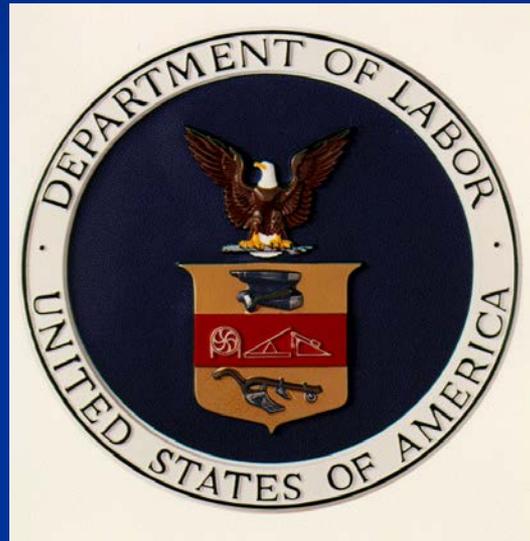


Energy Employees Occupational Illness Compensation Program



Town Hall Meetings
Carlsbad, New Mexico
February 25, 2015

Important Information

- Emergency Exits
- Restrooms
- Photographs & Videotaping
- Cell Phones
- Q&A
- Slide Presentation will be available on DOL web site:
<http://www.dol.gov/owcp/energy/>

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

Administration of the EEOICPA

■ Agencies:

- Department of Labor (DOL)
- Department of Energy (DOE)
- Department of Health and Human Services
 - National Institute for Occupational Safety and Health (NIOSH)
- Department of Justice

Eligibility – Two Paths

Part B
(Enacted 2000)

- Employment
- Medical
- Survivors

Part E
(Enacted 2004)

- Employment
- Medical
- Survivors

Employee Eligibility

Employed By	Part B	Part E
DOE Contractors and Subcontractors	Yes	Yes
DOE Federal Employees	Yes	No
AWE Employees	Yes	No
Beryllium Vendors	Yes	No
RECA	Yes	Yes

Eligibility – Medical

Part B

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

Part E

- Any condition related to toxic substances

Eligibility – Survivors

Part B

- Spouse
- Adult Children
- Grandchildren
- Grandparents

Part E

- Spouse (death related)
- Children (<age 18, <age 23 if full time student)
- Incapable of self support

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	

Means of Verifying Employment

- DOE – Earnings Records
- Oak Ridge Institute for Science and Education (ORISE)
- Corporate Verifiers
- SSA wage data
- Other Sources
 - Affidavits
 - Records/documents created by state/federal agencies

Part B: Dose Reconstruction & Probability of Causation (PoC)

- Part B Cancer Cases and Dose Reconstruction
 - NIOSH
 - Level and extent of occupational radiation dose
- PoC
 - Scientific calculation of likelihood that radiation exposure caused cancer
 - NIOSH Computer System
 - PoC - 50% or greater for award

Part B: Special Exposure Cohort (SEC)

- Presumption of causation - cancer
- Employment
 - Covered in class defined by NIOSH
 - Work day requirement – 250 work days
- “Specified” Cancer
 - 22 cancers named in law
- No need for dose reconstruction

Part B: Adding New SEC Classes

- NIOSH designates new SEC classes
 - 4 statutory SEC classes; plus
 - As of September 15, 2014, HHS has designated 109 additional SEC classes
- DOL administers SEC cases
 - No role in designation

New Mexico Facilities with an SEC Class

- Los Alamos National Laboratory
- Sandia National Laboratories

NOTE: Each SEC class is limited to a specific time period which varies by facility.

Part E: Causation

- Exposure to toxic substances
- Causation standard different than under Part B
 - Includes aggravation, contribution
- DOL Tools:
 - Occupational History Questionnaire (OHQ)
 - Site Exposure Matrices (SEM)
 - DAR records
 - Former Worker Medical Screening Program (FWP) work history interviews
 - Other Sources: Affidavits/facility records

Site Exposure Matrices (SEM) Website

- Toxic substances present at DOE and RECA Section 5 Facilities
- Information gathered from a variety of sources
- Scientifically established links between certain toxic substances and certain Illnesses
- Available at <http://www.sem.dol.gov>

