



STATE OF WEST VIRGINIA  
*Offices of the Insurance Commissioner*

Allan L. McVey  
Insurance Commissioner

September 30, 2024

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

**Re: Occupational Pneumoconiosis Board 2023-2024 Annual Report**

Dear Governor Justice:

Pursuant to West Virginia Code §23-1-17, I am submitting to you the Occupational Pneumoconiosis Board 2023-2024 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  
The Honorable Larry Pack, Cabinet Secretary, Department of Revenue



# **Occupational Pneumoconiosis Board**



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**2023-2024**

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**Annual Report**

# **Occupational Pneumoconiosis Board**

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## **Members**

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**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

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## Overview

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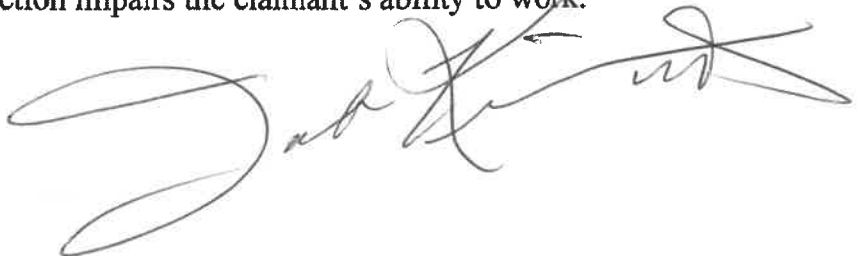
The Occupational Pneumoconiosis Board schedules examinations for all persons filing occupational pneumoconiosis claims with the Insurance Commission. The Board makes impairment determinations based on available claim related medical evidence.

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.

A large, stylized handwritten signature in dark ink, located at the bottom right of the page. The signature is cursive and appears to be a personal name, possibly "John H. ...".

## OCCUPATIONAL PNEUMOCONIOSIS PROGRAM 2023/2024 ANNUAL REPORT

The Occupational Lung Center in Charleston, West Virginia performed examinations on 331 claimants filing for Occupational Pneumoconiosis. In addition, there were 47 Fatal claims reviewed and 2 Out of Town claims reviewed. A summary of incidence follows:

	2022/2023	2023/2024
Total Number of Claimants Examined	366	331
First Time Claimants	194 (53%)	253 (76%)
First Time Claimants Receiving No Diagnosis	104 (54%)	71 (28%)
First Time Claimants Receiving Initial Award	90 (46%)	103 (41%)
Total Number of Cancels/No Shows	90	87
First Time Claimants Receiving OP/O (no award)	18	12
Repeat Claimants Receiving OP/O (first time-no award)	2	2
Total Claimants Receiving OP/O	20	14
Claimants Receiving Repeat Examination	172 (47%)	157 (47%)
Repeat Exam of Claimants Receiving No Additional Award	95 (55%)	78 (50%)
Repeat Exam of Claimants Receiving Additional Award	77 (45%)	77 (49%)
Total Number of Fatal Claims Reviewed	32	47
Fatal Claims Due to Occupational Pneumoconiosis	12 (38%)	5 (11%)
Fatal Claims Not Due to Occupational Pneumoconiosis	20 (63%)	42 (89%)
Out of Town Reviews Examined	1	2
Out of Town Reviews Receiving No Award	1	2
Out of Town Reviews Receiving an Award	0	0

Physicians at the Occupational Lung Center in Charleston, West Virginia examined 331 occupational pneumoconiosis claimants during the reporting period. There were an additional 47 fatal claims and 2 out of town review.

