

S 2096

Black Lung Benefits Improvement Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Sep 29, 2015

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sep 29, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/2096>

Sponsor

**Name:** Sen. Casey, Robert P., Jr. [D-PA]

**Party:** Democratic • **State:** PA • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Sherrod [D-OH]	D · OH		Sep 29, 2015
Sen. Kaine, Tim [D-VA]	D · VA		Sep 29, 2015
Sen. Manchin, Joe, III [D-WV]	D · WV		Sep 29, 2015
Sen. Warner, Mark R. [D-VA]	D · VA		Sep 29, 2015

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Sep 29, 2015

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 HR 3625	Related bill	<b>Mar 23, 2016:</b> Referred to the Subcommittee on Workforce Protections.

## Black Lung Benefits Improvement Act of 2015

This bill amends the Black Lung Benefits Act to revise requirements for miners' claims for pneumoconiosis (black lung) benefits.

A mine operator must give a copy of the examining physician's report to miners required to have a medical examination of their respiratory condition.

The Department of Labor must pay the attorneys' fees of prevailing parties on a qualifying black lung benefit claim.

This bill revises: (1) the standards of medical evidence that establish a presumption that a miner is totally disabled by black lung, and (2) payments to miners (including their dependents) totally disabled by black lung.

Black lung clinics may use federal funds to help individuals file black lung benefit claims.

A person may not: (1) make a false statement or misrepresentation in increasing or reducing black lung benefits, or (2) threaten or mislead a participant in a proceeding regarding black lung benefits.

Labor, upon request, must give a claimant the opportunity to substantiate a claim for benefits through a pulmonary evaluation of the miner.

The National Institute for Occupational Safety and Health (NIOSH) must establish a pilot program to assure accurate classifications of chest radiographs in black lung cases where the diagnosis is at issue.

Labor, in coordination with NIOSH, must educate certain individuals who work on black lung benefits about medical evidence relevant to claims.

A previously denied claimant may file a claim for black lung benefits within one year after enactment of this Act.

Labor must report to Congress a strategy to reduce the backlog of black lung cases pending before the Office of Administrative Law Judges.

The Government Accountability Office must report on any barriers to health care faced by coal miners with black lung.

The bill amends the Federal Mine Safety and Health Act of 1977 to direct Labor to use data from continuous personal dust monitors to determine whether to make changes to respirable dust concentration standards, controls, and measurements.

Establishment of the Office of Workers' Compensation Programs is codified.

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## Actions Timeline

- **Sep 29, 2015:** Introduced in Senate
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