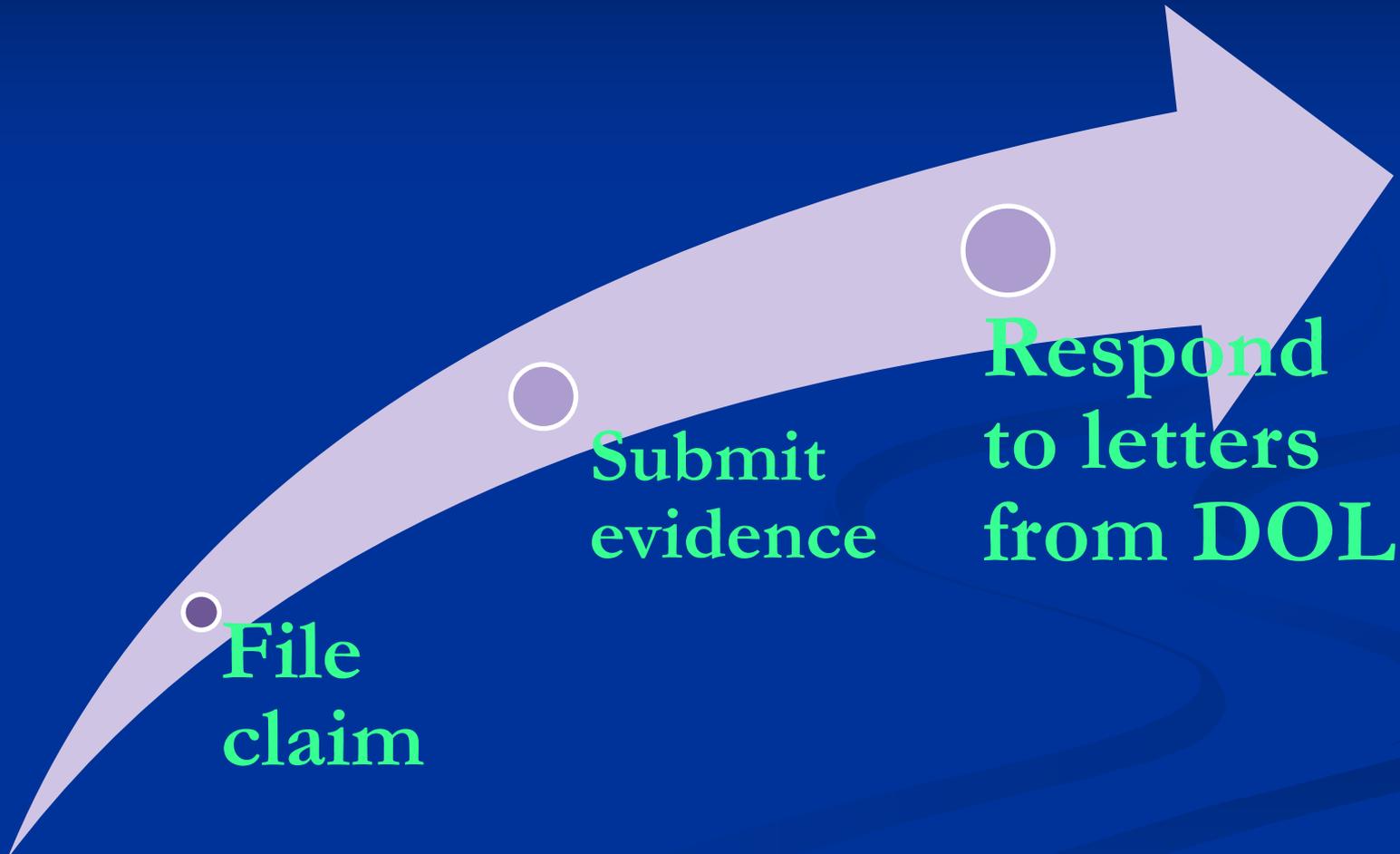
Part E: Employee Impairment

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

Part E: Employee Wage Loss

- Decreased capacity to work due to an accepted medical condition
- Employee Compensation:
 - Any year $< 50\%$ of pre-disability annual wage = \$15,000 compensation
 - Any year $> 50\%$ but $< 75\%$ of pre-disability annual wage = \$10,000 compensation

