



STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

Allan L. McVey
Insurance Commissioner

September 18, 2023

The Honorable Jim Justice
Governor of the State of West Virginia
State Capitol
Charleston, WV 25305

Re: Occupational Pneumoconiosis Board 2022-2023 Annual Report

Dear Governor Justice:

Pursuant to West Virginia Code §23-1-17, I am submitting to you the Occupational Pneumoconiosis Board 2022-2023 Annual Report.

Should you have any questions, please feel free to contact Erin Hunter, Deputy Commissioner/General Counsel, at (304) 558-0401.

Sincerely,

Allan L. McVey
CPCU, ARM, AAI, AAM, AIS
Insurance Commissioner

ALM/jlh

Enclosure

cc: The Honorable Mac Warner, West Virginia Secretary of State
The Honorable Craig Blair, West Virginia Senate President – Lt. Governor
The Honorable Roger Hanshaw, West Virginia Speaker of the House



Occupational Pneumoconiosis Board



2022-2023

Annual Report

Occupational Pneumoconiosis Board

Members

Jack L. Kinder, M.D.

Internal Medicine

Chairman

Bradley Henry, M.D.

Internal Medicine

Mallinath Kayi, M.D.

Internal / Pulmonary Medicine

Johnsey Lee Leef III, M.D.

Radiologist – B Reader

John A. Willis, 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.

OCCUPATIONAL PNEUMOCONIOSIS PROGRAM 2022/2023 ANNUAL REPORT

The Occupational Lung Center in Charleston, West Virginia performed examinations on 366 claimants filing for Occupational Pneumoconiosis. In addition, there were 32 Fatal claims reviewed and 1 Out of Town claims reviewed. A summary of incidence follows:

	2021/2022	2022/2023
Total Number of Claimants Examined	364	366
First Time Claimants	172 (47%)	194 (53%)
First Time Claimants Receiving No Diagnosis	65 (38%)	104 (54%)
First Time Claimants Receiving Initial Award	107 (62%)	90 (46%)
Total Number of Cancels/No Shows	90	90
First Time Claimants Receiving OP/O (no award)	12	18
Repeat Claimants Receiving OP/O (first time-no award)	6	2
Total Claimants Receiving OP/O	18	20
Claimants Receiving Repeat Examination	192 (51%)	172 (47%)
Repeat Exam of Claimants Receiving No Additional Award	104 (54%)	95 (55%)
Repeat Exam of Claimants Receiving Additional Award	88 (46%)	77 (45%)
Total Number of Fatal Claims Reviewed	36	32
Fatal Claims Due to Occupational Pneumoconiosis	6 (17%)	12 (38%)
Fatal Claims Not Due to Occupational Pneumoconiosis	30 (83%)	20 (63%)
Out of Town Reviews Examined	3	1
Out of Town Reviews Receiving No Award	0	1
Out of Town Reviews Receiving an Award	3	0

Physicians at the Occupational Lung Center in Charleston, West Virginia examined **366** occupational pneumoconiosis claimants during the reporting period. There were an additional **32** fatal claims and **1** out of town review.

