

Occupational Pneumoconiosis Board



2008 – 2009

Annual Report

Occupational Pneumoconiosis Board

Members

Jack L. Kinder, M.D.
Internal Medicine
Chairman

Bradley Henry, M.D.
Internal Medicine

Thomas M. Hayes, M.D.
Radiologist – B Reader

Mahendra M. Patel, M.D.
Internal / Pulmonary Medicine

Johnsey Lee Leef, Jr., M.D.
Radiologist – B Reader

Occupational Pneumoconiosis Board

Overview

The Occupational Pneumoconiosis Board schedules examinations for all persons filing occupational pneumoconiosis claims with the Insurance Commission. The Board makes impairment determinations based on available claim related medical evidence.

The Board obtains a complete medical history of the claimant, including any treatment for heart and lung disorders and other conditions that restrict the persons' activity. The medical history includes current and past tobacco use and to what extent. Clinical members of the Board conduct a physical examination of the claimant, giving special attention to heart and lungs, as well as any disabling injuries. Under close supervision, claimants able to exercise safely, perform a simple, standardized exercise test.

Chest X-rays are made under the supervision of the radiologist members of the Board, following film quality and technical standards established by the *Federal Coal Mine Health and Safety Act of 1969* to detect even minute changes possibly due to pneumoconiosis.

Board members are thoroughly familiar with identifiable diagnostic changes shown by X-rays of the claimant for evidence of changes occurring over time.

The Occupational Lung Center at Charleston Area Medical Center performs pulmonary diagnostic testing for the Board and reports on loss of lung function and to the extent to which lost lung function impairs the claimant's ability to work.

The 2008 / 2009 Occupational Pneumoconiosis Board Annual Report

Activity	July 1, 2007 to June 30, 2008	July 1, 2008 to June 30, 2009
Total Number of Claimants Examined	700	602
First Time Claimants	273 (39%)	155 (26%)
First Time Claimants Receiving No Diagnosis	175 (64%)	94 (61%)
First Time Claimants Receiving Initial Award	98 (36%)	61 (39%)
Total Number of Cancels / No Shows	150	110
First Time Claimants Receiving OP/O (no award)	24	8
Repeat Claimants Receiving OP/O (first time-no award)	9	6
Total Claimants Receiving OP/O	33	14
Claimants Receiving Repeat Examination	427 (61%)	447 (74%)
Repeat Exam of Claimants Receiving No Additional Award	356 (83%)	335 (75%)
Repeat Exam of Claimants Receiving Additional Award	71 (17%)	112 (25%)
Total Number of Fatal Claims Reviewed	91	124
Fatal Claims Due to Occupational Pneumoconiosis	18 (20%)	30 (24%)
Fatal Claims Not Due to Occupational Pneumoconiosis	73 (80%)	94 (76%)
Out of Town Reviews Examined	5	2
Out of Town Reviews Receiving No Diagnosis	4 (80%)	1 (50%)
Out of Town Reviews Receiving an Award	1 (20%)	1 (50%)

Physicians at the Occupational Lung Center in Charleston, West Virginia examined 602 occupational pneumoconiosis claimants during the reporting period. An additional 124 fatal claims and 2 off-site or remote claims were reviewed.


 Jack L. Kinder, M.D.
 Chairman



STATE OF WEST VIRGINIA

Offices of the Insurance Commissioner

JOE MANCHIN III
Governor

JANE L. CLINE
Insurance Commissioner

September 14, 2009

The Honorable Earl Ray Tomblin
Senate President and Lieutenant Governor
State Capitol Complex
Bldg 1, Rm 227M
Charleston, WV 25305

The Honorable Richard Thompson
Speaker of the House
State Capitol
Bldg 1, Rm. 234M
Charleston, WV 25305

Re: Occupational Pneumoconiosis Board 2008-2009 Annual Report

Dear President Tomblin & Speaker Thompson:

Pursuant to West Virginia Code §23-1-17, I am submitting to you the Occupational Pneumoconiosis Board 2008-2009 Annual Report.

Should you have any questions, please feel free to contact Mary Jane Pickens, General Counsel, at (304) 558-0401.

Sincerely,


Jane L. Cline
Commissioner

JLC/jz

enclosure

cc: Members of the House & Senate
Members of the Occupational Pneumoconiosis Board
Aaron Allred, Legislative Manager
Darrell E. Holmes, Clerk, WV State Senate
Gregory M. Gray, Clerk, WV House of Delegates





STATE OF WEST VIRGINIA

Offices of the Insurance Commissioner

JOE MANCHIN III
Governor

JANE L. CLINE
Insurance Commissioner

September 14, 2009

Natalie Tennant
WV Secretary of State
Building 12, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305

Re: Occupational Pneumoconiosis Board 2008-2009 Annual Report

Dear Secretary Tennant:

Pursuant to West Virginia Code §23-1-17, I am submitting to you the Occupational Pneumoconiosis Board 2008-2009 Annual Report.

Should you have any questions, please feel free to contact Mary Jane Pickens, General Counsel, at (304) 558-0401.

Sincerely,


Jane L. Cline
Commissioner

JLC/jz
enclosure

cc: Members of the House & Senate
Members of the Occupational Pneumoconiosis Board
Aaron Allred, Legislative Manager
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