Application – Your responsibilities



**File
claim**

**Submit
evidence**

**Respond
to letters
from DOL**

DOL Responsibilities

Gather Evidence

Issue Recommended
Decision

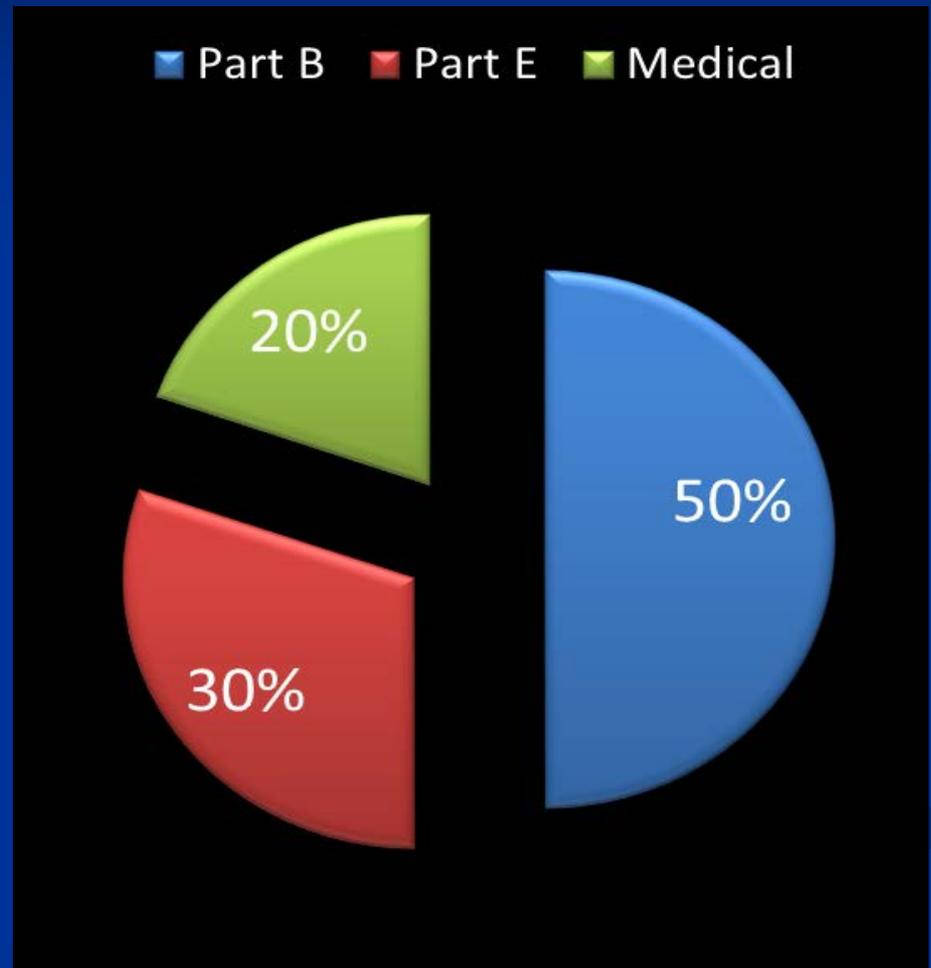
Respond to Objections

Issue Final Decision

Pay Benefits

EEOICPA Compensation

- **\$11.19 Billion Total Compensation**
- **\$5.59 Billion Part B**
- **\$3.39 Billion Part E**
- **\$2.20 Billion Medical**



Covered Facilities Website*:

[http://www.hss.energy.gov/healthsafety/fwsp/
advocacy/faclist/findfacility.cfm](http://www.hss.energy.gov/healthsafety/fwsp/advocacy/faclist/findfacility.cfm)

