



RELEASE - TRANSMISSION OF REVISED MATERIAL TO BE INCORPORATED INTO THE FEDERAL (EEOICPA) PROCEDURE MANUAL: CHAPTERS 0-0100, INTRODUCTION; 0-0200, GENERAL PROVISIONS OF EEOICPA; 0-0300, CUSTOMER SERVICE; AND 0-0400, PROGRAM DIRECTIVES.

EEOICPA TRANSMITTAL NO. 15-04

August 2015

EXPLANATION OF MATERIAL TRANSMITTED:

This material is issued as procedural guidance to update, revise and replace the EEOICPA Procedure Manual (PM) Chapters 0-0100, Introduction; 0-0200 General Provisions of EEOICPA; 0-0300, Customer Service; and 0-0400, Program Directives. This version incorporates changes that have arisen since the last publication of Chapter 0-0100, 0-0200, 0-0300 and 0-0400, to include:

- Removes pagination from Chapters 0-0100, 0-0200, 0-0300, and 0-0400.
- Removes all footers subsequent to the Table of Contents from Chapters 0-0100, 0-0200, 0-0300, and 0-400.
- Corrects Chapter 0-0100.2, to state that the Act originally had Parts B and D and removes duplicative language regarding the coverage granted by an amendment to the Act.
- Updates Chapter 0-0100.3 by replacing reference to the Division of Planning, Policy and Standards, and the Division of Technology and Standards with the Regional Directors, the Division of Administration and Operations, and the Division of Financial Administration.
- Updates Chapter 0-0100 by removing all references to Journey Level Claims Examiners.
- Updates Chapter 0-0100.4a(4) by adding reference to the Central Mail Room (CMR) and information regarding the scanning and bronzing of case related documents.

- Updates Chapter 0-0100.4b(1) by adding the Medical Bill Processing Unit and its function and responsibilities.
- Updates Chapter 0-0100.4b(1)(a) by adding reference to the Site Exposure Matrix (SEM) and its function.
- Updates Chapter 0-0100.4b(2)(c) by adding reference to the Joint Outreach Task Force Group (JOTG).
- Updates Chapter 0-0100.4b(3) by removing reference to the Branch of Automated Data Processing Systems' (BAS) oversight of medical and compensation system issues and the coordination of activities of the bill processing agent.
- Removes contact information from Chapter 0-0100, Exhibit 1, Jurisdictional Map and DEEOIC District Office Addresses.
- Replaces Chapter 0-0200.2b, regarding information on the requirements for Part E eligibility.
- Updates Chapter 0-0200.2c, by adding "and which DEEOIC considers likely to cure, give relief, or reduce the degree or the period of that illness."
- Updates Chapter 0-0300 by removing 0-0300.3b(7) regarding the Resource Center responsibility to conduct medical provider outreach.
- Updates Chapter 0-0300.3c, changing the paragraph from Telephone Management System (TMS), an Energy Case Management System (ECMS) function, to Documenting Phone Calls in the Energy Compensation System (ECS).
- Updates Chapter 0-0300.3c(1) by adding that phone call notes entered in ECS require bronzing into the OWCP Imaging System (OIS).
- Updates Chapter 0-0400.2b(1)(b) by removing reference to ECMS, adding reference to ECS, and adding reference to OIS.

- Chapter 0-0400 paragraph 4a on filing instructions has been removed because the PM is maintained in digital format instead of paper.

Rachel P. Leiton

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Director, Division of
Energy Employees Occupational Illness Compensation

FILING INSTRUCTIONS:

Remove

PM Ch. 0-0100
PM Ch. 0-0200
PM Ch. 0-0300
PM Ch. 0-0400

Insert

PM Ch. 0-0100
PM Ch. 0-0200
PM Ch. 0-0300
PM Ch. 0-0400

File this Transmittal behind Part 0 in the front of the Unified Federal (EEOICPA) Procedure Manual.

Distribution: List No. 3: All DEEOIC Employees
List No. 6: Regional Directors, District Directors, Assistant District Directors, National Office Staff, and Resource Center Staff.

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SUPERSEDED

1. Purpose and Scope. This chapter provides an overview of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and the structure of the Division of Energy Employees Occupational Illness Compensation (DEEOIC). It also addresses the relationships between DEEOIC and the Office of Workers' Compensation Programs (OWCP), the various components of the DEEOIC, and training for DEEOIC employees.