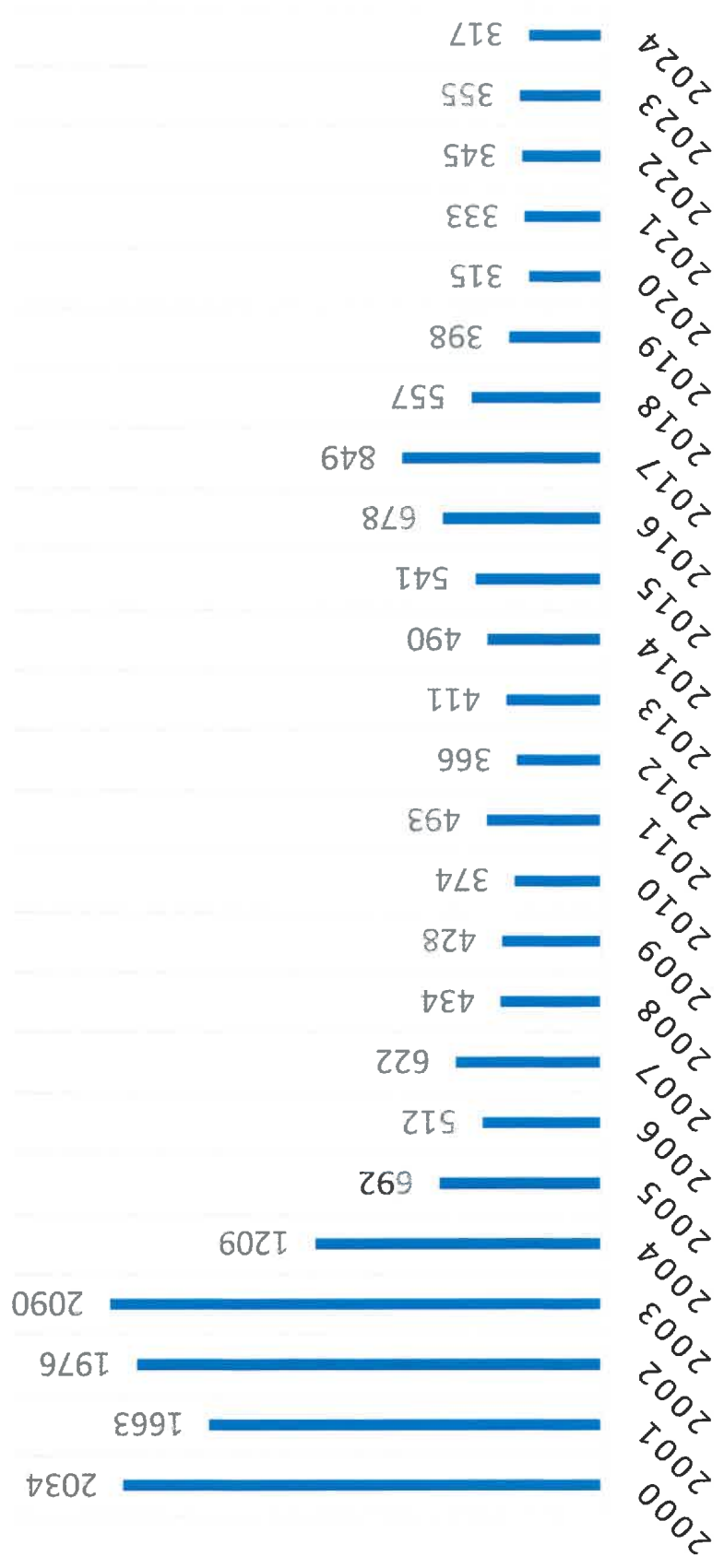
The Insurance Commissioner was updated on the status of Progressive Massive Fibrosis cases for this year. There were 18 new cases of PMF seen during the report period.