* Includes all covered facilities in New Mexico

Claimant Resources

■ 11 Resource Centers Nationwide

- Espanola Resource Center toll free number: (866) 272-3622

■ 4 District Offices Nationwide

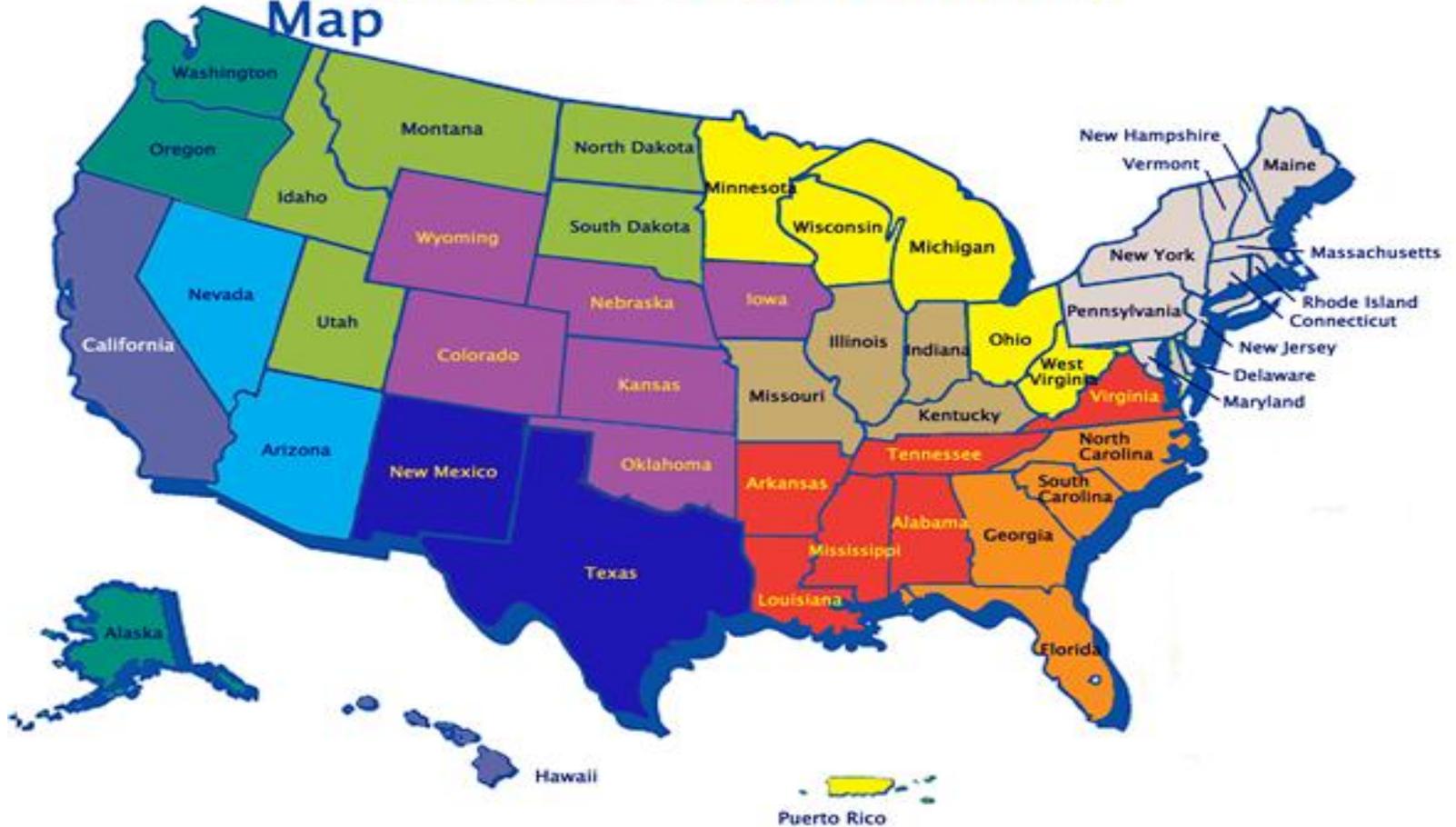
- Seattle District Office toll free number: (888) 805-3401

