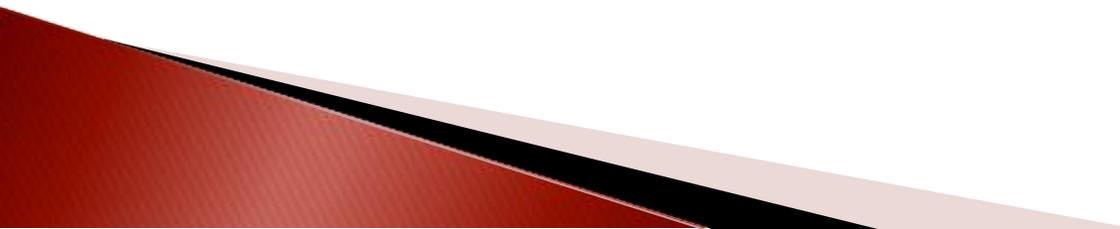


# **Energy Employees Occupational Illness Compensation Program**

Argonne National Laboratory East / West  
September, 2019



# What is 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.



# Agency Administration of the EEOICPA

Department of Labor



Department of Energy



Department of Health  
and Human Services



Department of Justice



# Program Eligibility

Part B (enacted 2000)



Part E (enacted 2004)

- Employment
- Medical
- Survivors



Office of Workers' Compensation Programs (OWCP)

# Employee Eligibility

Employed By	Part B	Part E
DOE Contractors and Subcontractors	Yes	Yes
DOE Federal Employees	Yes	No
AWE Employees (Atomic Weapons Employer)	Yes	No
Beryllium Vendors	Yes	No
RECA	Yes	Yes

# Contractor Employment

- ▶ **Contractor** – entity engaged in a contractual business arrangement with DOE to provide services, produce material, or manage operations.
  
- ▶ **DOE Contractors at Argonne National Laboratory East:**
  - University of Chicago (1946 – Present)
  
- ▶ **DOE Contractors at Argonne National Laboratory West:**
  - University of Chicago (1949 – 2005)

# Subcontractor Employment



- ▶ Subcontractor – entity engaged in a contractual business arrangement with a DOE contractor to provide a service on-site.
- ▶ The mere presence of an employee on the premise of a facility does not confer covered employment.

# Required Components for Subcontractor Employment

- ▶ The claimed period of employment occurred during the covered time frame as alleged.
- ▶ A contract to provide **covered services** existed between the claimed subcontractor and a DOE contractor at the facility or the identified vendor (during the covered time frame).
- ▶ The employment activities (work or labor) took place on the premises of the covered facility.

# Medical Eligibility

## Part B (enacted 2000)

- Cancer
- Chronic Beryllium Disease
- Chronic Silicosis
- RECA Section 5 Awardees

## Part E (enacted 2004)

- Any condition related to toxic substances

# Survivor Eligibility

## Part B (enacted 2000)

- Spouse
- Children
- Parents
- Grandchildren
- Grandparents

## Part E (enacted 2004)

- Spouse (death related)
- Children
  - Less than age 18
  - Less than age 23 (full time student)
  - Medically incapable of self support

Office of Workers' Compensation Programs (OWCP)

# Benefits

<u>Part B</u>	<u>Part E</u>
\$150,000 – Employee & Survivor	\$2,500 per % Impairment - Employee
\$50,000 RECA – Employee & Survivor	Annual Wage Loss \$10,000-\$15,000 - Employee
	\$125,000 – Survivor (+ lump-sum Wage Loss if eligible)
\$400,000 Lump-sum cap for B & E combined	
Employee Medical Care for Accepted Conditions	

## Part B: Special Exposure Cohort (SEC)

- ▶ Worker Group Designation
  - Presumption – occupational radiation caused cancer
  
- ▶ Employment
  - Worked particular location or specific process
  - Work day requirement – 250 work days
  
- ▶ Specified Cancer
  - 22 cancers **named in law**



## Approved SEC Periods: Argonne National Laboratory - West

- An Employee that worked **250 aggregated work days** for the covered time period(s) listed below, can be included in the Special Exposure Cohort (SEC).

Beginning Date	End Date
April 10, 1951	December 31, 1957

- If the employee has a **specified cancer** he/she may receive a presumption that the cancer was related to exposure to radiation.

# Specified Cancer List for Workers

- ▶ The time period covered employee must also have at least one of the following types of cancer to qualify for compensation under the SEC:
  - Leukemia (other than chronic lymphocytic leukemia), provided the onset was at least 2 years after first exposure
  - Primary or Secondary Lung Cancer. (In situ lung cancer that is discovered during or after a post-mortem exam is excluded.)
  - Primary or Secondary Bone Cancer. This includes myelodysplastic syndrome, myelofibrosis with myeloid metaplasia, essential thrombocytosis or essential thrombocythemia, and primary polycythemia vera (also called polycythemia rubra vera, P. vera, primary polycythemia, proliferative polycythemia, spent-phase polycythemia, or primary erythremia). (Note: Cancer of the hard palate is not bone cancer.)
  - Primary or Secondary Renal Cancers.



