

## The DEEOIC Claims Process

## DEEOIC Claims Process – The Big Picture

- Three phases:
  1. ECS RED PANE review
  2. Case Development and Recommended Decision (RD)
  3. Hearings and Final Decisions (FD)
- Overall process flow

## Steps Conducted by CE

- Develop for medical conditions, employment, and survivorship (all RECA claims are handled in Denver DO)
- Use OHQ, SEM search, DAR, CMC referrals, IH referrals and/or Toxicology referrals to determine exposure & causation for Part E claims
- Issue RD to deny or accept
- Forward case file to FAB for review

## FAB & Hearings Process

- Conducts full case file review including the RD
- If the evidence supports the RD's conclusion, FAB waits for one of following from claimant:
  - Waiver (when RD is an acceptance)
  - Further information and/or objections
  - Request in writing for a hearing

## FAB Reviews Entire Case File

- FD provides an independent review of case file
- FD will either:
  - Agree with RD and issue FD with same conclusions
  - Disagree with RD and remand back to DO
  - Reverse RD and issue FD which differs from RD

## Claimants Rights After FD

- Claimant rights after FD issued:
  - Reconsideration
  - Reopening (if new evidence, new SEC class or change in NIOSH procedures)
  - Federal District Court
- No appeal from a remand – claimant waits for new RD consistent with remand

## Summary

- Three phases of the claims process:
  1. Red pane review
  2. DO development & RD
  3. Hearings & FD
- CE is responsible for red pane review, development of claim and issuance of RD

## Summary, continued

- FAB conducts case review and issues FD
- FD may or may not concur with RD
- Data accuracy is of paramount importance

## Questions