2. The EEOICPA. The EEOICPA, as amended, 42 U.S.C. § 7384 et seq., was enacted as Title XXXVI of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, Public Law 106-398. The Act originally had two parts, Part B and Part D. On October 28, 2004, the President signed into law an amendment that repealed Part D of the EEOICPA and created a new program called Part E.

a. Part B. The purpose of Part B is to provide a lump sum payment of \$150,000 and medical benefits as compensation to covered employees suffering from occupational illnesses incurred as a result of their exposure to radiation, beryllium, or silica while in the performance of duty for the DOE and certain of its vendors, contractors and subcontractors.

The legislation also provides for the payment of compensation to certain survivors of these covered employees, as well as for payment of a smaller lump sum of \$50,000 to individuals or their survivors who were determined to be eligible for compensation under Section 5 of the Radiation Exposure Compensation Act (RECA). Compensation for individuals with beryllium sensitivity is limited to medical monitoring and medical benefits.

b. Part E. The purpose of Part E is to provide variable amounts of compensation to DOE contractor employees or to their survivor(s) where it is at least as likely as not that exposure to a toxic substance while employed at a covered facility was a significant factor in aggravating, contributing to or causing the employee's illness or death. Variable amounts of compensation up to an aggregate total of \$250,000 (for the employee and any survivors) are determined based on causation, wage-loss, and impairment.

3. Organization. This paragraph describes the structure and authority of the National, Regional, and District Offices (DOs). OWCP has seven divisions, of which DEEOIC is one. The others are the Division of Federal Employees' Compensation; the Division of

Longshore and Harbor Workers' Compensation; the Division of Coal Mine Workers' Compensation; the Regional Directors (6 Regions), the Division of Administration and Operations, and the Division of Financial Administration.

- a. Regional Director. OWCP Programs, in each of its six regions, are administered by a Regional Director (RD), who reports to the Director for OWCP.
 - b. District Director. DEEOIC has four DOs, which are located in Jacksonville, Florida; Cleveland, Ohio; Denver, Colorado; and Seattle, Washington. Each DO is managed by a District Director (DD), who reports to the RD. (Exhibit 1 contains a list of addresses, telephone numbers, and fax numbers for the DOs.)
4. Responsibilities. This paragraph describes the roles of the various components within the DEEOIC.
- a. District Offices. Within each DO there are a variety of roles:
 - (1) Claims Functions. Supervisory Claims Examiners manage units of Senior Claims Examiners and Claims Examiners (CEs). Staff in these units adjudicate claims, authorize compensation and medical benefits, respond to inquiries from interested parties, and maintain case files.
 - (2) Fiscal Operations. Fiscal Officers (FOs) are designated for each DO. The primary responsibility of these individuals is to ensure the integrity of the compensation payment process. The FO is also responsible for monitoring financial management records and serves as the DO point of contact for medical billing issues.
 - (3) Medical Referrals. DEEOIC uses the services of a contractor to assist in obtaining medical opinions on a range of issues including causation, impairment, wage-loss, etc. The contractor is also responsible for the scheduling of second opinion medical examinations. Within each DO, a designated District Medical Scheduler is responsible for coordinating case referrals with the contractor.
 - (4) Mail and File. Contract personnel in this area

open, sort and place mail, compile case files, retire case records according to established schedules, image case files and documents, and transfer case files in and out of the DO. The Central Mail Room (CMR) is the central location for incoming mail. The contract staff is responsible for opening mail, prepping the mail for scanning, scanning the mail, and assigning the digital image of the mail to the proper case in the OWCP Imaging System (OIS).

(5) Contact and Technical Assistance. Customer Service Representatives are responsible for answering phones, referring calls within the DO and responding to general inquiries. Technical assistants are responsible for providing technical guidance and assistance to DO personnel and maintaining liaison with organizations outside the DO.

b. National Office (NO). The Director of DEEOIC has final authority to manage and administer the program. With the exception of the FAB Chief, who reports directly to the Director, the Deputy Director supervises the DEEOIC Branch Chiefs and serves as the Acting Director in the Director's absence. Under the immediate jurisdiction of the Director and Deputy Director are the:

(1) Policy Branch. Personnel in the Policy Branch consist of the Policy, Regulations and Procedures Units (PRPU), Secondary Claims Examiner (CE2) Unit, Medical Bill Processing Unit, and the Medical, Health & Science Unit (MHSU).