■ DEEOIC WEBSITE-

www.dol.gov/owcp/energy/

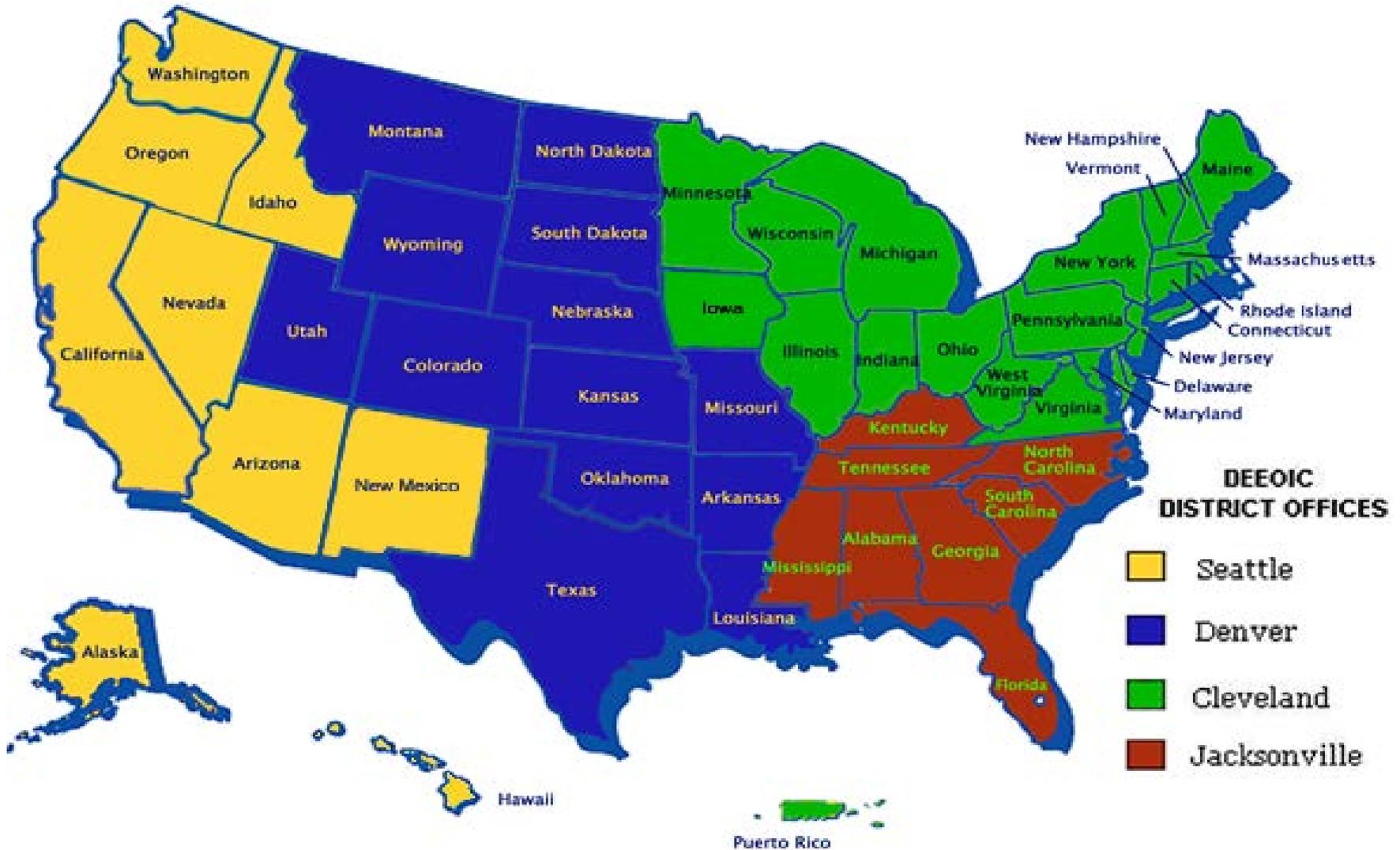
- General program information
- SEM public website
- Forms
- Sample Decisions

Resource Center Jurisdictional Map



Resource Centers			
■ Oak Ridge	■ Denver	■ Las Vegas	■ Hanford
■ Portsmouth	■ Idaho	■ Espanola	■ California
■ New York	■ Paducah	■ Savannah River	

District Office Jurisdictional Map

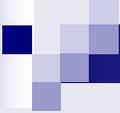




THE OFFICE OF THE OMBUDSMAN FOR EEOICPA

February 25, 2015

Carlsbad, New Mexico

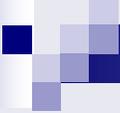


EEOICPA and THE OFFICE OF THE OMBUDSMAN

History:

- October 2000 – Congress enacted EEOICPA
 - Part B administered by Department of Labor
 - Part D administered by Department of Energy

- October 2004 - Congress repealed Part D and established Part E.
 - Part E administered by the Department of Labor



OFFICE OF THE OMBUDSMAN

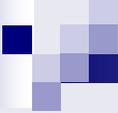
- In October 2004, legislation created the Office of the Ombudsman.
- The Office of the Ombudsman is independent from the offices within the Department of Labor that administer EEOICPA.
- The Office initially only had authority to address Part E claims. The 2010 National Defense Authorization Act expanded authority to include Part B of the EEOICPA.
- The National Defense Authorization Act for FY 2015 extends the sunset date for the Office until October 28, 2019.



OFFICE OF THE OMBUDSMAN

■ Duties:

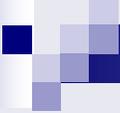
1. Provide information on the benefits available under the EEOICPA.
2. Make recommendations regarding the location of resource centers for the acceptance and development of claims – there are currently 11 resource centers.
3. Submit an annual report to Congress detailing:
 - a) The number and types of complaints, grievances and requests for assistance received during the year and;
 - b) An assessment of the most common difficulties encountered by claimants during the year.



