

Initial Development

Importance of Initial Development Step

- Sets stage for entire claim development cycle
- Sets 'tone' for all claimant interactions – must reflect acceptance of claim that meets requirements of law
- COMMUNICATION is of critical importance

Importance of Initial Development Step, continued

- You must:
 - Pay attention to details
 - Be conscientious and attentive
 - Personalize all interactions with claimant
 - Proofread all correspondence

Case Creation – Resource Center (RC) Activities

- Assists claimant in completion of forms
- Conducts/collects Occupational History Questionnaire (OHQ)
- Prepares memorandum outlining all actions taken
- Forwards memo to London, KY with all forms, documents, and checklist

Case Creation – District Office (DO) Activities

Initial action must be taken on new claim within first 14 days



Day 1 - claim received in DO

By Day 14 - initial development codes entered into ECS and RED PANE review completed on all ECS tabs

Case Creation – DO Activities, continued

- Claims Examiner:
 - Reviews OIS documents for medical conditions, employment and survivorship (if applicable)
 - Enters information from OIS into ECS
 - Ensures ECS RED PANE review is completed and ECS entries are correct

Case Creation – DO Activities, continued

- Claim filing date is earliest date, either:
 - Date of postmarked envelope in which claimant submitted claim form
 - Facsimile date on the transmittance or
 - First stamped date of receipt by RC or DO

Case Creation – DO Activities, continued

- CE:
 - Review RC memorandum, ECS claim forms and all documentation submitted by claimant
 - Ensure all medical conditions are properly entered in ECS
 - Enter all initial development actions in ECS correspondence

CE Initial Development

Requires review of documents regarding:

Medical

Employment

Survivorship

Focus of review – is there enough information, based on requirements of law, to make recommended decision?

If not, continue development

CE Initial Development – MEDICAL

- Must have diagnosis and date of diagnosis for each claimed condition
- Develop each claimed condition
- Assess the medical evidence received versus what is required

CE Initial Development – MEDICAL, continued

- Use all sources to gather evidence
 - Employee/Claimant
 - DAR records
 - Doctors and hospitals providing examination and/or treatment to covered employee

CE Initial Development – MEDICAL, continued

- A signed EE-1 or EE-2 claim form grants DEEOIC authorization to collect medical documentation pertinent to case from a doctor's office or hospital.
- Thus, you may contact doctors and hospitals directly. Include a copy of signed EE1-EE2 when requesting medical documents.

CE Initial Development – MEDICAL, continued

- If lung cancer – must send smoking history questionnaire (Form EE-8)
- If skin cancer – must send ethnicity questionnaire (Form EE-9)

CE Initial Development - EMPLOYMENT

- Generate EE-5 /DAR send to DOE via SERT and/or a letter/ phone call to corporate verifiers
- Numerous verification sources:
 - ORISE
 - DOE
 - Authorized Representatives/Employee
 - Affidavits/EE-4 (co-workers, supervisors, etc.)
 - CPWR
 - Corporate Verifier
 - Other Federal Agencies (SSA)

CE Initial Development – SURVIVORSHIP

- Determine whether all eligible survivors have been contacted and given opportunity to apply for benefits
- Verify sufficient evidence to support relationship between survivor and employee
- Order of precedence for Part B and Part E
- Verification sources include marriage certificates, birth certificates, death certificates, divorce decrees, adoption papers, obituary, funeral home

CE Initial Development – EXPOSURE/CAUSATION

- Occurs only after employment and medical development is completed
- If OHQ is needed, send request to RC manager
- Multiple verification sources:
 - OHQ
 - DOE/DAR Records
 - Former Worker Program (FWP) records -
[*http://energy.gov/hss/office-health-safety-and-security*](http://energy.gov/hss/office-health-safety-and-security)
 - Site Exposure Matrix (SEM) searches

Initial Development Letter

- Prepare letter describing the evidence that has been received and the evidence needed
- Avoid jargon
- Easily understood and readable by persons of varying educational backgrounds
- Do not ask for evidence not needed
- Be clear and concise – use terms claimant will understand

KNOW YOUR AUDIENCE

Initial Development Letter, continued

- EEOICPA is a non-adversarial entitlement program. Be careful in wording development letter regarding deadlines.
- Since most employees were exposed many years earlier, information is not always easily obtained.

Writing the Letter

- Start with new sample development letter rather than modifying previously issued version
- Tailor to the specific case, using specific language
- Avoid mistakes that could aggravate claimants
- Be careful of minor errors/demographics
- Review, review, review ***before*** sending

Claimant Response

- Claimant must be given “due process”
- Must allow claimant the opportunity to provide needed evidence
- Minimum of 30 days time to reply
- Typically send 2 letters to claimant
- Extensions usually granted when requested

The Case File (Paper cases and hybrid files)

- Must be in chronological order
- EE-1/EE-2 is on bottom of file
- Additional EE-1/EE-2 received goes on top of original EE-1/EE-2
- Old Part D forms go on top of EE-1/EE-2 and before EE-3
- EE-3 - goes on top of EE-1/EE-2 (and old Part D forms, if applicable)

Summary

- Initial Development is critical– establishes ‘tone’
- Communication & documentation is of paramount importance
- CE must be as flexible as possible
- Initial action on new claim must occur within first 14 days of DO receipt
- CE is responsible for ensuring accuracy

Summary, continued

- Comprehensive review of claim materials to identify deficiencies in evidence
- Write initial development letter to collect needed evidence
- Letter must be non-adversarial, tailored to case, clear, concise and understood by claimant
- Claimant must be given due process to respond with requested evidence

Small Group Case Study Initial Development

Case Study #1

1. What should be the 1st steps taken when developing this claim?
2. What development is needed for medical?
3. What development is needed for employment?
3. What entries should be made in ECS?

Answers – Case Study 1

- 1) What should be the 1st steps taken when developing this claim? **Review ECS and OIS for accuracy**
- 2) What development is needed for medical?
None, medical evidence submitted with the claim confirms a diagnosis for the claimed condition.
- 3) What development is needed for employment?
Request employment evidence from employee to include EE-4; DAR and EE-5 request, BTCOMP
- 4) What entries should be made in ECS?
**Medical Component: ICD-10 code, diagnosis date, eligibility date
Correspondence: OHI sent and received date
employment development letter
SRS DAR and EE-5 request**

Case Study 2

Create an initial development letter based on the same claim.

Questions