(a) The Policy, Regulations and Procedures Units (PRPU) develop program policies and procedures to carry out the functions of the DEEOIC. In particular, PRPU staff:

(i) Prepare and maintain the program's Procedure Manual and issue program Bulletins or Circulars, which entail significant coordination with the Office of the Solicitor for the Department of Labor, especially with regard to statutory and regulatory changes;

(ii) Conduct accountability reviews;

(iii) Participate in the development of training materials;

(iv) Handle functions relating to employment verification and records, including the tracking of covered time frames for employment;

(v) Oversee the data collection and management of the Site Exposure Matrix (SEM) that assists in determining the existence of causal links between covered employment, exposure to toxic substances during such covered employment, and the resultant illnesses arising out of such exposure;

(vi) Review memoranda to the Director submitted by the Final Adjudication Branch (FAB) and DO requesting the reopening of a claim or the vacating of a FAB decision based upon new and/or relevant evidence, by reviewing the case record and making a determination whether a reopening of the claim or the vacating of a FAB decision is warranted. The Director or the appropriately designated authority issues a denial letter to the party requesting the reopening; or a Director's Order to the FAB or DO, setting the FAB decision or FAB Remand Order aside and outlining the course of action required to resolve the issue(s).

(vii) Issue decisions regarding overpayments.

(b) The Secondary Claims Examiner (CE2) Unit handles DO development and adjudication required while a case is pending review at the FAB. The CE2 Unit only adjudicates issues that are outside the scope of the issue(s) being addressed by the FAB. In particular, CE2 staff:

(i) Conduct all necessary development on outstanding claim elements not related to the recommended decision (RD) currently in front of the FAB for review, and appropriately reflecting those actions in

the Energy Compensation System (ECS) for the duration of the FAB review process;

(ii) Prepare a memorandum for the case file explaining what development actions have been taken and what future actions are required to address any outstanding issues; and

(iii) Issue an RD whenever the case record contains enough evidence on file to support an RD on any of the outstanding claim elements.

(c) The Medical Bill Processing Unit (MBPU) is responsible for managing DEEOIC's central bill processing day-to-day operations, payment certification, and overpayment recovery actions. The MBPU staff:

(i) Oversees the processes and procedures of the automated medical bill processing system and contractor activities for accuracy and timeliness that include provider enrollments, bill adjudication, bill adjustment, fee schedule appeals, medical authorization, and medical bill audits;

(ii) Identify and resolve medical billing and payment issues and coordinates, develops, and implements strategies for recoupments of overpayments; and

(iii) Prepares verified medical and compensation payments for proper data entry and certification through the Treasury payment applications.

(d) The Medical, Health & Science Unit (MHSU) consists of a Medical Director, Health Physicists, Industrial Hygienists, Epidemiologist/Toxicologist, and support personnel. The MHSU function includes the following:

(i) Review, research and respond to case

referrals from the FAB, DOs and PRPU. Serve as the DEEOIC technical experts on medical, radiological, and toxicological causation and exposure issues; and

(ii) Serve as the liaison between the National Institute for Occupational Safety and Health (NIOSH) and DEEOIC on all dose reconstruction related issues.

(2) Branch of Outreach and Technical Assistance (BOTA). Personnel in the BOTA are responsible for technical assistance and outreach activities, including developing informational materials and maintaining the Web page. In particular, BOTA staff:

(a) Develop and conduct training for DEEOIC staff;

(b) Manage the program's priority correspondence activity, including Freedom of Information Act (FOIA) requests; preparing responses for the Secretary of Labor; Office of Congressional and Intergovernmental Affairs; OWCP Director, and the Director of the DEEOIC;

(c) Facilitate development of comprehensive outreach plans; including local outreach by Resource Centers; monitor and approve outreach expenses, conduct and arrange outreach events, and serves as the Point of Contact (POC) on the Joint Outreach Task Force Group (JOTG). The JOTG is comprised of representatives from the Department of Energy (DOE), the DOE Former Worker Program, the National Institute for Occupational Safety & Health (NIOSH), and the Department of Labor (DOL) and NIOSH offices of the Ombudsman. These agencies work together to conduct joint outreach to current and former workers of the DOE workforce; and

(d) Promote and maintain cooperative relations with individuals and groups having EEOICPA interests through technical assistance and public relations activities.

(3) Branch of Automated Data Processing Systems

(BAS). Members of this Branch provide data processing and payment systems support services for the DEEOIC. In particular, the Branch is responsible for:

- (a) Developing and maintaining activities related to ECS and OIS;
 - (b) Providing statistical reports and data; and
 - (c) Providing overall computer services.
- (4) Management Unit. Members of this unit support the efficient operations of the DEEOIC by providing the following functions:
- (a) Oversee DEEOIC budget and ensure that budget limitations are not exceeded;
 - (b) Monitor and manage personnel and procurement actions; and
 - (c) Provide administrative support to the Director and the Deputy Director.

c. Final Adjudication Branch (FAB). Personnel in this Branch are responsible for issuing all final decisions under the EEOICPA, except for decisions on overpayments. The FAB also processes all objections by holding oral hearings or reviewing the written record. FAB representatives issue final decisions that affirm, remand, or reverse recommended decisions issued by the DEEOIC DOs.