Jack L. Kinder, M.D.  
Chairman

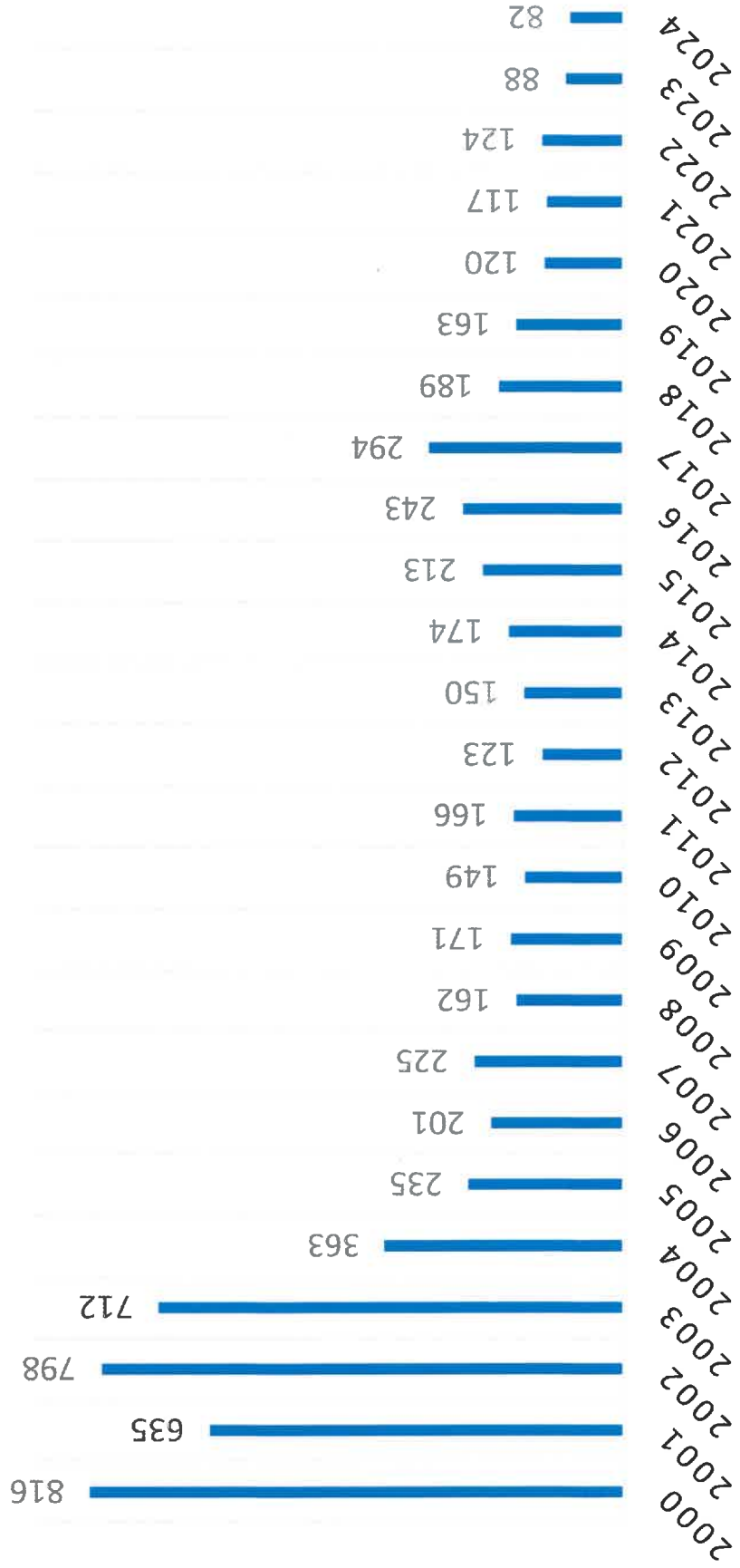
# **Progressive Massive Fibrosis (PMF)**

