

U.S. Department of Labor

Office of Workers' Compensation Programs
Division of Energy Employees Occupational
Illness Compensation
Washington, D.C. 20210



March 17, 2020

Ms. Janet Michel
Alliance of Nuclear Worker Advocacy Groups
2106 Holderwood Lane
Knoxville, TN 37922

Dear Ms. Michel:

This is in response to your March 10, 2020 letter. You have cited guidance from the Center for Disease Control that suggests people should contact their provider to ask about obtaining extra necessary medication. Based on that guidance, you are asking DEEOIC to allow claimants to order an additional 30 to 60-day supply of medications. In addition, you state a Letter of Medical Necessity should not be necessary and would place an unnecessary burden on DEEOIC claimants.

A Letter of Medical Necessity (LMN) is typically only required for prescriptions when the National Drug Code (NDC) is not approved by the Federal Drug Administration for the accepted condition(s). DEEOIC will continue to pre-approve these with a LMN provided by the claimant's physician to appropriately link the request for prescription services to the accepted condition(s). Without a LMN, DEEOIC would not know if the prescription request is being used to treat the accepted condition. Additionally, waiving the need for a LMN in these circumstance could lead to harm for our claimants.

Regarding your request for claimants to order an additional 30 to 60 day supply, DEEOIC will continue our current policy for medications dispensed to claimants up to 90 days' supply without pre-authorization (when prescribed for the claimant's accepted conditions). This policy does not include Schedule II Medications (such as opioids). The days' supply for Schedule II medications dispensed to DEEOIC claimants will continue to be limited to a dispensed days' supply of 30.

Sincerely,

Rachel D. Pond
Director

Division of Energy Employees Occupational Illness Compensation