A FAB Office is located in Washington, D.C., and a FAB unit is co-located with, but independent from, each of the four DOs. The manager of each FAB DO reports to the FAB Chief. (Exhibit 1 contains a list of addresses, telephone numbers, and fax numbers for the FAB units.)

5. Training. This paragraph describes the information new employees need and addresses the kinds of training OWCP provides to its employees.

a. Orientation. Orientation is provided to all new employees of the DO, FAB and NO. This orientation includes the following topics:

- (1) Organization of the DO, the Regional Office, the

FAB, the NO, and OWCP, as appropriate;

- (2) Mission and objectives of the DEEOIC;
- (3) General description of duties;
- (4) Staffing pattern, chain of command;
- (5) Floor plan/physical layout of office, unit locations, emergency procedures, office security, etc.;
- (6) Mail handling, paper and case flow;
- (7) Working hours, breaks, lunch hour, sick and annual leave arrangements, flextime, telephone use, overtime authorization, etc.;
- (8) Introduction to staff;
- (9) Reference materials; and
- (10) Role of partner agencies, e.g. National Institute for Occupational Safety and Health (NIOSH), Department of Energy (DOE), Department of Justice (DOJ), Resource Centers, etc.

b. Courses. Three formal training courses have been developed for the DEEOIC staff. These include:

- (1) All Staff Members Orientation. This is a course designed by each DO, FAB, and the NO to explain the basic concepts of the EEOICPA.
- (2) Claims Examiner Course. CEs, Senior CEs, Supervisors, and FAB Representatives take this course.

It is delivered in a classroom or through self-instructional format. A resource person is available to respond to questions if the self-instructional format is used.

The course, which requires about two weeks to complete, is designed to explain the claims adjudication process and to develop case management skills.

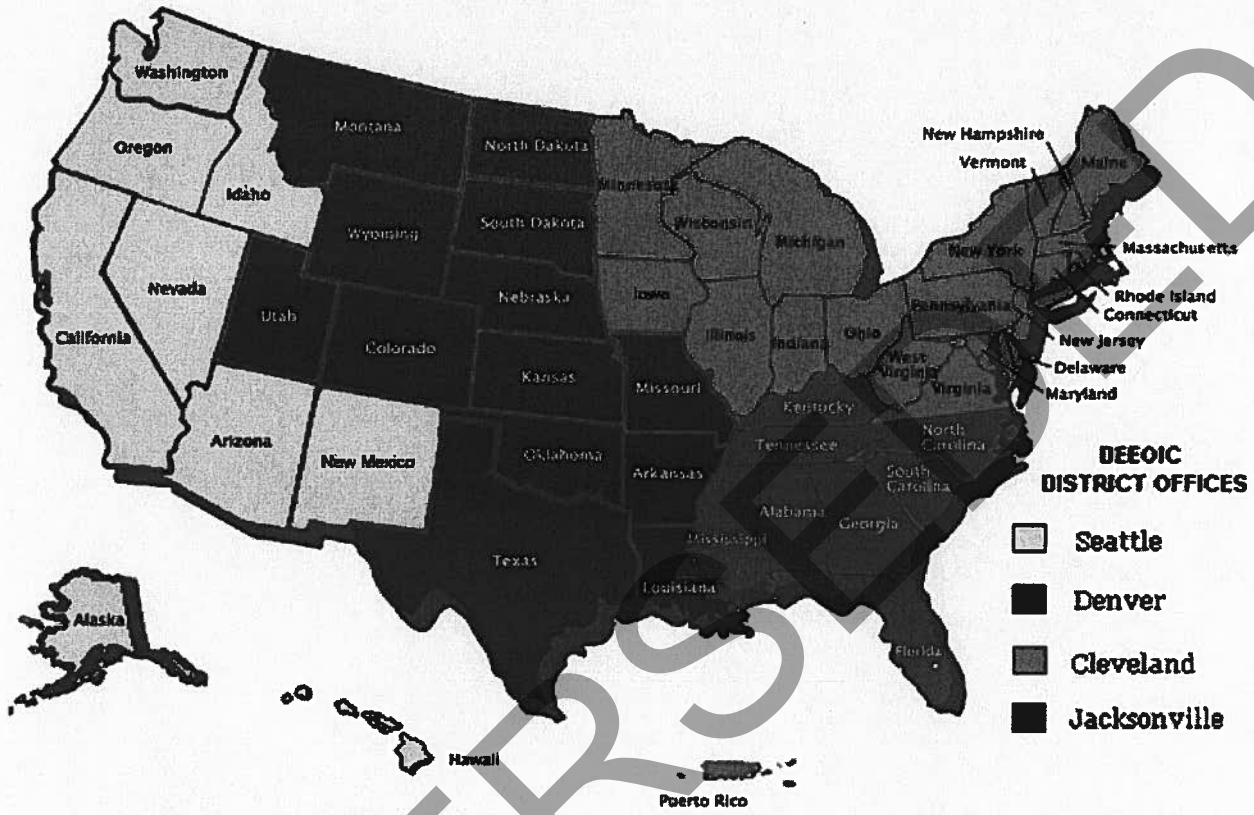
(3) Secondary Training. Additional training is provided to all claims personnel to address developing needs of the program (e.g., complex medical terminology/issues, facilities lists, exposure determination and SEM, precedent-setting decisions, Resource Centers). This training may include advanced CE and FAB training. In addition, training on ECS is available.

