

Compensation for Former Nuclear Weapons Workers with Beryllium Disease

The Energy Employees Occupational
Illness Compensation Program Act
(EEOICPA)

Administration of the EEOICPA

- Part B (October 2000)
- Part E (October 2004)
- Agencies:
 - Department of Labor (DOL)
 - Department of Energy (DOE)
 - Department of Health and Human Services (HHS)
 - National Institute for Occupational Safety and Health (NIOSH)
 - Department of Justice (DOJ)

Eligibility – Medical

Part B

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

Part E

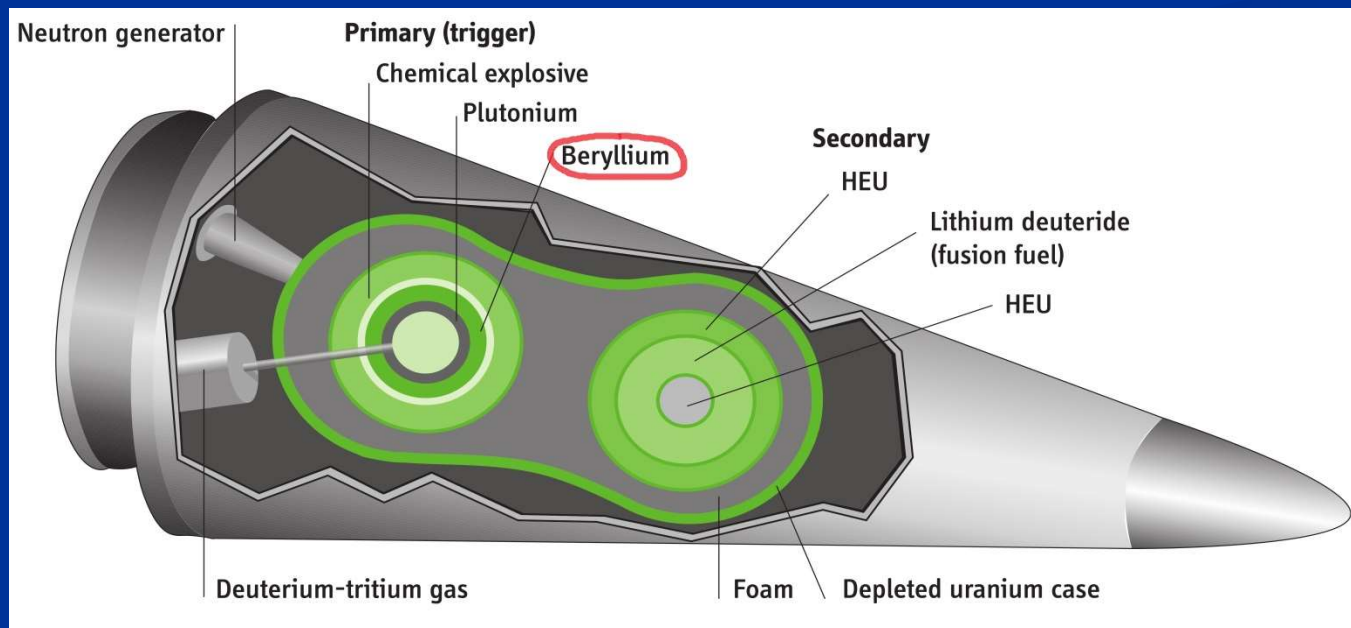
- Any condition related to toxic substances

Benefits

<u>Part B</u>	<u>Part E</u>
\$150,000	\$2500 per % Impairment
\$50,000 RECA	Annual Wage Loss \$10,000-\$15,000
	\$125,000 – 175,000 Survivor
\$400,000 CAP for B+E combined	

Beryllium Use

- Used throughout the DOE nuclear weapons complex
 - Alloys - Electronics - Research
- Component of nuclear warhead



Worker Exposure

- One day of verified employment
 - Department of Energy (DOE) facility
 - Beryllium Vendor
- Exposure is generally assumed to have occurred
- List of covered facilities is available online on DEEOIC main web page – see Partner Agencies

Medical Considerations

- Part B has statutory requirements for establishing CBD
 - Determined by a Pre-Post 1993 set of diagnostic criteria
 - Evidence of chronic respiratory disease used to trigger applicable pre – post assessment
- Part E requires evidence of abnormal BeLPT or BeLTT.
- Physician rationalized opinion is determinative

