

BRIEFLY...

Highlights of Report No. 05-15-001-50-598, issued to the Office of Workers' Compensation Programs (OWCP), Office of Administrative Law Judges (OALJ), and the Benefits Review Board (BRB).

WHY READ THE REPORT

Coal Worker's Pneumoconiosis, or black lung disease, is a condition suffered by coal miners that often leads to lung impairment, disability, and premature death. Between 1970 and May 2013, black lung disease killed more than 70,000 coal miners. Under the Black Lung Benefits Act (BLBA), the Department of Labor (DOL) provides compensation to coal miners who are determined to be totally disabled by pneumoconiosis arising out of coal mine employment and to their eligible survivors. This report discusses actions that DOL agencies involved in the claims process (OWCP, OALJ, and BRB) could take to improve the quality and timeliness of its black lung disease claims decisions.

WHY OIG CONDUCTED THE REVIEW

We conducted this review in response to a request by the United States House of Representatives' Committee on Education and the Workforce (Committee). The Committee's request was prompted by a report issued in October 2013 by the Center for Public Integrity that examined alleged misconduct by doctors and lawyers working for the coal industry.

READ THE FULL REPORT

To view the report, including the scope, methodology, and full agency responses, go to:

<http://www.oig.dol.gov/public/reports/oa/2015/05-15-001-50-598.pdf>.

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PROCEDURAL CHANGES COULD REDUCE THE TIME REQUIRED TO ADJUDICATE FEDERAL BLACK LUNG BENEFIT CLAIMS

WHAT OIG FOUND

We found many opportunities to improve the black lung disease claims process. OWCP could work with its approved medical providers to improve the quality of medical reports and to reduce the time it takes providers to submit those reports. OWCP could also work with the Social Security Administration to expedite access to claimants' earnings records. OALJ could improve its workload management by establishing performance goals for the disposition of cases for the office as a whole and for its district offices individually. OALJ also needs to address a shortage of staff resources, improve communications between its headquarters and district offices, and upgrade the training provided to judges and law clerks. BRB should consider whether the temporary reassignment of BRB staff to assist OALJ in reducing its case backlog would be a more effective use of resources. DOL should consider streamlining the claims process with an automated system that allows OWCP, OALJ, and BRB to exchange case files. Finally, DOL could take additional actions in response to the recommendations made by the Government Accountability Office in its October 2009 report on the black lung benefits program.

WHAT OIG RECOMMENDED

We made 23 recommendations addressing the issues identified above. In response to our report, the agencies indicated that they already have or are in the process of taking action on most of our recommendations. OWCP noted that it would like to further evaluate the long-term impacts of the 2010 amendments to the BLBA before pursuing additional amendments. Also, OALJ stated that it did not believe implementing a time tracking system for judges and law clerks would be an effective mechanism to improve productivity.