

Ten-Year Program Review: NIOSH Progress on Issues and Actions Items Related to the Quality of Service Review, Issue 4, Action 1

Issue 4: Issues related to perceived burden on claimants and petitioners

Action 1: DCAS will consider its current communications strategies as they might present perceived burdens to claimants and petitioners, particularly in light of the real burden felt by those individuals through their interactions with the DOL.

Status: Complete

Summary: The Division of Compensation Analysis and Support (DCAS) has reviewed current communication strategies and changes were made to the letter and cover page of the question for the telephone interview and the Special Exposure Cohort (SEC) petition process letters.

Telephone Interview Letter and Cover Page to Questions

The letters and cover sheet to the questions were updated to include more detailed information on what to expect during the call. It is also important to note that the letter and cover page to the questions no longer emphasize this as an interview. Both state that we would like to talk to the energy employee about their work history and ask them some questions. One of the “perceived” burdens by claimants may be the word “interview” and the term may cause anxiety for some claimants. An “interview” has one meaning while “talking” with someone about their work history may have another meaning or perception. These changes were implemented in February 2012. A sample of the new text added to the letter and cover page to the questions is below:

“These questions will provide you with the chance to let us know any additional information about your work history that might not be found in the exposure monitoring information we receive from the Department of Energy (DOE) or Atomic Weapons Employer (AWE). While we encourage all claimants to talk to us about their work history, your participation is voluntary.

Some things to keep in mind with these questions:

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- You are not expected to answer or know all of the information in the questions. These questions cover a wide range of information. Also, we do not want or expect you to search for any of this information.
- We are giving you a copy of these questions so that you know what to expect during the call. While looking over the questions, you can jot down any thoughts you may have. You do not need to fill out the questions and return them to us. We will take the information from you over the phone.
- We will look over the information you give us during the phone call when we are ready to start the dose reconstruction for your claim. Please keep in mind that the technical documents we use for doing your dose reconstruction may already include some or all of the information you might give us during the call. If you have given us additional information that is not covered in our technical documents, it will be used to complete your dose reconstruction.”

Special Exposure Cohort Petitioning Process Letters

All letters used in the SEC petitioning process have been reviewed to see if any unintentional perceived burden existed. Additional information to better explain expectations and the various steps of the SEC petitioning process have been incorporated into the letter. DCAS started revising and implementing their use in July 2011. A sample from one of the letters is below:

“NIOSH released its evaluation report for your Special Exposure Cohort (SEC) petition. I have enclosed the report in this letter. We also sent the report to the Advisory Board on Radiation and Worker Health (the Advisory Board). The Advisory Board makes recommendations whether the class of workers should become members of SEC. In the report, we proposed the following worker class be added to the SEC:

“[NIOSH recommended class definition or if none, note NIOSH is not recommending a class].”

The above proposed worker class is based on the following:

- [Cite reason from evaluation report summary page].
- [Cite reason from evaluation report summary page].

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- [Cite reason from evaluation report summary page].

[Insert a brief paragraph noting any special changes to the class definition and why.]

Now that we submitted the report to the Advisory Board, the Board will:

1. Discuss your petition and our report on [Month Date, Year], during its meeting.
2. Make a recommendation whether to add the class of employees from your petition to the SEC.
3. After the Advisory Board makes a recommendation, it will send the recommendation to the Secretary of Health and Human Services.

The Secretary will then review the NIOSH evaluation report and the Advisory Board's recommendation to make a final decision on whether to add the class of employees in your petition to the SEC. If the Secretary's decision is to add a class, the Secretary will report this decision to Congress. Congress has 30 days to take action on the Secretary's decision. If no action is taken by the end of the 30 days, the Secretary's decision becomes final.

The [Month Date, Year], Advisory Board meeting is a teleconference meeting. It will begin at [Time] ([Specify Time Zone]—information will be slightly different for a face-to-face meeting). This meeting is open to the public. You will have an opportunity comment about this report during the meeting. You can also address the Advisory Board in writing, if you wish. You do not have to participate and may choose to only listen to the meeting. The final agenda for this meeting is not available at this time. When it is available to us, we will send the agenda for this meeting with the call-in number and pass code, should you choose to listen or participate.

If you have any questions about the report or how to address the Advisory Board regarding your petition, please feel free to contact the NIOSH SEC petition counselor, Josh Kinman. During this process, Mr. Kinman can be contacted directly at 513-533-6831 or toll-free at 1-877-222-7570. You can also contact Mr. Kinman by email at dcas@cdc.gov. Additional information about DCAS and the SEC process can be found on the DCAS Web site (<http://www.cdc.gov/niosh/ocas>)."

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