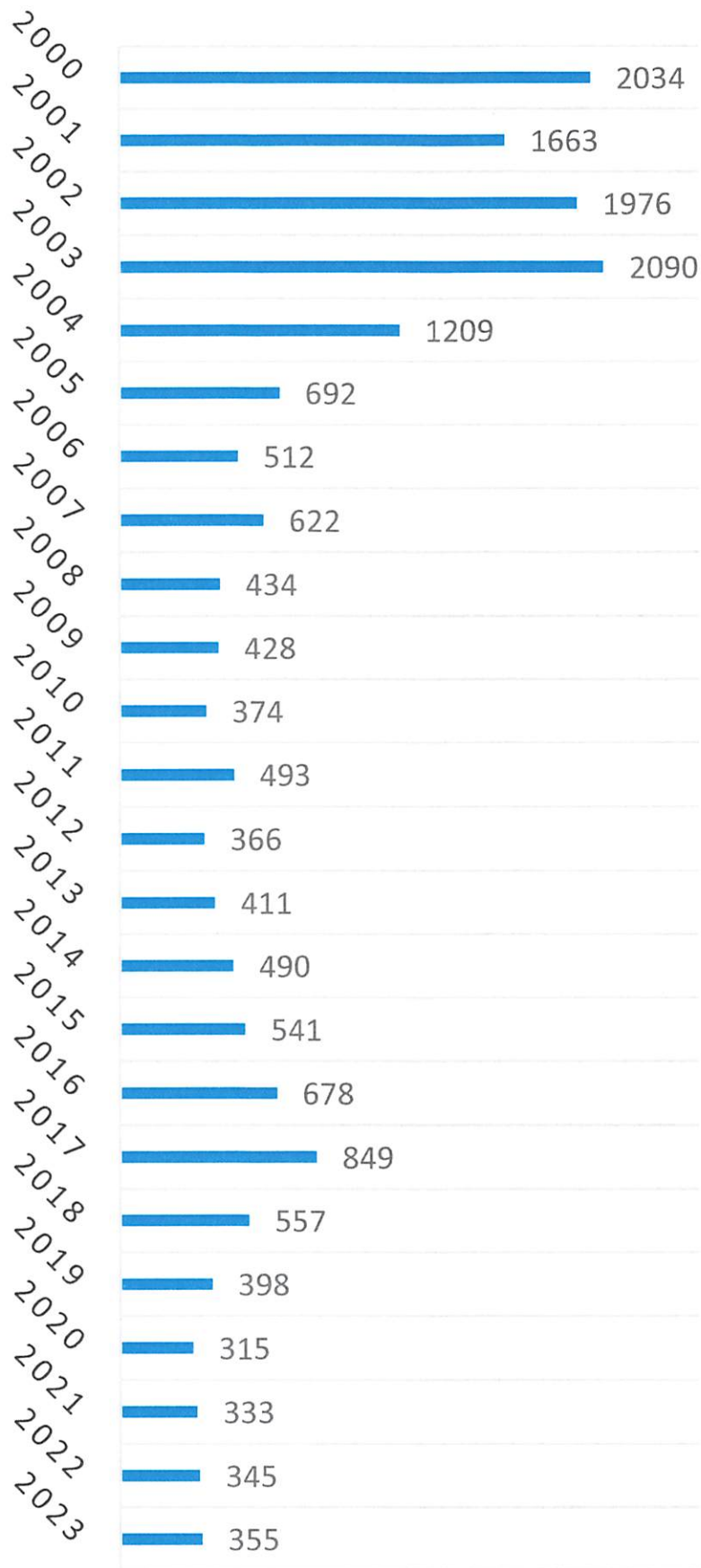
The Insurance Commissioner was updated on the status of Progressive Massive Fibrosis cases for this year. There were **18** new cases of PMF seen during the report period.