6. Jurisdiction. This paragraph describes the jurisdiction of the four DEEOIC DOs. The DO that handles a claim is determined by where the employee last worked as a covered employee. A DO acquires jurisdiction if the last covered facility is/was located within the geographical area it serves. (Exhibit 1 contains a DEEOIC DO Jurisdictional Map.)

a. Survivor Claims. This rule applies to claims from survivors as well as those brought by the employee.

b. Uranium Workers. Normally, all claims for uranium workers (or their survivors) who may have been awarded benefits under Section 5 of the Radiation Exposure Compensation Act (RECA) are within the jurisdiction of the Denver DO. (However, if a worker filed for both RECA Section 5 and silicosis benefits, and the Nevada Test Site was the last place of employment, the case would go to the Seattle DO rather than the Denver DO).

DEEOIC JURISDICTIONAL MAP



SUPERVISOR

DEEOIC DISTRICT OFFICE ADDRESSES

National Office - Washington, D.C.

U.S. Department of Labor, DEEOIC
200 Constitution Avenue, NW
Room C-3321
Washington, DC 20210

(202) 693-0081 (Main)

(202) 693-1465 (Fax)

District Office 1 - Jacksonville, Florida

(Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee)

U.S. Department of Labor, DEEOIC
400 West Bay Street, Room 722
Jacksonville, Florida 32202

(904) 357-4705 (Main)

(904) 357-4704 (Fax)

(877) 336-4272 (Toll Free)

District Office 2 - Cleveland, Ohio

(Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Puerto Rico, Rhode Island, Vermont, the Virgin Islands, Virginia, West Virginia, and Wisconsin)

U.S. Department of Labor, DEEOIC
1001 Lakeside Avenue, Suite 350
Cleveland, Ohio 44114

(216) 802-1300 (Main)

(216) 802-1308 (Fax)

(888) 859-7211 (Toll Free)

District Office 3 - Denver, Colorado

(Arkansas, Colorado, Kansas, Louisiana, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming, and all claims from RECA Section 5 awardees)

U.S. Department of Labor, DEEOIC
One Denver Federal Center
Building 53, Room B1501
Denver, Colorado 80225

(720)264-3060 (Main)
(888)805-3389 (Toll Free)

(720)264-3099 (Fax)

District Office 4 - Seattle, Washington

(Alaska, Arizona, California, Idaho, Hawaii, Marshall Islands, Nevada, New Mexico, Oregon, and Washington)

U.S. Department of Labor, DEEOIC
300 Fifth Avenue, Suite 1050E
Seattle, Washington 98104

(206)373-6750 (Main)
(888)805-3401 (Toll Free)

Fax: (206)224-1216

Final Adjudication Branch - Jacksonville, Florida

U.S. Department of Labor, DEEOIC
Final Adjudication Branch
400 West Bay Street, Suite 431
Jacksonville, Florida 32202

(904)366-0397 (Main)
(877)336-4272 (Toll Free)

(904)357-4785 (Fax)

Final Adjudication Branch - Cleveland, Ohio

U.S. Department of Labor - DEEOIC
Final Adjudication Branch
1001 Lakeside Avenue, Suite 390
Cleveland, Ohio 44114

(216)802-1449 (Main) Fax: (216)802-1390
(888)859-7211 (Toll Free)

Final Adjudication Branch - Denver, Colorado

U.S. Department of Labor, DEEOIC
Final Adjudication Branch
One Denver Federal Center
Building 53, Room D2212
Denver, Colorado 80225

(720)264-3062 (Main) Fax: (720)264-3218
(888)805-3389 (Toll Free)

Final Adjudication Branch - Seattle, Washington

U.S. Department of Labor, DEEOIC
Final Adjudication Branch
300 Fifth Avenue, Suite 1050
Seattle, Washington 98104

(206)373-6714 (Main) Fax: (206)224-2506
(888)805-3401 (Toll Free)

Final Adjudication Branch - Washington, D.C.