**2000-2024**

# NUMBER OF COAL MINERS EXAMINED

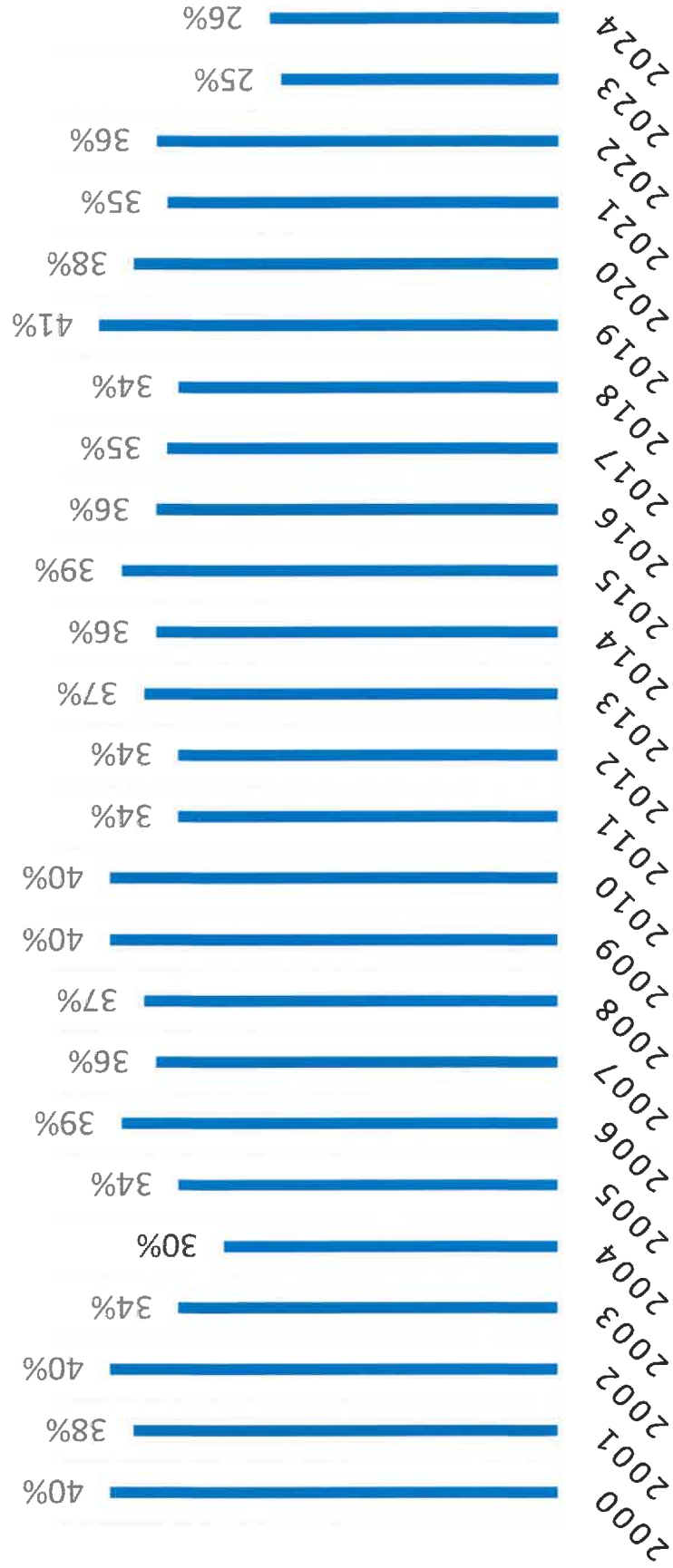


## POSITIVE XRAYs - COAL MINERS

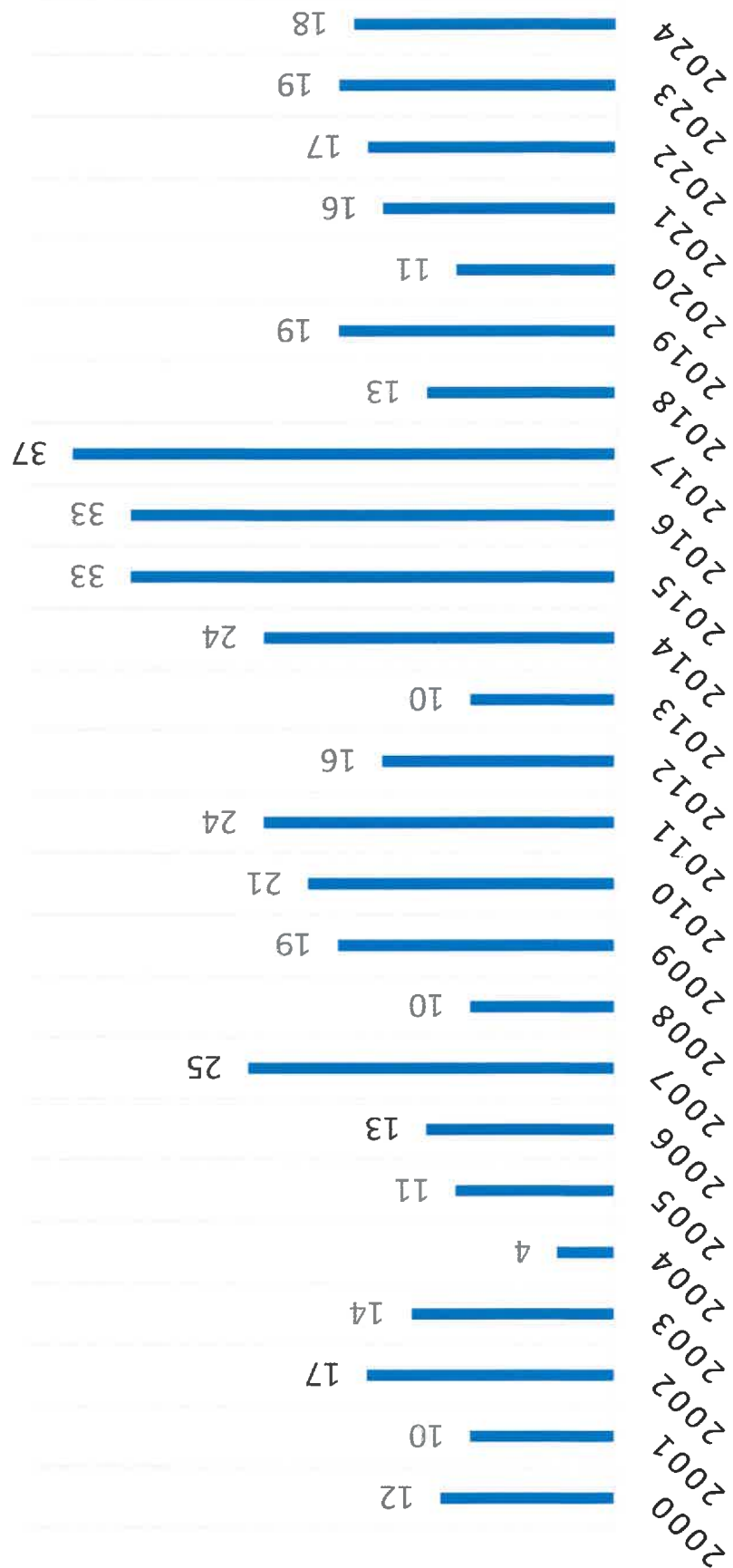