 Jack L. Kinder, M.D.
 Chairman

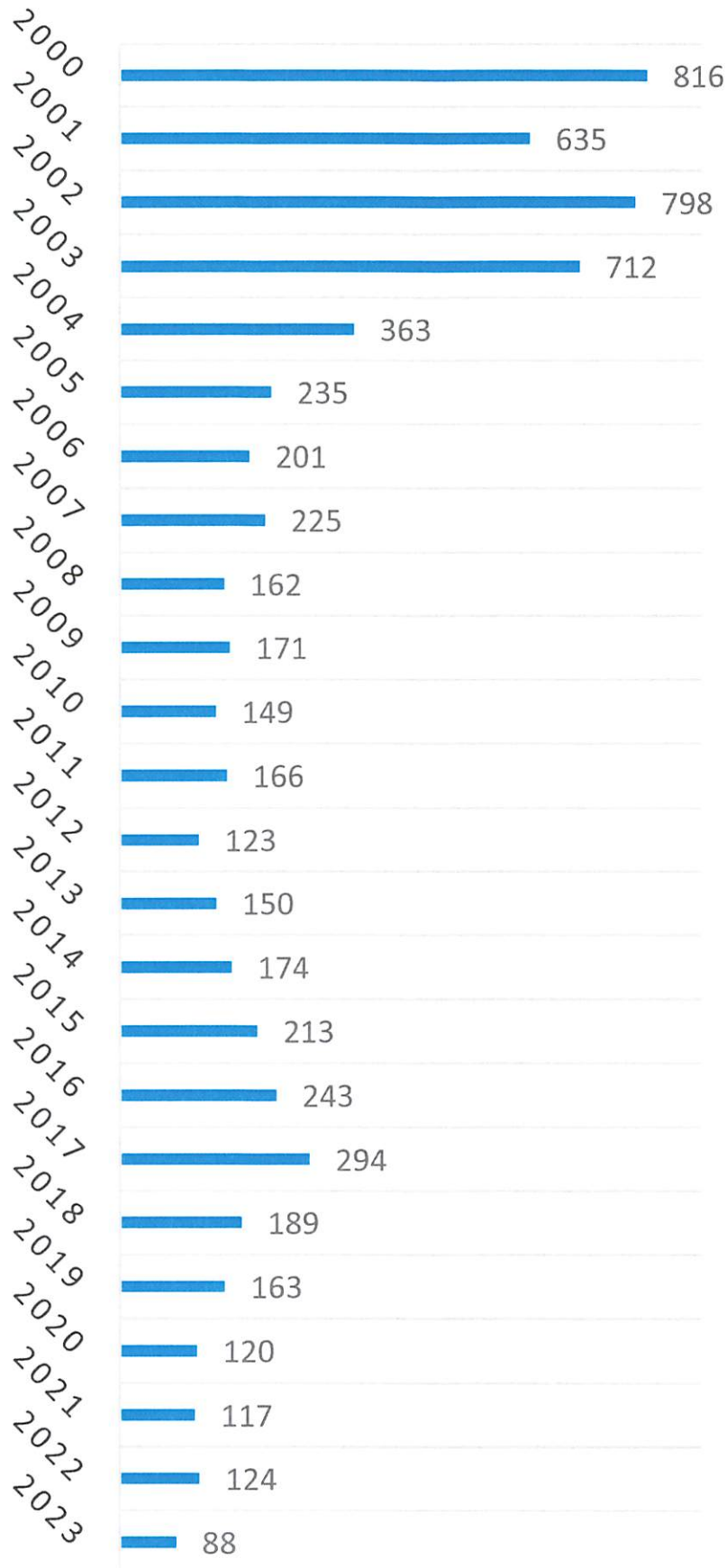
Progressive Massive Fibrosis (PMF)

