



Highlights of [GAO-04-958](#), a report to Chairman, Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary, House of Representatives

Why GAO Did This Study

Subtitle B of the Energy Employees Occupational Illness Compensation Program Act, administered by the Department of Labor (Labor), provides eligible workers who developed illnesses from their work, or their survivors, with a onetime total payment of \$150,000, and coverage for medical expenses related to the illnesses. For some claims, Labor uses radiation exposure estimates (dose reconstructions) performed by the National Institute for Occupational Safety and Health (NIOSH), part of the Department of Health and Human Services' (HHS) Centers for Disease Control and Prevention (CDC), to determine if the illness claimed was "as least as likely as not" related to employment at a covered facility.

GAO was asked to determine (1) how well Labor's procedures and practices ensure the timely and consistent processing of claims that are not referred to NIOSH for dose reconstruction but are being processed by Labor and (2) how well Labor's and NIOSH's procedures and practices ensure the timely and consistent processing of claims that are referred for dose reconstruction. GAO did not assess the quality of Labor's claims decisions.

What GAO Recommends

HHS agreed with GAO's recommendation that the agency direct CDC to establish time frames for completing the remaining site profiles.

www.gao.gov/cgi-bin/getrpt?GAO-04-958.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robert E. Robertson at (202) 512-7215 or robertsonr@gao.gov.

ENERGY EMPLOYEES COMPENSATION

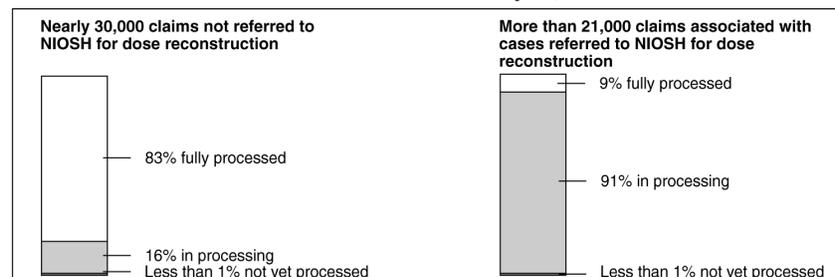
Many Claims Have Been Processed, but Action Is Needed to Expedite Processing of Claims Requiring Radiation Exposure Estimates

What GAO Found

In the first 2½ years of the program—July 31, 2001, through January 31, 2004—Labor had fully processed 83 percent of the nearly 30,000 claims that had not been referred to NIOSH for dose reconstruction (see the fig. below); these claims correspond to nearly 23,000 cases for individual workers. (Multiple claims can be associated with a case as eligible survivors may each file claims.) Labor took an average of 7 months to fully process these claims. About 42 percent of claims with final decisions were approved, resulting in \$625 million in lump-sum compensation payments. The remaining 58 percent of claims with final decisions were denied—the majority because they did not meet medical or employment eligibility criteria. Labor generally met its timeliness goals for processing claims and is working to ensure that claims are processed consistently by conducting accountability reviews and creating a task force to update its procedure manual.

In the first 2½ years of the program, Labor and NIOSH had fully processed about 9 percent of the more than 21,000 claims (which correspond to about 15,000 cases) that were referred to NIOSH for dose reconstructions, taking an average of 17 months to fully process claims. Fifty-one percent of the processed claims were approved, and Labor has paid out about \$65 million in lump-sum compensation. Forty-nine percent were denied because it was determined that the claimed illness was not at least as likely as not related to employment at a covered facility. A backlog of claims needing dose reconstruction developed because NIOSH needed time to get the necessary staff and procedures in place to complete the dose reconstructions and develop site profiles. Efforts are under way to develop site profiles that contain facility-specific information that is useful in completing dose reconstructions. However, processing claims associated with facilities that do not have site profiles, in some instances, has essentially stopped, and NIOSH has not established a time frame for completing these remaining site profiles because of limited expert resources and site complexities. As a result, some claimants could wait a considerable period of time to have their claims fully processed. To help ensure the consistency of claim decisions, HHS's Advisory Board is conducting an independent external evaluation of dose reconstruction decisions and site profiles.

Status of EEOICPA Subtitle B Claims as of January 31, 2004



Source: GAO's analysis of Labor's data.