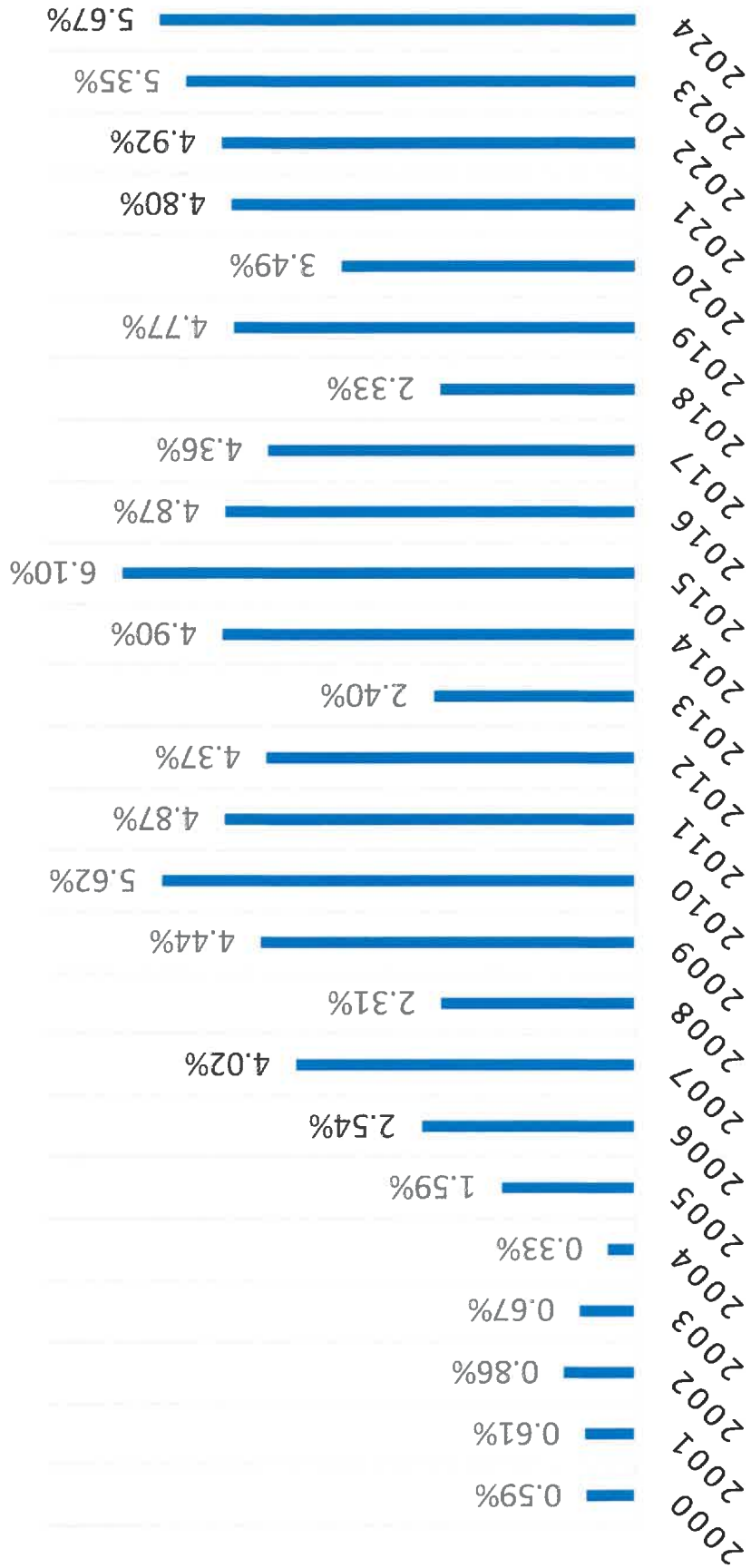
# POSITIVE XRAYs PER NUMBER OF MINERS



## PMF - COAL MINERS



# PMF PER NUMBER OF COAL MINERS



# PMF PER NUMBER OF POSITIVE XRAYs