# Specified Cancer List for Workers (continued)

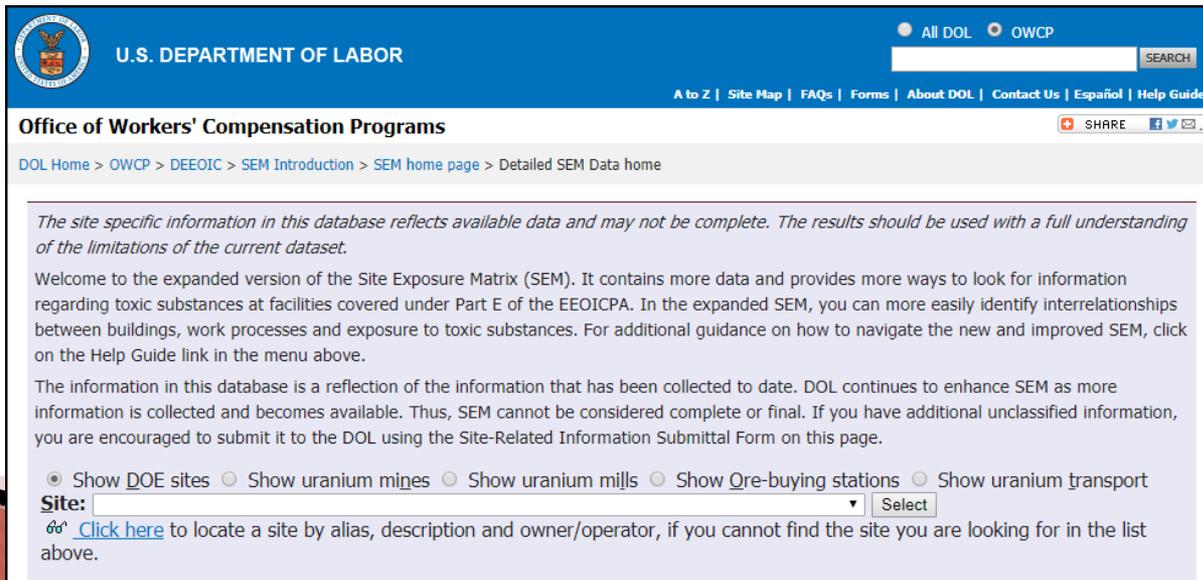
- ▶ The following cancer is included (provided onset was at least 5 years after first exposure):
  - Multiple myeloma
  - Lymphomas (other than Hodgkin's disease). Waldenstrom's macroglobulinemia is considered to be a type of non-Hodgkin's lymphoma.
  - Primary cancer of the:

Bile Duct	Brain	Male or Female Breast	Urinary Bladder
Colon	Esophagus	Gall Bladder	Liver*
Ovary	Pancreas	Pharynx	Salivary Gland
Small Intestine	Stomach	Thyroid	

**\*Liver: Exception if Cirrhosis or Hepatitis B is indicated**

## Site Exposure Matrices (SEM)

- ▶ Public website which explores toxic substances present at DOE and RECA Section 5 facilities
  - Information in SEM is gathered from a variety of sources
  - Scientifically establishes links between toxic substances / illnesses
  - Training available on our SEM page:  
<https://www.dol.gov/owcp/energy/regs/compliance/seminfo.htm>



The screenshot shows the OWCP SEM website interface. At the top, there is a blue header with the U.S. Department of Labor logo and name. To the right of the header, there are radio buttons for "All DOL" and "OWCP", and a search bar. Below the header, there is a navigation menu with links for "A to Z", "Site Map", "FAQs", "Forms", "About DOL", "Contact Us", "Español", and "Help Guide". The main content area has a title "Office of Workers' Compensation Programs" and a breadcrumb trail: "DOL Home > OWCP > DEEOIC > SEM Introduction > SEM home page > Detailed SEM Data home". A disclaimer states: "The site specific information in this database reflects available data and may not be complete. The results should be used with a full understanding of the limitations of the current dataset." The main text welcomes users to the expanded SEM and provides instructions on how to use it. At the bottom, there are radio buttons for filtering by site type: "Show DOE sites", "Show uranium mines", "Show uranium mills", "Show Ore-buying stations", and "Show uranium transport". Below this is a "Site:" dropdown menu with a "Select" button. A link "Click here" is provided for locating a site by alias, description, and owner/operator.