U.S. Department of Labor, DEEOIC
Final Adjudication Branch (FAB - National)
800 N. Capitol Street, NW, Room 565
Washington, DC 20211

(202)218-6800 (Main) Fax: (202)513-6401
(866)538-8143 (Toll Free)

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SUPERSEDED

1. Purpose and Scope. This chapter summarizes the provisions and requirements of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA or Act) and addresses its coverage.
2. Provisions of EEOICPA.
 - a. Requirements for Part B Eligibility. A covered employee must satisfy criteria of eligibility for at least one of the following compensable categories under Part B:
 - (1) Beryllium sensitivity or chronic beryllium disease resulting from exposure to beryllium in the performance of duty.
 - (2) A specified cancer if the employee was a member of the Special Exposure Cohort (SEC).
 - (3) A non-specified cancer if the employee incurred a cancer that is at least as likely as not related to radiation exposure from employment at a covered facility.
 - (4) Chronic silicosis resulting from exposure to silica from covered employment at a Department of Energy (DOE) facility in Nevada or Alaska, aggregating at least 250 work days during the mining of tunnels for tests or experiments related to atomic weapons.
 - (5) The U.S. Attorney General has determined entitlement to an award of \$100,000 under Section 5 of the Radiation Exposure Compensation Act (RECA).
 - b. Requirements for Part E Eligibility. A covered employee must establish that it is at least as likely as not that exposure to a toxic substance at a DOE facility was a significant factor in aggravating, contributing to, or causing the illness, and that it is at least as likely as not that the exposure to such toxic substance was related to employment at a DOE facility.
 - c. Medical Care. An employee who meets the statutory conditions of coverage is entitled to medical care consisting of services, appliances, and supplies prescribed or recommended by a qualified physician considered likely to cure, give relief, or reduce the degree or the period of

that condition, and which DEEOIC considers likely to cure, give relief, or reduce the degree or the period of that illness. Provider charges associated with the treatment of an accepted medical condition are paid from the compensation fund and are subject to a fee schedule.

d. Monetary Compensation under Part B. An eligible employee or survivor is entitled to receive a lump sum payment of \$150,000, if found eligible under Part B of the EEOICPA. An eligible uranium worker or survivor is eligible for a lump sum payment of \$50,000.

e. Monetary Compensation under Part E. Maximum compensation up to \$250,000 is determined based on causation, wage-loss, and impairment.

(1) Employee Benefits: Covered employee is eligible for compensation up to \$250,000 based on wage-loss and/or impairment.

(a) Wage-loss is based on the number of calendar years that the employee sustained a reduction in wages as a result of the covered illness. Wage-loss compensation is payable for qualifying years occurring prior to the employee's normal Social Security retirement age, determined by the employee's date of birth.

(b) Impairment is a loss, loss of use, or derangement of any body part, organ system or organ functionality as it affects the whole body, as a result of the covered illness. An impairment rating is performed once the employee has reached Maximum Medical Improvement (MMI) (i.e., the covered illness is stabilized and is unlikely to improve with or without additional medical treatment).

(2) Survivor Benefits: The survivor is eligible for compensation in the amount of up to \$125,000 if the covered illness aggravated, contributed to, or caused the employee's death.

(a) Wage-Loss: The survivor may be entitled up to an additional \$25,000 or \$50,000 depending upon the amount of calendar years over 10 years that the deceased covered employee experienced

compensable wage-loss prior to his or her normal Social Security retirement age.

(b) Impairment: In general, the survivor is not entitled to impairment benefits under Part E.

f. Survivor Eligibility under Part B. In the event of the death of an eligible employee, the Act provides for the disbursement of compensation in order of precedence and in proportion to the number of eligible survivors. The order of precedence is spouse, child, parent, grandchild, then grandparent.

g. Survivor Eligibility under Part E. The only survivors eligible for benefits are the spouse, or children of the covered employee who are under the age of 18 years at the time of the employee's death, or under the age of 23 years and a full time student at the time of the employee's death, or any age and incapable of self-support at the time of the employee's death. In limited circumstances, a spouse may elect to receive the compensation to which an employee would have been eligible prior to death.

h. Third Party Liability. With the exceptions listed below, where an employee's compensable illness or death results from circumstances creating a legal liability on some party other than the United States, the cost of compensation and other benefits paid by the OWCP must be offset to reflect any settlement obtained. Exceptions include the following:

(1) Workers' compensation benefits are not offset under Part B; and

(2) Insurance policy payments made to an employee or eligible surviving beneficiary, where the employee or eligible surviving beneficiary has purchased the policy, are not offset.

i. Coordination of Benefits with State Workers' Compensation (SWC). When a claimant has received benefits from a state workers' compensation program for the same covered illness(es) to which he or she is to be awarded compensation under Part E, this requires a reduction in the award. Exceptions to this reduction include the following:

(1) Medical and vocational rehabilitation benefits received from SWC for the same covered illness(es) are not included in the reduction;

(2) The claimant has received SWC benefits for both a covered and a non-covered illness as a result of the same-work related incident; these benefits also will not be included in the reduction; and

(3) Reasonable costs in obtaining SWC benefits incurred by the claimant, such as but not limited to attorney's fees and specific itemized costs of suits, are not included in the reduction.

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SUPERSEDED

1. Purpose and Scope. This chapter describes the commitment of the Division of Energy Employees Occupational Illness Compensation (DEEOIC) to serving its internal and external customers with excellence.
 - a. Internal Customers. These include but are not limited to National Office staff, District Office staff, and Resource Center employees.
 - b. External Customers. These include, but are not limited to, claimants, authorized representatives, attorneys, advocacy groups, congressional officials, contractors, and other external agents who have a vested interest in the claims process.
2. DEEOIC Standards for Customer Service. The highest level of customer service is expected in all dealings with individuals conducting business with and within the DEEOIC. All staff are expected to be courteous, professional, flexible, honest and helpful. The program's Operational Plan includes standards for the performance, responsiveness and timeliness of customer service. DEEOIC's Customer Service Goals include the following:
 - a. Customers. DEEOIC customers are satisfied with our services;
 - b. Services. DEEOIC services are delivered to customers in a timely and accurate manner; and
 - c. Planning and Development. Customer needs are integrated into program planning and product development.
3. Telephone Communications. DEEOIC staff speak to claimants, authorized representatives, health care providers, employer organizations, resource center personnel, governmental organizations, and others on a daily basis.
 - a. Telephone Skills. Effective telephone skills are one of the keys to providing accurate, courteous, and timely information to callers. These skills include, but are not limited to, the following:
 - (1) Answer the telephone promptly;
 - (2) Identify the caller's needs;

- (3) Handle inquiries in a professional and pleasant (non-defensive) manner;
- (4) Provide prompt, informative responses;
- (5) Keep conversations brief but provide accurate, courteous, and timely information; and
- (6) Give callers an accurate estimate of when a return call will be attempted, if necessary.

b. Inquiries Directed to Resource Centers. Resource Centers (RCs) are situated in key geographic locations throughout the United States to provide assistance and information to the DEEOIC claimant community and other interested parties. The RCs play a limited but valuable role in the claims process and their duties include the following:

- (1) Provide information on claims process and program procedures to the DEEOIC claimant community;
- (2) Assist claimants in the completion of the necessary claim forms;
- (3) Take initial employment verification steps for all new EEOICPA claims filed with the RC;
- (4) Conduct occupational history development for certain employees;
- (5) Provide case-specific information and clarification to claimants and authorized representatives;
- (6) Educate and assist the claimants regarding impairment and wage-loss benefits on cases with positive causation determinations; and
- (7) Provide medical bill payment assistance to claimants.
- (8) For more information about the RCs, see EEOICPA PM 2-0200.

c. Documenting Phone Calls. The Phone Calls Screen in the Energy Compensation System (ECS) allows the ECS user to

memorialize telephone conversations. The Phone Calls screen in ECS also provides a mechanism by which incoming and outgoing telephone contact on a given case file is tracked and maintained.

(1) The person who answers the phone must create the phone record in ECS, unless the call is immediately transferred to another person and that person picks up the phone and speaks with the caller. The second person then becomes responsible for creating the phone message record in ECS. A copy of the phone call note from ECS must be bronzed into the OWCP Imaging System (OIS).

