

Proposals to Make It Easier to Receive Black Lung Benefits Being Considered

In an effort to make it easier for coal miners and their families to receive black lung benefits, the U.S. Department of Labor is considering proposed changes to the rules that govern the distribution of these disability benefits.

What Is Black Lung Disease?

Black lung disease, also known as coal worker's pneumoconiosis, occurs when coal workers breathe in dust from graphite, man-made carbon or coal for long periods of time. There is no specific treatment for the disease and it can lead to several complications, such as respiratory failure and chronic bronchitis.

Since 1973, there have been more than 662,000 black lung disease claims filed around the country. Pennsylvania has had the most black lung disease claims during this time, with more than 130,000 people filing claims associated with the illness. In 2011 alone, \$56 million in benefits were paid to people suffering from black lung disease around the state.

Proposals to Make It Easier to Receive Benefits

The changes being considered by the Department of Labor's Workers' Compensation Office are part of the Patient Protection and Affordable Care Act of 2010, which would reinstate two provisions that had been eliminated in 1981. If these changes are adopted, a coal miner who suffers from black lung disease will not be required to prove that the condition was caused in the workplace if they have worked in coal mines

for at least 15 years. In addition, black lung benefits will automatically transfer to eligible survivors after their loved one has passed.

“The Affordable Care Act’s amendments to the Black Lung Benefits Act provide critical benefits to miners who have had their livelihood taken away by this insidious disease,” said Gary Steinberg of the Workers’ Compensation Office in a statement. “The late Senator Robert Byrd championed these vital provisions, and our proposed rules implementing them would have a dramatic impact on families who have proudly spent their lives working in the mining industry.”

Proposal to Streamline Paperwork

In order to streamline the red tape that those with black lung disease have to go through when applying for benefits, Congressman David McKinley of West Virginia has introduced legislation known as the “Burdensome Paperwork Reduction for our Miners Act.”

“Upwards of 50 pages are required at times, merely to apply for the benefits,” said McKinley in a statement. “That’s just wrong, both for our miners and for the taxpayers who foot the cost for such applications.”

If passed, the Department of Labor will be required to eliminate redundancies in the application process and reduce the number of forms that are required when seeking benefits.