

September 5, 2006

VERIFICATION OF IONIZING RADIATION (IR) EXPOSURE

1. PURPOSE: This Veterans Health Administration (VHA) Directive establishes policy for verifying veterans exposed to Ionizing Radiation for purposes of participation in the Department of Veterans Affairs (VA) Ionizing Radiation Registry (IRR) examination program and enhanced access to enrollment in the VA Health Care System.

2. BACKGROUND

a. VA has the authority to provide medical care and other medical services to veterans who were exposed to radiation for any disease described in Title 38 United States Code (U.S.C.) § 1710(e)(1)(B). For purposes of this treatment authority, a “radiation-exposed veteran” means a veteran who participated in a “radiation-risk activity” as defined in 38 U.S.C. § 1112(c)(3). It is these veterans who are unofficially referred to as “Atomic Veterans.” Section 1705 of Title 38, U.S.C., authorizes these Atomic Veterans to be enrolled in Priority Group (6) and are eligible for the full medical benefits package. Further, they are not subject to co-pays for care or services furnished for any disease related to their exposure as described in 38 U.S.C. 1710(e)(1)(B).

b. “Radiation-risk activity” is defined in 38 U.S.C. 1112(c)(3) as:

(1) Onsite participation in a test involving the atmospheric detonation of a nuclear device (without regard to whether the nation conducting the test was the United States or another nation), or

(2) Participation in the occupation of Hiroshima or Nagasaki from August 6, 1945 through July 1, 1946, or

(3) Internment as prisoner of war in Japan (or on active duty service in Japan immediately following such internment) during World War II which (as determined by the Secretary of Veterans Affairs) resulted in an opportunity for exposure to ionizing radiation comparable to that of veterans described in subparagraph 2b(2).

c. VA expanded the definition of “radiation-risk activity” by regulation (Title 38 Code of Federal Regulations (CFR) §3.309(d)(3)(ii)(D)) to include service at:

(1) Department of Energy gaseous diffusion plants at Paducah, KY, Portsmouth, OH, or the K25 area at Oak Ridge, TN, for at least 250 days before February 1, 1992, if the veteran was monitored for each of the 250 days using dosimetry badges to monitor radiation to external body parts, or if the veteran served for at least 250 days in a position that had exposures comparable to a job that was monitored using dosimetry badges; or

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(2) Longshot, Milrow, or Cannikin underground nuclear tests at Amchitka Island, AK, before January 1, 1974.

NOTE: Veterans described in subparagraph 2c(1) and subparagraph 2c(2) are eligible for the IRR examination, but are not eligible for treatment under 38 U.S.C. 1710(e)(1)(B) and are therefore not eligible for enrollment in PG6.

d. In accordance with 38 U.S.C. § 1720E, a Nasopharyngeal (NP) Radium-treated veteran must be offered treatment, including hospital care, medical services, and nursing home care, for any cancer of the head or neck which may be associated with the receipt of NP-radium irradiation treatments, regardless of their enrollment priority group or enrollment status. The veteran is exempt from co-payment for such care, including outpatient prescriptions (see VHA Handbook 1301.1).

(1) This includes veterans who received NP-radium therapy while in active military, naval, or air service. More specifically, these treatments were administered to certain pilots, submariners, and divers to prevent ear damage from pressure changes as well as other service members. Veterans who received NP radium treatments during military service are also eligible for IRR examinations. Veterans who participated in "radiation-risk activities" as defined by 38 CFR § 3.309(d)(3)(ii)(D), and veterans who received NP-radium treatments during military service do not have to enroll in VA's health care system to participate in the IRR.

(2) Veterans who received NP-radium treatment are not eligible to be enrolled in Priority Group 6 on the basis of their NP exposure.

e. Veterans who are not eligible for an IRR examination are those who: served in the nuclear Navy, maintained nuclear weapons, served as x-ray or dental technicians during military service, participated in clean-ups after accidents involving nuclear weapons, received x-ray therapy during military service, or claim exposure due to other similar situations.

