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To: The Advisory Board on Toxic Substances and Worker Health:

Thank you for allowing me to comment on the Subcommittee meeting on SEM. I am an Authorized Representative specializing in lung disease and I have been highly successful in garnering acceptance for my clients. Over the years I have experienced major inconsistencies in this Program. Acceptance of a claim depends on which District Office the claim is filed in, who the Claims Examiner is the adversarial nature of the CMC, and the Program timing of the claim. I believe that the law should be consistently applied to all claims throughout the life of the Program.

OHQ Experience:

- The Resource Center without proper training uses a script and follows the Questions listed on the OHQ.
- They do not assist claimants with the SEM (nor do they inform them that it is available)
- The PPE portion of the OHQ is used to deny exposure by DMCs. ("you wore PPE")
- The Program discredits Workers recollections of exposure as the ABTSWH SEM report implies...

Worker Discussions and recollection:

"These discussions could be quite lively and included instances in which two or more employees had worked together for years, described aspects of their jobs, including substances used, quite differently". These were instances where the workers were "telling it just like they remembered it," but they remembered it differently. Human recollection can be tricky in that respect.

The FWP Needs Assessments relied on Workers input. Professional IHs value worker recollections when an interview is performed by a trained professional. I have rarely read reference to the OHQ in an IH or CMC report unless it is being used to refute exposure or discredit a worker.

Econometrica Report Overlap with Board

[https://www.dol.gov/owcp/energy/regs/compliance/PartE/econometrica/DOL Part E Final Report.htm](https://www.dol.gov/owcp/energy/regs/compliance/PartE/econometrica/DOL%20Part%20E%20Final%20Report.htm)

Econometrica and its subcontractors, National Jewish Research Center and Occupational HealthLink, completed a project to provide a list of the most prevalent diseases and toxins. The completed project also provides a Matrix for use by DOL claims examiners to assist in the claims for compensation made under Part E. The Matrix is a cross-correlation of disease to chemicals and the level of exposure required to **cause** the disease. Research identified the medical evidence required for diagnosis, and provides recommendations for implementing the process. (Guidance for Claims Examiners)

- In 2005 DOL contracted with Econometrica and listed performance criteria:

1. Determine Disease Causation/ Exposure relationships
2. Develop Matrixes of Priority Illnesses with sufficient criteria to establish covered illnesses
3. Determine level of exposure associated with an illness

Historical Matrixes are attached which have been changed inexplicably by the Program. (Compare to PM 2-1000 Exhibit 1, today)

DOL removed from the PM:

Asthma, irritant induced
Asthma irritant aggravated,
Heart Attack

The Program changed the language from *sufficient evidence to establish a covered illness, to, common characteristics for the diagnosis of a medical condition*. Now, all of these conditions are going to an IH and then to a CMC for a decision.

Prior to the change these conditions did not need to be evaluated by a physician after the Matrix criteria were met:

Pneumoconiosis
COPD
Mesothelioma
Asbestos related disorder
Asbestosis

The Program also removed:

The portion of the Matrixes that provided criteria to establish a *possible* illness with requirement of physician review. See Attached Matrixes

Missing SEM

Program seems to have removed or withheld the attached 2007 SEM field referring to *safety controls* and *timeframes*. This SEM search was located in a claimants file

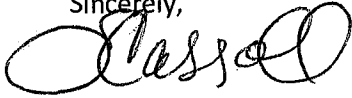
Program removal of SEM documentation from the attached 2012 reports: (See Rocky Flats for comparison)

- *Pneumoconiosis, other* (from 10 full pages to 37 toxins)
- *Pulmonary Disease, Chronic Obstructive:* (From 64 toxins to 13 toxins)
- All *Asthmas* have been removed from SEM
- *Asbestos Disease* Removed 5 toxins:
 1. Asbestos filled DAP
 2. Hysol 1C Epoxy-Patch Adhesive
 3. Magnesia asbestos cement
 4. Transite

5. Welding Fumes

Please review the EECAP.org site to get an in depth review of the Issues with SEM. I appreciate the opportunity to submit my comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie Carroll', written in a cursive style.

Stephanie Carroll

DIAB Member

Beryllium Health Safety Committee Member

Authorized Representative atomicworkeradvocacy@gmail.com