

## DOL ABTSWH Meeting January 27, 2020

### Occupational History Questionnaire (OHQ)

#### Background

The original Board formed a working a working group to review the SEM and the OHQ as well as their use during the claim adjudication process. The Board adopted several recommendations at the April 2017 meeting concerning the OHQ. These were:

1. Expansion of the list of toxic substances to include hazards/materials and tasks in the BTMed work history.
2. Include frequency of exposure for listed or worker added hazards materials.
3. Allow a worker generated free text for each exposure to allow claimants to describe the circumstances of exposure.
4. Addition of a specific questions to address complex exposures to vapors. Gases, dusts, and fumes (VGDF).

The DOL response pretty much rejected the Board's recommendations and provided the Board with a draft of the revised OHQ. The DOL response attached a copy of the draft OHQ and DOL stated that --- **'OWCP welcomes specific recommendations concerning modifications to draft that the Board may have'**.

The Board reviewed the draft OHQ in detailed as well as the DOE responses to the Board's recommendations. The Board responded at the April 2017 meeting noting that – **'The Board believes that there remains considerable room for improvement in the draft OHQ. The draft OHQ is largely a form that allows the claimant space for recording free text descriptions of their exposures. While recording free text descriptions of work performed is helpful, the draft OHQ does not provide sufficient structure and 'memory triggers' to help claimants recall specific tasks and exposures at DOE sites.'**

#### Current Board Recommendation and DOL Response

A working group from the newly appointed Board was established in November 2018 to review the current OHQ as well as a DOL-revised draft OHQ. The working group made specific recommendations adopted by the Board at the February 2019 meeting.

The DOL responses appear to adopt many if not most of the Board's recommendations; however, the Board has not been provided a draft of the newly revised OHQ to review.

The major area of disagreement is with regard to the following Board recommendation:

1. **Within each broad category of toxic substance, a list of specific substances should be provided similar to the current OHQ. The specific toxic substances within each category should be carefully chosen to be representative of exposures most common across DOE sites, with specific attention to toxic substances associated with the direct disease link work process (DDLWP), to link medical conditions to specific tasks (Chapter 15 and Appendix 1 of the EEOICP Procedure Manual (Version 2.3)).**

The DOL response stated:

**DOL Response – DOL agrees that providing some examples of each category of toxic substances is useful and will re-incorporate this into the form for pilot testing. However, our experience has been that it is unreasonable for interviewers to read aloud long lists of chemicals and pick names. The**

The Board has not seen the revised-draft OHQ so cannot respond to changes. In principle, reading a long list of substances for selection by the worker presents a challenging process. However, claimants should have access to the OHQ prior to their actual interview and should be in a position to provide the interviewer with substances that they can identify as having been exposed to.

The other area of disagree has to do with COPD and exposures associated with COPD. The Board recommended:

**Board recommends that substances from the published literature and/or the SEM causing or contributing to COPD be included in the specific toxic agents by major category.**

**DOL Response – The free form interview technique gives claimants the opportunity to identify substances linked to COPD and any other diagnosis that they believe are associated with their DOE employment. Additionally, the resource centers should not be making determinations or suggestions as to linkages between toxic substances and diagnosis. The assessment of linkages between diagnosis(es) and toxic substance exposure occurs during adjudication process by DEEOIC federal staff. DOL also does not think it appropriate to focus on one specific diagnosis (or group of diagnoses), such as**

The groups of substances associated with COPD are common exposures at many DOE sites and many are associated with other diseases such as pneumoconiosis. Additionally, COPD is one of the most common conditions claimed. Better exposure assessment for COPD is needed and justifies better attention in the OHQ.