2000-2023

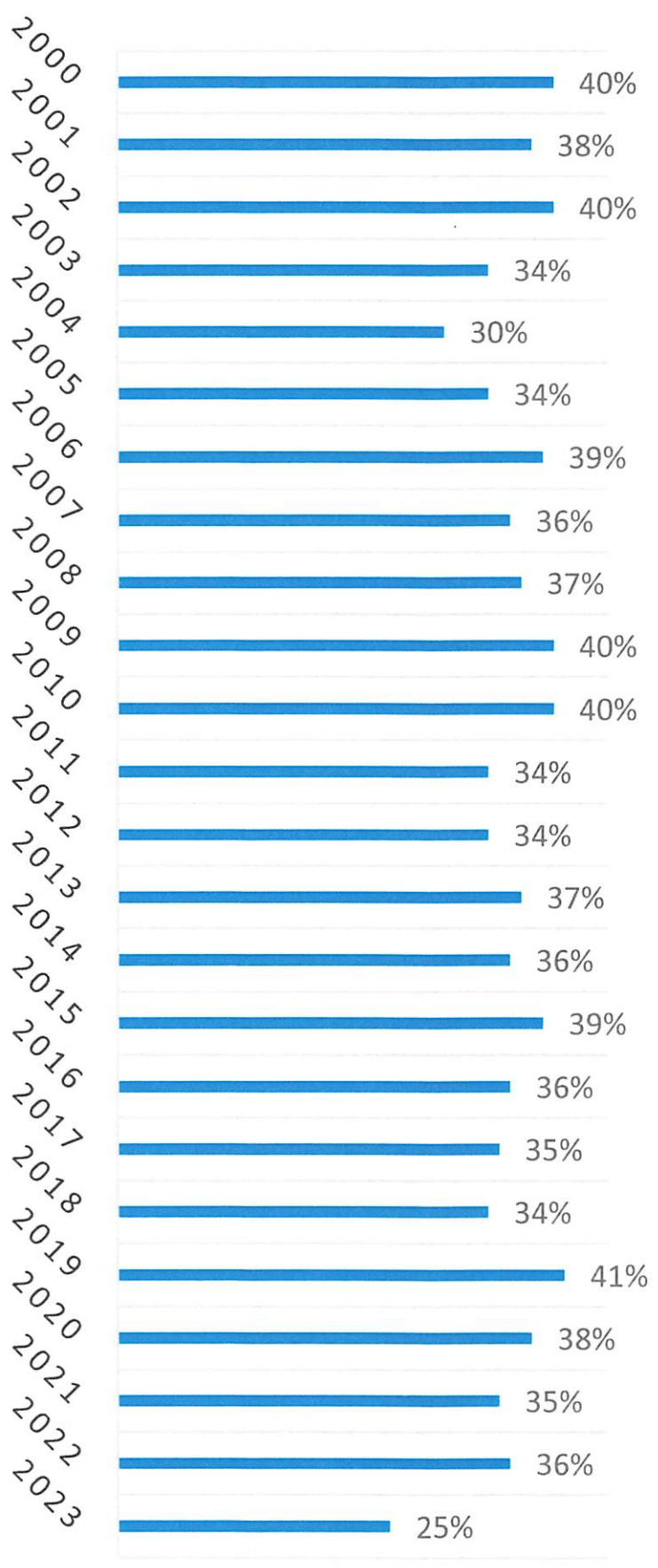
NUMBER OF COAL MINERS EXAMINED



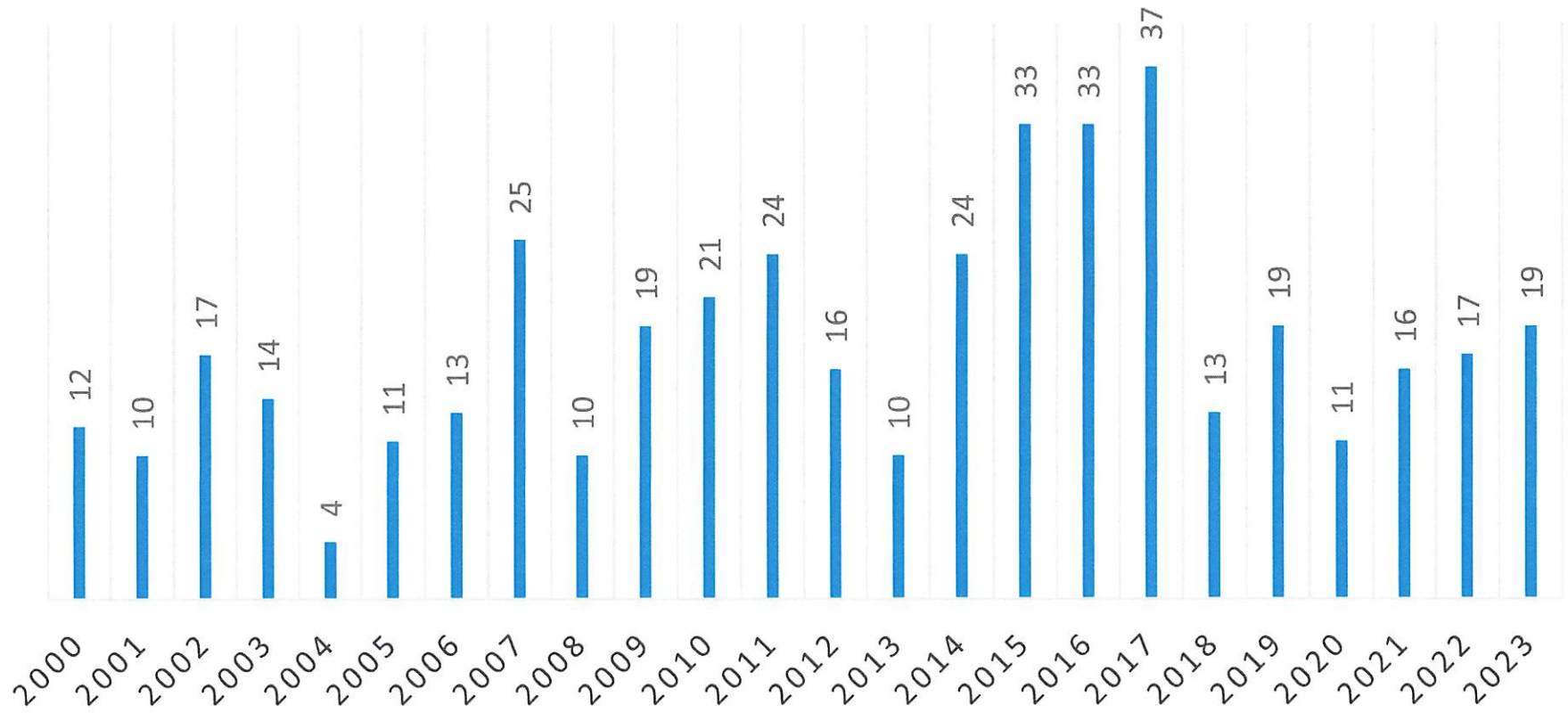
POSITIVE XRAYs - COAL MINERS



