

DII Industries, LLC Asbestos PI Trust

TRUST UPDATE – September 9, 2014

Ready to Process Button - REMINDER: The “Ready to Process” button has been operational in Trust Online since January 2014. When filing a new claim, removing a claim from deferred status, or curing a deficient claim, you should check this box when all information and materials needed to process the claim have been uploaded and after you have responded to all deficiencies. To identify claims that have not been marked “Ready to Process,” you can search for claims in the Not Ready Tank on the Claim Search screen.

Ohio Bureau of Worker’s Compensation - REMINDER: Any claimant with a connection to the State of Ohio must provide confirmation from the Ohio Bureau of Workers’ Compensation (the “Bureau”) that the Bureau does not have a lien on the claimant’s recovery. The Trust considers a claimant to have a connection to Ohio if (1) Ohio was selected as the Claimant’s Jurisdiction; (2) the claimant was exposed to asbestos in Ohio; (3) the claimant submitted an Ohio death certificate; (4) the claimant resided in Ohio; or (5) the claimant was treated by an Ohio physician or at an Ohio facility. Confirmation from the Bureau must be current and submitted directly to Mary Ellen Nickel at DCPF rather than uploaded to the claim. Statements from sources other than the Bureau will not be accepted to resolve a potential lien. Although claims impacted by this issue will continue to be processed, offers will be held until acceptable evidence from the Bureau has been submitted. To determine if a claim’s offer is being held because of this issue, you can search claims with the *OhioWC* activity code on the Claim Search screen.

If a claimant has a right to receive benefits from the Bureau, but a connection to Ohio is not reflected in the claim documents, the claimant has an obligation to advise the Trust of this right prior to receiving payment from the Trust.

Secondary Exposure Claims: If secondary exposure is required to approve a claim, it will undergo Individual Review.

Medical Report Dates: The date on which a physician’s report is issued, amended, or supplemented must be clearly identified on the document. For example, the Trust will not accept multiple reports by the same physician showing the same interpretation date but no clear issuance date.

Pathology/Cytology Reports - REMINDER: If a claimant is relying upon a report from a consulting pathologist, please remember to submit the pathology report from the facility that performed the biopsy. You should also submit any other pathology reports reviewed and referenced in the consulting expert’s report. Also, in order for cytology to be accepted for a mesothelioma diagnosis without tissue pathology, you must provide the patient’s treating records for the diagnosis and imaging studies such as a CT or PET. If there are no other medical records available, then such representation should be made in writing by the firm to the Trust.