OFFICE OF THE OMBUDSMAN

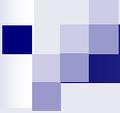
■ Limitations – the Office cannot:

1. Rule or make decisions on claims.
2. “Make” DEEOIC reverse or change a decision.
3. Make Congress revise the EEOICPA.
4. Take DEEOIC to court
5. Lobby Congress
6. Act as an advocate



OMBUDSMAN ASSISTANCE

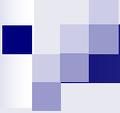
- **When the Office receives complaints, grievances, and requests for assistance:**
 1. We respond to claimants, attorneys, lay representatives, congressional staff and others.
 2. We explain, review and discuss aspects of the EEOICPA claims process.
 3. We answer questions and provide other assistance to individuals encountering difficulties with claims pending with DEEOIC.
 4. We discuss your concerns in our annual report to Congress.



OMBUDSMAN ASSISTANCE

- **Outreach efforts and initiatives include:**

1. Sponsoring town hall meetings.
2. Participating in DEEOIC sponsored town hall meetings and traveling resource centers.
3. Offering opportunities for individuals to speak on-on-one with Ombudsman staff.
4. Coordinating efforts with the Joint Outreach Task Group (JOTG).



OMBUDSMAN CONTACT INFORMATION

Mail: U.S. Department of Labor
Office of the Ombudsman
200 Constitution Ave., NW,
Room N2454
Washington, D.C. 20210

Toll Free: 1-877-662-8363

Email: ombudsman@dol.gov

Website: www.dol.gov/eeombd



Department of Energy Support to the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and the Former Worker Medical Screening Program (FWP)



Office of Environment, Health, Safety and Security
February 2015



DOE Responsibilities



1. Respond to DOL and NIOSH requests for information related to individual claims (employment verification, exposure records).
2. Provide support and assistance to DOL, NIOSH, and Advisory Board on large-scale research and site characterization projects through records research and retrieval efforts at various DOE sites.
3. Conduct research, in coordination with DOL and NIOSH, on issues related to covered facilities designations.



Individual Records



- Claimants often worked at multiple DOE sites, for multiple contractors and subcontractors, and in different jobs or divisions over a career.
- Records packages that DOE provides to DOL and NIOSH can be hundreds of pages long.



Former Worker Medical Screening Program



FWP Background



Program serves ***all*** former Federal, contractor, and subcontractor workers from ***all*** DOE sites

Mission:

- Identify and notify former workers at risk for occupational disease.
- Offer them medical screening that can lead to treatment.
- Provide information and assistance about medical follow-up and compensation.
- Use findings to strengthen safety and health protection for current and future workers.



Waste Isolation Pilot Plant FWP Contacts



Waste Isolation Pilot Plant Production Workers

- Worker Health Protection Program (WHPP)
 - ✓ All former Production Workers from WIPP
 - ✓ 1-888-241-1199 or <http://worker-health.org/>

Waste Isolation Pilot Plant Construction Workers

- Building Trades National Medical Screening Program (BTMed)
 - ✓ All former Construction Workers from WIPP
 - ✓ 1-888-464-0009 or www.btmed.org



Worker Health Protection Program

Medical Screening Program for
Former Department of Energy Workers

Waste Isolation Pilot Plant
Joint Outreach Task Group
Public Meetings

February 25, 2015

Worker Health Protection Program- Background

- Joint effort between the United Steelworkers (USW) and Queens College of the City University of New York, partnering with local medical clinics
- Developed and administered by experienced Occupational Health Physicians
- Screening for former DOE workers began in 1998. WIPP program initiated in January 2015
- Program is active at 14 DOE facilities nationwide. To date over 30,000 DOE workers screened, over 48,000 exams conducted.

Worker Health Protection Program

Primary Goals

1. Offer occupational health screening that may lead to diagnosis and treatment for occupational health conditions that may be related to exposures such as:

- Ionizing radiation
- Solvents
- Diesel Engine Exhaust
- Salt dust
- Noise
- Lead (firing range)

Worker Health Protection Program

Primary Goals

2. Provide information and assistance about medical follow-up and compensation, including the Energy Employees Occupational Illness Compensation Program (EEOICP).

Worker Health Protection Program

Exam Information

- Exams May Include:
 - Chest x-ray
 - Breathing tests
 - Liver and kidney function tests
 - Hearing test
 - General health exam
- Queens College Physicians will review the participant's occupational history, analyze their medical results and provide a written results letter advising them of abnormalities and recommending follow-up care

Worker Health Protection Program Exam Information

- Available to former Waste Isolation Pilot Plant (non-construction) workers who worked for at least a cumulative 30 days
- Available to both Salaried and Hourly workers
- Screenings occur at Hobbs Center for Industrial Medicine
1900 N Dal Paso St, Hobbs, NM 88240



Worker Health Protection Program Exam Information

- Follow-up rescreens examinations will be available and are recommended every 3 years



- Even if you feel healthy, you should still participate

Worker Health Protection Program Contact

- Appointment Scheduling and information:
1-888-241-1199
- Website: www.worker-health.org
- Table set-up



Building Trades National Medical
Screening Program
(BTMed)

Did you work
construction at WIPP?