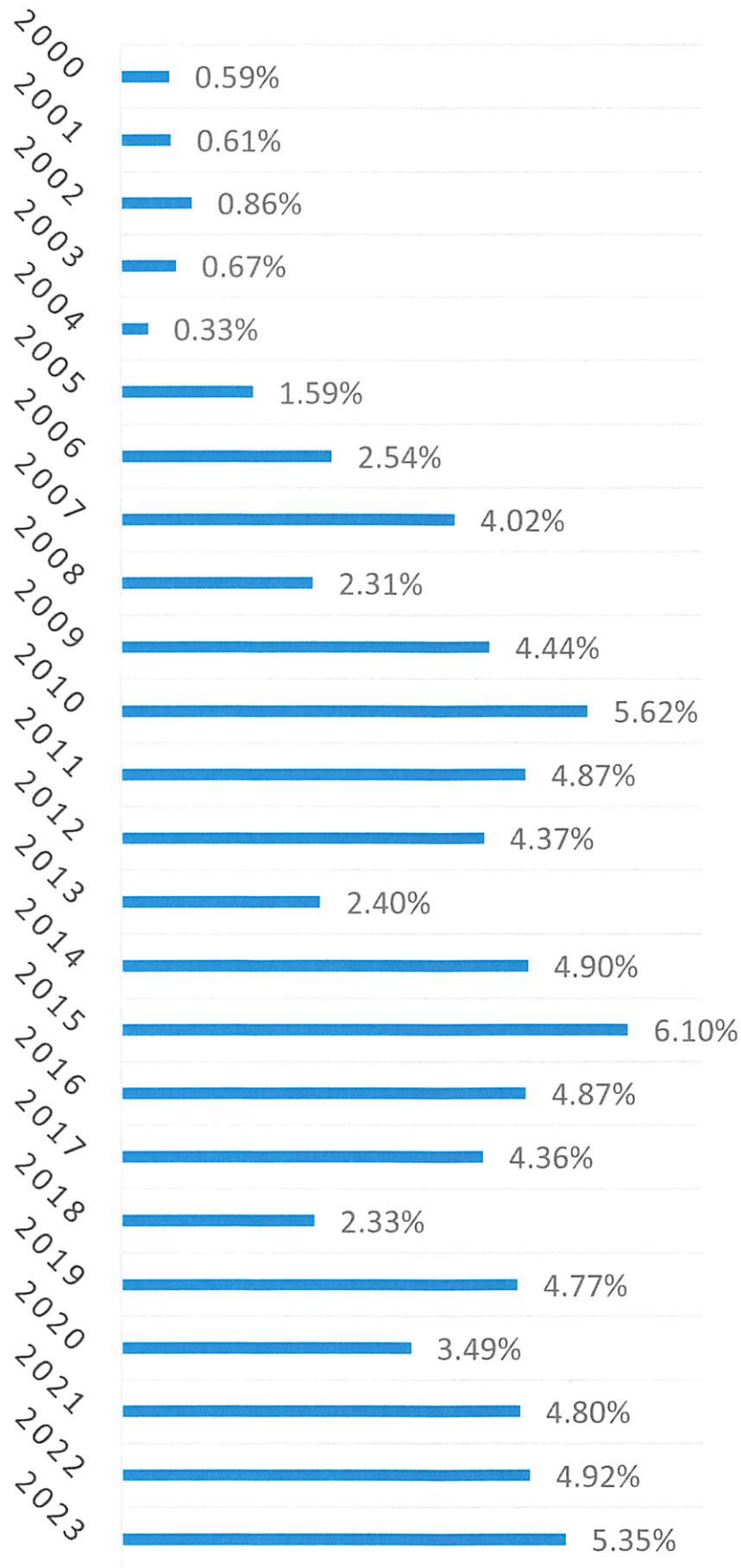
POSITIVE XRAY PER NUMBER OF MINERS



PMF - COAL MINERS



PMF PER NUMBER OF COAL MINERS



PMF PER NUMBER OF POSITIVE XRAYs