Beryllium Sensitivity – Part B

- Submission of one abnormal beryllium lymphocyte proliferation test (BeLPT) or beryllium lymphocyte transformation test (BeLTT)
- Performed on blood or lung lavage
- Abnormal skin patch test is acceptable

Part B - Pre 1993 Criteria

- Establishment of CBD before 1993 – three of the following:
 - Chest radiograph (or CT scan abnormality)
 - Restrictive or obstructive lung physiology or diffusing lung capacity defect
 - Lung pathology consistent with CBD
 - Clinical course consistent with chronic respiratory disorder
 - Immunological test showing beryllium sensitivity (skin patch or LPT/LTT)

Part B – Post 1993 Criteria

- Beryllium sensitivity (one abnormal LPT/LTT)
- Lung pathology including any of the following –
 - Biopsy showing lung tissue lymphocytes in bronchial or interstitial lung tissue
 - Biopsies showing non-caseating granulomas
 - Lavage findings showing increase in % of lymphocytes in the different cell counts

Part E - Criteria

- Physician's opinion that exposure to beryllium "at least as likely as not" a significant factor in causing, contributing to or aggravating CBD.
- No specific legal criteria for diagnostic evidence needed to establish CBD –
 - Program requires evidence of abnormal LPT or LTT
- Part B acceptance = Part E acceptance, if employee is DOE contractor/subcontractor

Additional Points

- Sarcoidosis can be accepted as CBD under Part B/E - but must meet legal/program requirement for establishing CBD.
- Handling false/negative LPT for post-1993 Part B claim –
 - Prednisone can interfere with test
 - Must have abnormal lung biopsy

Medical Benefits

- Medical monitoring for beryllium sensitivity
- Coverage for treatment and diagnostic testing
- Prescription medication
- Reimbursement for medical travel
- Home Health Care
- Assisted living/nursing home
- Hospice
- Ancillary care prescribed by physician

Program Resources

- DEEOIC Main Web Page
 - Brochure
 - Claim statistics
 - Covered facilities listing
 - Program policy & procedure
- 4 District Office – claim adjudication & management
- Resource centers
 - 11 centers providing claim assistance

Statistical Info

- Total BS/CBD Compensation Paid (as of 10/24/2017)–
 - Part B \$153,545,423 (1025 cases)
 - Part E –
 - Impairment \$90,629,168
 - Wage loss \$12,617,027
- Medical Benefits Part B - \$173,240,585
- Medical Benefits Part E - \$26,633,169

Living Employees/DOE facilities– Approved Cases Part B

	Total Cases - Part B
Y-12 PLANT	465
ROCKY FLATS PLANT	312
HANFORD	257
KANSAS CITY PLANT	163
SAVANNAH RIVER SITE	159
OAK RIDGE NATIONAL LABORATORY (X-10)	140
OAK RIDGE GASEOUS DIFFUSION PLANT (K-25)	138
LOS ALAMOS NATIONAL LABORATORY	117
LAWRENCE LIVERMORE NATIONAL LABORATORY	113
NEVADA TEST SITE	85
PADUCAH GASEOUS DIFFUSION PLANT	80
IDAHO NATIONAL ENGINEERING LABORATORY	76
PANTEX PLANT	70
NOT SPECIFIC IN DOE TABLE - REPORTED ON CLAIM	65
PORTSMOUTH GASEOUS DIFFUSION PLANT	53
BROOKHAVEN NATIONAL LABORATORY	45
AMES LABORATORY	44

Survivors/DOE facilities – Approved Cases Part B

	Total Cases Part B
Y-12 PLANT	203
PADUCAH GASEOUS DIFFUSION PLANT	165
SAVANNAH RIVER SITE	118
ROCKY FLATS PLANT	98
OAK RIDGE GASEOUS DIFFUSION PLANT (K-25)	92
OAK RIDGE NATIONAL LABORATORY (X-10)	55
HANFORD	45
IOWA ORDNANCE PLANT (LINE 1 AND ASSOC. ACTIVITIES)	32
KANSAS CITY PLANT	31
LOS ALAMOS NATIONAL LABORATORY	30
PORTSMOUTH GASEOUS DIFFUSION PLANT	26
IDAHO NATIONAL ENGINEERING LABORATORY	18
FEED MATERIALS PRODUCTION CENTER (FMPC)	17
LAWRENCE LIVERMORE NATIONAL LABORATORY	17
NEVADA TEST SITE	17
PANTEX PLANT	15
AMES LABORATORY	10
ARGONNE NATIONAL LABORATORY-EAST	10

The End