

The Black Lung Benefits Improvement Act – S.2205

Why do we need the Black Lung Benefits Improvement Act?

Coal workers' pneumoconiosis, commonly referred to as "black lung," is a debilitating and deadly disease caused by the long-term inhalation of coal dust in underground and surface coal mines.

According to the National Institute for Occupational Safety and Health (NIOSH), the disease has caused or contributed to more than 78,000 deaths since 1968.

The *Federal Coal Mine Health and Safety Act of 1969*, which included the *Black Lung Benefits Act*, established health and safety standards to reduce miners' exposure to coal dust and created a program to provide compensation and medical care to miners who are totally disabled because of the disease. As a result of this law, the United States has seen a significant decline in the prevalence of black lung disease and has awarded billions of dollars in benefit payments to victims and their surviving family members.

Despite these successes, recent studies show that the [prevalence](#) and [severity](#) of black lung disease is on the rise among Central Appalachian miners. Investigations have also revealed that the Black Lung Benefits Program, which requires coal miners to engage in complex litigation against coal operators, unfairly burdens claimants and prevents them from accessing benefits.

What will the Black Lung Benefits Improvement Act do?

The Black Lung Benefits Act will strengthen the Black Lung Benefits Program by:

Improving miners' access to medical evidence so that claims can be fairly adjudicated

- Requiring full disclosure of medical information related to a claim, whether or not such information is entered as evidence.
- Prohibiting unethical conduct by attorneys and doctors in the black lung claims process and helping miners review and rebut potentially biased or inaccurate medical evidence developed by coal companies.
- Allowing miners or their survivors to reopen their cases if they had been denied because of medical interpretations that have subsequently been discredited.

Helping miners access stronger, more timely benefits

- Requiring the Department of Labor to develop a strategy to reduce the backlog of black lung benefits claims still awaiting consideration.
- Restoring lost cost-of-living benefit increases for black lung beneficiaries and ensuring cost-of-living increases are never withheld in the future
- Helping claimants secure legal representation by providing interim attorney fees if miners prevail at various stages of their claim, and allowing black lung clinics to use federal funds to help individuals file claims