

**Clarification & Guidance**  
**DOE-0342 Chronic Beryllium Disease Prevention Procedure**

Proposed    Reviewed    Rejected    Accepted    Approved for Use   Procedure Updated     Complete N/A

**ID Number:**

**Title/Subject:** Update Section 6.26.2, Temporary Removal Pending Final Medical Determination

**Initiated by:** Lisa Hart      **Company:** MSA/HAMMER      **Date:** 5/17/2012      **Ph #:** 376-3484

**Issue/Concern/Affected Step(s):**

Section 6.26.2, Temporary Removal Pending Final Medical Determination, of the *Hanford Site Chronic Beryllium Disease Prevention Program (CBDPP)*, DOE-0342, Rev 1, needs to be updated to incorporate a best in class change driven by the Beryllium Counseling and Benefits Handbook.

**Discussion:**

The Handbook product development team identified a situation that is not currently addressed by 10 CFR 850 or the CBDPP. In some cases, final medical determination is not being made in 12 months putting the worker's benefits at risk.

**Recommended Resolution:**

Update language in Section 6.26.2 to reflect the option for SOMD to issue a new recommendation for another temporary medical removal if final medical determination will take longer than 12 months to complete.

**Existing Language:**

**6.26.2 Temporary Removal Pending Final Medical Determination**

Contractors will offer a beryllium-affected worker temporary medical removal from exposure to beryllium on each occasion that the SOMD recommends, in a written determination, that the worker should be temporarily removed from such exposure pending a final medical determination on whether the worker should be removed permanently. A final medical determination can be the outcome of the multiple physicians review process, or the alternate medical determination process provided for in paragraphs (c) and (d) of 10 CFR 850.34.

When a beryllium-affected worker is temporarily removed from beryllium exposure pursuant to 10 CFR 850.35(1), the contractor will transfer the worker to a comparable job for which the worker is qualified (or for which the worker can be trained in a short period) and where beryllium exposures are in accordance with Section 6.14 of this Program.

The contractor will maintain the beryllium-affected worker's total normal earnings, seniority, and other worker rights and benefits as if the worker had not been removed. When there is no such job available, the contractor will provide the beryllium-affected worker the medical removal protection benefits specified in paragraph (b)(2) of 10 CFR 850.35 for one year, or until a job becomes available, whichever comes first.

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**Proposed Language:**

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When a beryllium-affected worker is temporarily removed from beryllium exposure pursuant to 10 CFR 850.35(1), the contractor will transfer the worker to a comparable job for which the worker is qualified (or for which the worker can be trained in a short period) and where beryllium exposures are in accordance with Section 6.14 of this Program.

The contractor will maintain the beryllium-affected worker's total normal earnings, seniority, and other worker rights and benefits as if the worker had not been removed. When there is no such job available, the contractor will provide the beryllium-affected worker the medical removal protection benefits specified in paragraph (b)(2) of 10 CFR 850.35 for one year, or until a job becomes available, whichever comes first. The one year time period allows for medical testing, the multiple physician review or alternate medical determination process, and diagnosis. In some cases, final medical determination may not be made within the one-year time period specified in 10 CFR 850. In these cases, prior to the expiration of the one year period the SOMD will issue another recommendation for temporary medical removal until a final medical determination is made.

**Clarification:**         **Guidance:**  

**Resolution Completion Plan/Summary:**

**Remarks:**

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**Status:**

Reviewed	Committee Chair	<u>Scott Seydel</u>	Date	<u>5/17/12</u>
Rejected	Committee Chair	<u>N/A</u>	Date	_____
Accepted	Committee Chair	<u>Scott Seydel</u>	Date	<u>5/17/12</u>
<u>Concurrence/</u>				
<u>Accepted</u>	DOE-RL	<u>Pete J. Garcia Jr.</u>	Date	<u>5/24/2012</u>
<u>Concurrence/</u>				
<u>Accepted</u>	DOE-ORP	<u>[Signature]</u>	Date	<u>24 MAY 12</u>
Approved For Use	Committee Chair	_____	Date	_____
DOE-0342				
Updated	Committee Chair	_____	Date	_____