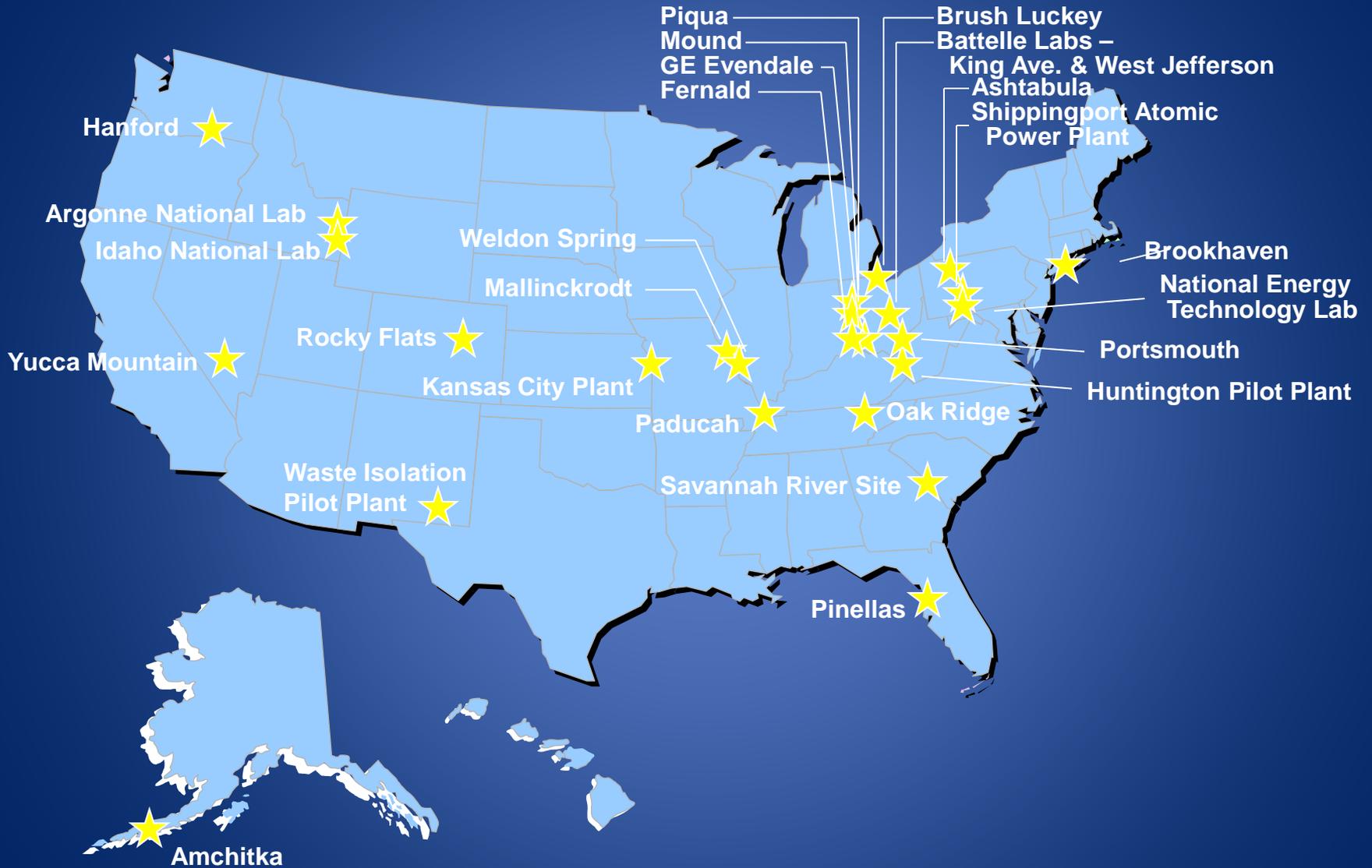
www.btmed.org

BTMed Overview

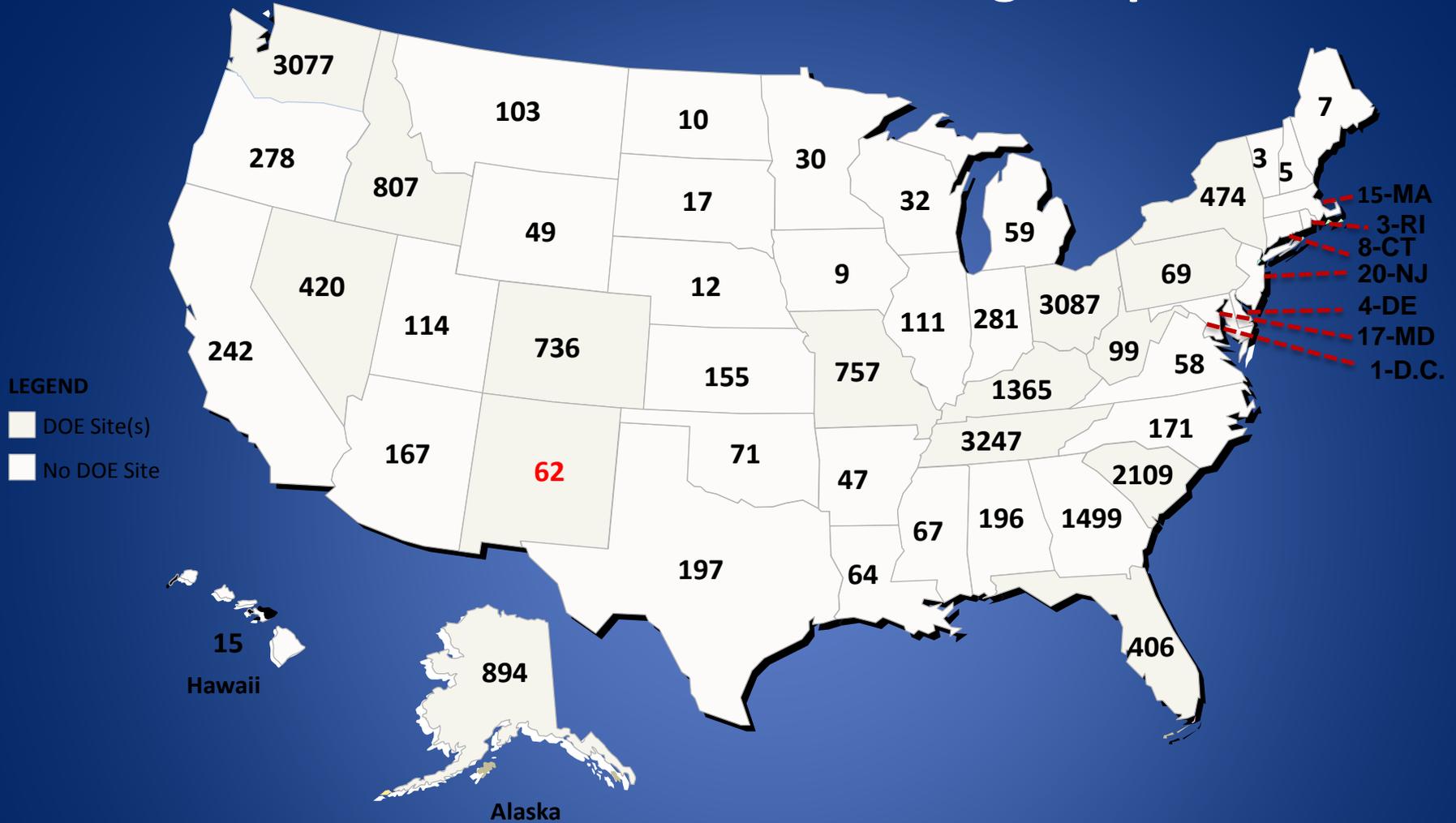
- Offers free screening services to former DOE construction/trades workers
- Covers 27 DOE sites
- Completed 30,800 screens
- Screen about 45 workers/week

www.btmed.org

BTMed Covered Sites



BTMed Total Workers Screened Through September 2014



Medical Services

- Screenings (200+ medical providers)
 - Occupational and medical history
 - Physical exam
 - Chest X-ray
 - Blood test (including GHP, BeLPT)
 - Spirometry
 - Hearing test

Clinics:

- Center for Industrial Medicine, Hobbs
- University of New Mexico Health Science Center

If you worked construction at
WIPP call us.

www.btmed.org

1-800-866-9663

www.btmed.org

Questions?