(2) The person transferring the call must ensure that the call is picked up so that the caller is not inadvertently dropped or transferred to a voicemail message.

(3) Callers may be transferred to voicemail only with the caller's explicit knowledge and consent.

4. Written Communications. DEEOIC staff must use good writing skills in all correspondence. Letters must be clear, concise, instructional, accurate, and tailored. Specific skills include:

a. Considering the Reader. Use language that the reader can understand and customize the correspondence accordingly, specifically for that reader. Avoid using abbreviations in the body of the correspondence, unless they have been written out at the beginning of the correspondence;

b. Checking for Errors. Review correspondence before issuance to eliminate grammatical, spelling, template or other technical errors;

c. Choosing the Mode of Expression. Use natural and non-adversarial wording. To the extent possible, write politely, conversationally and employ commonly used words;

d. Making Documents Visually Appealing. Present text in a way that highlights the main points to be communicated. Use bullets or numbered lists when providing instructions or identifying deficiencies. Avoid lengthy narrative explanations or too much usage of underlining or bolding of the text in the correspondence; and

e. Tailoring the Letter to the Issue at Hand. Do not use lengthy, "laundry list" template letters when only certain information is being requested or provided. Identify what evidence has been submitted and the additional information that is needed in order to proceed with the adjudication of the claim in a timely manner.

SUPERSEDED

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SUPERSEDED

1. Purpose and Scope. This chapter describes the communications and directives system used by the Division of Energy Employees Occupational Illness Compensation (DEEOIC). It focuses on the structure of the Procedure Manual governing claims under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA or Act), and addresses its relationship to the Program's other written directives.

2. Directives. The publications relating to the EEOICPA include both external and internal releases, as follows:

a. External Directives. These may consist of either legal or informational releases.

(1) The Federal Register contains "Notices" and "Rules" pertaining to new or revised policy.

(a) "Notices" in the *Federal Register* advise the public of proposed changes and invite comments on them.

(b) "Rules" in the *Federal Register* state the regulations adopted by the program.

(2) Pamphlets and notices inform the public of the availability of EEOICPA benefits.

b. Internal Directives. There are three categories of directives; they are permanent (unless superseded), time-limited, and informational.

(1) Permanent directives include the following:

(a) EEOICPA Procedure Manual (PM), which is updated by transmittals.

(b) Other guides, including the DOL Correspondence Guide (DLMS Handbook 1-2); the GPO Style Manual; Program Memoranda; OWCP Imaging System (OIS), and the Energy Compensation System Users Manual which provides users and operators of the ECS with guidelines for interacting with the system.

(2) Time-limited directives are issued as Bulletins. They may involve changes to procedures, special

reports, or pilot programs. A Bulletin is effective until it is superseded by the PM or an updated Bulletin.

(3) Informational directives are issued as Circulars and do not require specific action. They are used to meet the following objectives:

- (a) To announce personnel changes, upcoming events or activities, or other items of informational value;
- (b) To call attention to standing instructions or performance standards that may require compliance or improvement;
- (c) To announce proposed plans or anticipated program changes; or
- (d) To inform District Offices (DOs) of the activities and interests of the National Office.

3. Procedure Manual. The EEOICPA PM is accessible to all interested parties within and outside of the DEEOIC.

a. Part 0, Overview. This part provides an introduction to the EEOICPA, the program that administers it, and the directives issued to implement it. This section also provides employees with general information about program operations and the organizational structure of OWCP.

b. Part 1, Mail and Files. This part addresses the jurisdiction over cases and the movement of mail and case files within the DO. It also discusses how to create, maintain, transfer and retire case files.

c. Part 2, Claims. This part establishes policies, guidelines and procedures for developing, adjudicating and managing claims under the EEOICPA.

d. Part 3, Fiscal. This part establishes policies, guidelines and procedures for all fiscal issues.

4. Maintenance and Revision. EEOICPA Transmittals update the EEOICPA PM and are to be cited in the following manner:

a. Citations to the PM. The EEOICPA PM has four parts, as described in paragraph 3 above. Each part consists of several chapters, which in turn are divided into paragraphs, subparagraphs, and sometimes sub-subparagraphs. Chapters and paragraphs should be cited as follows:

Citation to a part of the PM: Federal (EEOICPA) PM Part 1

Citation to a chapter: Federal (EEOICPA) PM 1-100

Citation to a paragraph: Federal (EEOICPA) PM 1-100.1

Citation to a subparagraph: Federal (EEOICPA) PM 1-100.1a

Citation to a sub-subparagraph: Federal (EEOICPA) PM 1-
100.1a(1)