

Draft ABTSWH Evaluation of IH and Medical Reports in EEOICP Claims Evaluations

10/30/20

Preliminary Recommendation

The Board recommends that the Department develop an ongoing independent third party-based system of periodic evaluation of the objectivity, quality and consistency of individual claims assessments provided by program industrial hygienists and physicians.

Rationale

The EEOICP currently assesses aspects of the quality of the contractor medical reports through a quarterly review of approximately 50 claims by the EEOICP Medical Director. The results of the medical Director's Audits, January 2018-March 2019 are provided in the table below.

**Medical Director's Quarterly Audits and CMC Audit Analysis,
2018-2019 (5 quarters)**

Type of Review	Total No.	No. that "need improvement" (%)
Causation	83	1 (1%)
Impairment	102	29 (28%)
Other*	62	14 (23%)
Total	247	44 (18%)

*supplemental, clarification, second opinion and others

Medical Review

There are two notable findings: the near absence of faults in causation reviews and the high frequency of faults in other types of claims review. Based on the Board's review of a substantial number of claims over the past 3 years, the paucity of errors in causation evaluations is implausible. While Board reviewed many excellent causation analyses by CMC's, it also found that more than 1% of the claims review had significant errors in the causation evaluation and decision. The second finding, that over 25% of the other type of CMC reports contained errors, is also concerning, since the contractor has been performing such evaluations for numerous years and should be expected to produce reports with less than a 5% to 10% error rate. The results also suggest, assuming the claims audited by the Medical Director are reasonably representative, that there may well be a large number of claims that contain errors that are likely to go undetected.

The Board awaits additional information on the QTC quality assessment review.

Industrial Hygiene Review

The contractor industrial hygiene reports are reviewed one by one by Federal industrial hygienists as they are submitted during the claims evaluation process. There is no periodic analysis of a sample of claims, such as the Medical Director completes in his audits, to evaluate the consistency of findings or any patterns of errors. It is not clear that there is a broad and in-depth substantive review of the industrial hygiene review process, including the quality of the information, Statement of Accepted Facts, and questions asked of the industrial hygienist; the completeness of the exposure information reviewed by the industrial hygienist; and the usefulness of the industrial hygiene report in the case review by the contract medical consultant.

The Board awaits additional information on the quality assessment of the industrial hygiene reports by Banda Group International (BGI) and the industrial hygiene reports by the EEOICP industrial hygienists.