# Claimant Responsibilities

- ▶ File claim
- ▶ Collect / Copy / Submit relevant records for review
- ▶ Respond to information requests



# Claim Decision Process

## Recommended Decision (District Office)

- Preliminary Determination
- Review of written record
- Decision



## Final Decision (Final Adjudication Branch)

- Affirm decision or remand
- Claimant rights:
  - Reconsideration
  - Reopen of case
  - District Court



# Medical Eligibility

## Part B (enacted 2000)

- Cancer
- Covered Beryllium Illnesses
- Chronic Silicosis
- RECA Section 5 Awardees

## Part E (enacted 2004)

- Any condition related to toxic substances

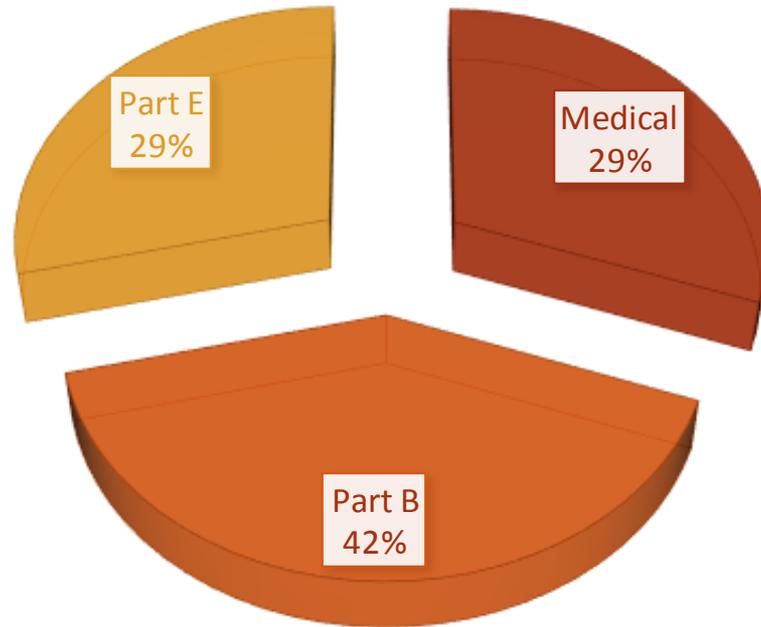
# Medical Benefits

- ▶ Broad coverage for medical treatment costs linked to accepted work-related illnesses:
  - Office visits (including lab and radiology services)
  - Prescriptions
  - Medical travel expenses
  - Equipment (wheelchairs / supplies)
  - Home and vehicle modifications
  - Extended and hospice care
  - Home health care



# EEOICPA Program Compensation

- ▶ **\$16.8 Billion Total Compensation**
- ▶ **\$6.8 Billion Part B**
- ▶ **\$4.8 Billion Part E**
- ▶ **\$5.1 Billion Medical**



Data as of August 18, 2019

# Argonne National Laboratory- East Compensation



- ▶ **1,265 Cases**
- ▶ **733 Individual Employees**
- ▶ **\$62 Million Total Compensation**
- ▶ **\$32 Million Part B**
- ▶ **\$22 Million Part E**
- ▶ **\$8.4 Million Medical Bills**

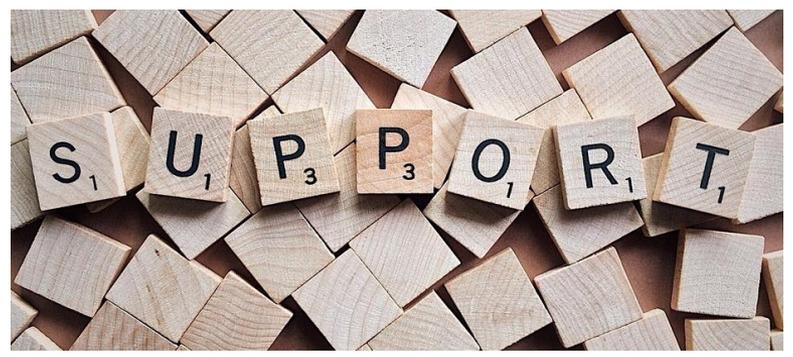
Data as of August 18, 2019

# Claimant Assistance

- ▶ **Resource Centers – 11 locations nationwide**
  - Paducah Resource Center (Paducah, KY)  
Toll free number: (866) 534-0599
  
- ▶ **District Offices – 4 locations** (Cleveland, Denver, Jacksonville, Seattle)
  - Cleveland District Office toll free number: (888) 859-7211
  
- ▶ **DEEOIC web site**
  - <http://www.dol.gov/owcp/energy/>
  - General program information
  - SEM website
  - Claimant Resources (Forms, Medical Benefits Information)
  - Medical Provider Resources (Enrollment, Bill Processing)

# DOL Resource Centers

- Manage Resource Center Operations
- Guide Claimants through the EEOICPA Process
- Comply with DOL Procedures
- Maintain Highest Level of Customer Service
- Claims Intake
- Conduct Occupational History Interviews
- Provide Medical Bill Payment Assistance
- Maintain Databases
- Conduct Outreach
- Support DEEOIC Special Projects
- Be Responsive to DEEOIC Guidance and Direction
- Communicate Daily with DEEOIC Management
- Ongoing Training for Staff





# DOL Resource Center Locations

- Buffalo, NY
- Denver, CO
- Dublin, CA
- Espanola, NM
- Idaho Falls, ID
- Las Vegas, NV
- North Augusta, SC
- Oak Ridge, TN
- Paducah, KY
- Portsmouth, OH
- Richland, WA