3. POLICY: It is VHA policy to offer IRR examinations to any veteran who participated in a "radiation-risk activity" (as defined by VA statute or regulation), as well as veterans who received NP-radium treatments during military service. *NOTE: Co-payment requirements do not apply to IRR examinations (see VHA Handbook 1301.1).*

4. ACTION

a. **Medical Center Director.** The Medical Center Director is responsible for ensuring that:

(1) If a veteran seeks treatment and/or enrollment in PG6, documentation of the veteran's participation in a "radiation risk activity" is e-mailed to the VHA CIO HECAalert mail group using appropriate security procedures, or faxed to the Health Eligibility Center (HEC) at 404-235-1358 (for verification). *NOTE: Attachment A is to be used to provide information to the HEC pertaining to radiation risk activity.*

(2) In the absence of evidence to the contrary, a veteran's assertion of participation in a radiation-risk activity or having received NP- radium treatments in service is accepted for purposes of determining the veteran's eligibility for inclusion in the IRR Program.

(a) Veterans requesting IRR examinations need to be referred to the facility's Environmental Health (EH) Coordinator.

(b) A listing of VA EH coordinators may be found at the following Intranet web site: <http://vaww.va.gov/environagents/> *NOTE: For more information on the IRR examination program, see VHA Handbook 1301.1.*

(3) That verified eligibility information is obtained through automated query processes. *NOTE: A request for an update or revision to HEC's validated eligibility information by submitting the appropriate documentation to the HEC.*

(4) Patch DG*5.3*659 is installed within 30 days of its release. This patch corrects how VistA treats veterans who claim exposure to IR. *NOTE: Currently, when medical center staff marks Yes in the Registration Menu, screen 6, block 6 indicating that a veteran was exposed to IR, VistA assigns the veterans into PG6. This patch enhances VistA to allow identification of "atomic veterans" and those veterans who participated in radiation risk activities" while in the military. Atomic Veterans are eligible to be enrolled in PG6.*

b. **HEC.** The HEC is responsible for performing a second-level review of all eligibility determinations made by VA health care officials for veterans enrolling in the VA national enrollment system. In addition, HEC staff is responsible for performing a second-level review before a radiation-exposed veteran, commonly referred to as an Atomic Veteran, can be enrolled into PG6.

(1) Once eligibility has been verified and it has been determined by HEC staff that a veteran is eligible for enrollment into PG6 as an IR veteran, the HEC's determination becomes VHA's authoritative source for health care eligibility and enrollment classification.

(2) When eligibility for enrollment into PG6 cannot be verified by the HEC, the HEC faxes a copy of the attachment to the Defense Threat Reduction Agency (DTRA) at 703-480-9306 for verification. *NOTE: DTRA verifies whether the veteran meets the criteria of a radiation-risk exposed veteran and faxes information back to the HEC at 404-235-1358.*

5. REFERENCES

a. Title 38 U.S.C. §1710(e)(1)(B); § 1710(a)(2)(F); §1710(e)(4)(B); § 1112(c)(3); and § 1705(a)(6).

b. VHA Handbook 1301.1.

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Office is responsible for the content of this Directive. Questions may be referred to 202-254-0406. Questions regarding the

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IRR examination program may be referred to the Office of Public Health and Environmental Hazards at 202-273-8575.

7. RESCISSIONS: None. This VHA Directive expires September 30, 2011

S/ Louise Van Diepen for
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Acting Under Secretary for Health

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ATTACHMENT A

**DEPARTMENT OF VETERANS AFFAIRS (VA) FORM 10-0442, IONIZING
RADIATION VERIFICATION REPORT**

Below is an embedded copy of Department of Veterans Affairs (VA) Form 10-0442, Ionizing Radiation Verification Report. The fillable version of VA Form 10-0442 can be found on the Veterans Health Administration (VHA) Forms website at:

<http://vaww.va.gov/vaforms> .

You should use the latest version of Adobe Acrobat Reader to view this form



VA Form
10-0442-fill.pdf



Department of Veterans Affairs

**IONIZING RADIATION VERIFICATION REPORT
FOR PRIORITY GROUP (PG) 6 ENROLLMENT**

NOTE: Not to be used for Ionizing Radiation Registry (IRR) Examinations

FORWARD TO THE HEALTH ELIGIBILITY CENTER

E-mail to HECAAlert@va.gov

or

Fax to 404-982-3060

YOUR STATION NAME AND NUMBER

YOUR NAME

YOUR TELEPHONE NUMBER

VETERAN'S INFORMATION

NAME (*Last, First, Middle Initial*)

FULL SOCIAL SECURITY NUMBER

DATE OF BIRTH

MILITARY SERVICE NUMBER

BRANCH OF SERVICE

NAME(S) OF OPERATION(S) AND YEAR(S) OF CLAIMED PARTICIPATION:

NAME(S) OF ASSIGNED UNIT(S) AT TIME OF CLAIMED PARTICIPATION: