Centers
  - Occupational History Questionnaires (OHQ)
- Site Exposure Matrices (SEM)
  - Identifies toxic substances related to labor categories, processes, buildings, and major incidents
  - Website available at [www.sem.dol.gov](http://www.sem.dol.gov)
- DOE Document Acquisition Request (DAR)
- Claimant Records

## Part E: Employee Impairment

- Determination of % permanent whole person impairment due to covered illness
  - AMA's Guides to the Evaluation of Permanent Impairment, 5<sup>th</sup> Edition
  - \$2,500 awarded for each % of impairment

## Part E: Employee Wage Loss

- Medical evidence must show decreased capacity to work
- Employee Compensation:
  - Any year  $< 50\%$  of the pre-disability annual wage = \$15,000 compensation
  - Any year  $> 50\%$  but  $< 75\%$  of the pre-disability annual wage = \$10,000 compensation

# Benefits

Part B	Part E
\$150,000 Employee + Survivor	Impairment \$2,500 per % (Employee)
\$50,000 RECA Employee + Survivor	Wage Loss \$10,000 - \$15,000 per year (Employee)
	\$125,000 Survivor (+ lump-sum Wage Loss if eligible)
\$400,000 CAP for B+E combined	

# Medical Benefits

- **Broad coverage for medical treatment costs linked to accepted work-related illness(es)**
  - Routine medical care - including office visits, diagnostic services (lab and radiology services)
  - Prescription medications
  - Other services including inpatient care, outpatient services (chemotherapy, radiation treatment, etc.)
- **Medical travel expenses**
  - Transportation, lodging, meals, and misc expenses (tolls, parking, baggage, etc.)
- **Durable Medical Equipment**
  - Wheel chairs, hospital beds, oxygen and supplies

# Medical Benefits (continued)

- **Modification to vehicle or home**
- **Extended care facility**
  - Residential nursing home, assisted living facility, etc
- **Hospice**
- **Home Health Care (HHC)**
  - Skilled nursing-LPN, RN
  - Personal assistance-HHA, PCA

# Decision Process

- **Recommended Decision – District Office**
  - Preliminary determination
  - Cover letter, decision, and rights to object (oral hearing/review of written record)
- **Final Decision – Final Adjudication Branch (FAB)**
  - Affirmation of recommend decision or remand based on objection/independent review
  - Claimant Rights – Reconsideration & Reopening

# Claimant Responsibilities

- File Claim
- Collect/Copy/Submit relevant records
- Respond to information requests
- Talk to co-workers – get affidavits
- Seek assistance if you need help – call Resource Center
- Review decision and information for appeal

# Claimant Resources

- **Resource Centers – 11 locations**
  - Paducah Resource Center toll free number: (866) 543-0599
- **District Offices – 4 locations**
  - Cleveland District Office toll free number: (888) 859-7211
- **DEEOIC web site**
  - <http://www.dol.gov/owcp/energy/>
  - General program information
  - SEM website
  - Forms
  - Sample decisions

# Illinois

## ■ 29 Covered Facilities are located in Illinois including:

Armour Research Foundation

Crane Co.

Fansteel Metallurgical Corp.

GSA 39<sup>th</sup> Street Warehouse

Lindsay Light & Chemical Co.

Museum of Science & Industry

Podbeliniac Corp.

R. Krasburg & Sons Manufacturing Co.

Wyckoff Drawn Steel Co.

C-B Tool Products Co.

ERA Tool and Engineering Co.

Great Lakes Carbon Corp.

International Register

Metallurgical Laboratory

National Guard Armory

Quality Hardware & Machine

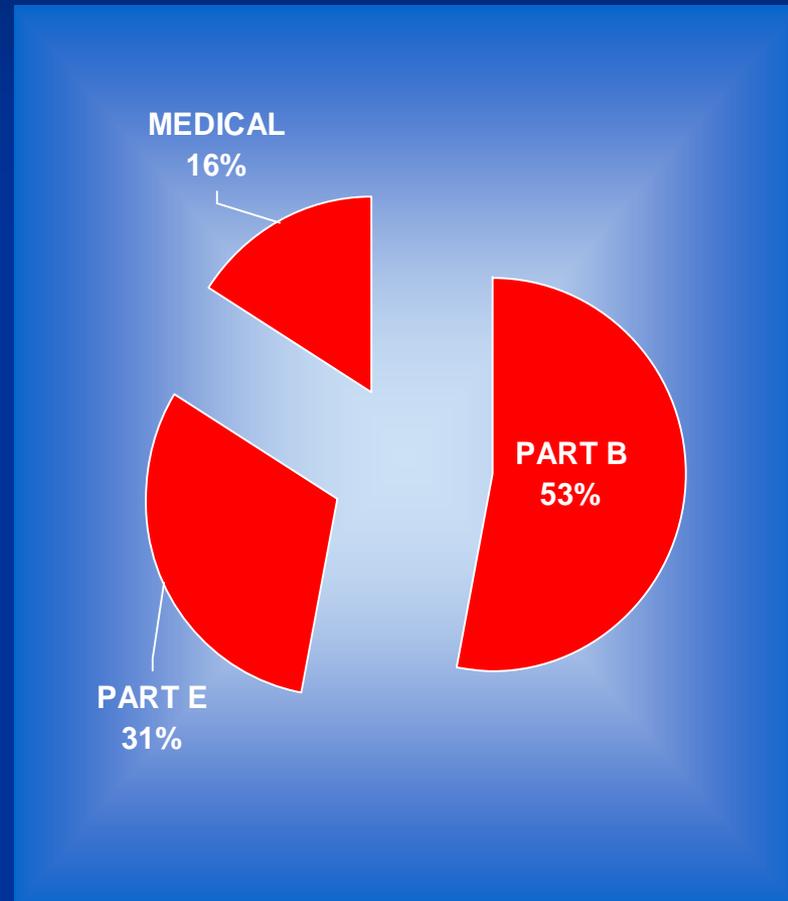
Sciaky Brothers, Inc.

## ■ A complete list of all covered facilities can be found at:

<http://www.hss.energy.gov/healthsafety/fwsp/advocacy/facelist/findfacility.cfm>

# EEOICPA Compensation

- \$9.4 Billion Total Compensation
- \$5 Billion Part B
- \$2.9 Billion Part E
- \$1.5 Billion Medical



# District Office Jurisdictional Map



# Resource Center Jurisdictional Map



## Resource Centers

- |  |   |  |  |
|--|---|--|--|
| <span style="color: red;">■</span> Oak Ridge     | <span style="color: purple;">■</span> Denver    | <span style="color: lightblue;">■</span> Las Vegas   | <span style="color: green;">■</span> Hanford         |
| <span style="color: yellow;">■</span> Portsmouth | <span style="color: lightgreen;">■</span> Idaho | <span style="color: darkblue;">■</span> Espanola     | <span style="color: darkpurple;">■</span> California |
| <span style="color: tan;">■</span> New York      | <span style="color: brown;">■</span> Paducah    | <span style="color: orange;">■</span> Savannah River |  |

Questions?