

## S 855

### Black Lung Benefits Improvement Act of 2017

**Congress:** 115 (2017–2019, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Apr 5, 2017

**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. (Apr 5, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/senate-bill/855>

## 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		Apr 5, 2017
Sen. Kaine, Tim [D-VA]	D · VA		Apr 5, 2017
Sen. Manchin, Joe, III [D-WV]	D · WV		Apr 5, 2017
Sen. Warner, Mark R. [D-VA]	D · VA		Apr 5, 2017

## Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Apr 5, 2017

## Subjects & Policy Tags

### Policy Area:

Labor and Employment

## Related Bills

Bill	Relationship	Last Action
115 HR 1912	Related bill	Apr 5, 2017: Referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## **Black Lung Benefits Improvement Act of 2017**

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

The Department of Labor must pay the attorneys' fees of prevailing parties on a qualifying 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 such miners, including their dependents.

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

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

Labor, upon request, must give a claimant the opportunity to substantiate a claim for benefits through a pulmonary evaluation of the miner. Labor must also authorize a CT (computerized tomography) scan in diagnosing complicated pneumoconiosis.

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

Labor must educate certain individuals who work on black lung benefits about medical evidence relevant to claims.

A previously denied claimant may file a new claim for black lung benefits within one year.

This 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.

This bill provides statutory authority for the Office of Workers' Compensation Programs.

## **Actions Timeline**

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- **Apr 5, 2017:** Introduced in Senate
- **Apr 5, 2017:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.