



How Do I Qualify for an Impairment Award

Under Part E of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)?

Who pays for an impairment rating?

DOL is committed to delivering benefits to eligible claimants.

- DOL pays for one impairment rating as long as the evaluation meets the criteria.
- DOL pays for tests needed to obtain an impairment evaluation.
- The evaluation must have occurred within one year of the date of its receipt by DOL for its expense to be eligible for reimbursement.
- The cost of obtaining additional evaluations may be covered at the claims examiner's discretion.
- Impairment ratings performed by unqualified physicians are not reimbursable.



We're here to help

For more information, contact the Division of Energy Employees Occupational Illness Compensation at **1-866-888-3322**.



U.S. DEPARTMENT OF LABOR
Employment Standards Administration
Office of Workers' Compensation Programs
Division of Energy Employees
Occupational Illness Compensation

Impairment Awards under the EEOICPA

In order to qualify for an impairment award under Part E of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), you must meet certain employment criteria. You must be, or have been, an employee of a Department of Energy (DOE) contractor or subcontractor, who has been determined to have contracted a covered illness through exposure to a toxic substance at a covered DOE facility. In addition, individuals covered under the Radiation Exposure Compensation Act (RECA) are also potentially eligible for benefits.

What is an impairment award?

An impairment award is monetary compensation for the permanent loss of function of a body part or organ, due to a covered illness under the EEOICPA, as established by medical evidence. For each one percent of impairment, \$2,500 is awarded.

To determine the percentage of impairment, DOL considers the following:

- Loss of function (whole person);
- Standard applied from the American Medical Association's (AMA's) *Guides to the Evaluation of Permanent Impairment, Fifth Edition*; and

- Condition has reached maximum medical improvement (MMI)
 - well-stabilized and unlikely to improve with medical treatment
 - not required if an illness is in a terminal stage.

A claimant may request re-evaluation every two years. A new evaluation may also be requested whenever DOL accepts a new illness that increases a claimant's impairment.

Physician's evaluation

The DOL determines impairment ratings based upon a physician's evaluation. The evaluation can be performed by a physician of the employee's choice, or the DOL gathers the appropriate tests and has a qualified physician complete an impairment evaluation based on those test results.

To be considered by DOL, the evaluation must have been performed by a physician who is:

- Board-certified in the medical specialty relevant to the covered illness; and
- Trained and certified to perform impairment ratings using the AMA's *Guides to the Evaluation of Permanent Impairment*, or experience in using the *Guides*.