

# Privacy Act Systems - DOL/OWCP-9 April 29, 2016

**OWCP-9**

## **SYSTEM NAME:**

Office of Workers' Compensation Programs, Black Lung Automated Support Package.

## **SECURITY CLASSIFICATION:**

None.

## **SYSTEM LOCATION:**

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, U.S. Department of Labor Building, 200 Constitution Ave., NW, Washington, DC 20210, and district offices (see addresses in the Appendix to this document).

## **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals filing claims for black lung benefits; claimants receiving benefits; dependents of claimants and beneficiaries; medical providers; attorneys representing claimants; coal mine operators; workers' compensation insurance carriers.

## **CATEGORIES OF RECORDS IN THE SYSTEM:**

Records included are personal (name, date of birth, SSN, claim type, miner's date of death); demographic (state, county, city, congressional district, zip code); mine employment history; medical records; initial determination; conference results; hearing results; medical and disability payment history; accounting information including data on debts owed to the United States; Social Security Administration black lung benefits data; state workers' compensation claim and benefits data; coal mine operator names, addresses, states of operation and histories of insurance coverage; and medical service providers' names, addresses, license numbers, medical specialties, tax identifications and payment histories.

## **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

30 U.S.C. 901 et seq., 20 CFR 725.1 et seq.

## **PURPOSE(S):**

To maintain data on claimants, beneficiaries and their dependents; attorneys representing claimants; medical service providers; coal mine operators and insurance carriers. Provide means of automated payment of medical and disability benefits. Maintain a history of medical bills submitted by beneficiaries and medical service providers. Maintain a history of disability benefit payments made to beneficiaries and medical benefit payments made to beneficiaries and medical service providers. Maintain program accounting information including information on debts owed to the United States. Provide a means for the automatic recoupment of overpayments made to beneficiaries and medical service providers.

## **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

In addition to those universal routine uses listed in the General Prefatory Statement to this document, disclosure of relevant and necessary information may be made to the following:

- a. Mine operators (and/or any party providing the operator with workers' compensation insurance) who have been determined potentially liable for the claim at any time after the filing of a notice of injury or claim related to such injury or occupational illness, for the purpose of determining liability for payment.
- b. State workers' compensation agencies and the Social Security Administration for the purpose of determining offsets as specified under the Act.
- c. Doctors and medical services providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services.
- d. Other Federal agencies conducting scientific research concerning the incidence and prevention of black lung disease.
- e. Legal representatives, or person authorized to act on behalf of the claimant, responsible operator and program representation on contested issues.
- f. Labor unions and other voluntary employee associations of which the claimant is a member for the purpose of exercising an interest in claims of members as part of their service to the members.
- g. Contractors providing automated data processing services to the Department of Labor, or to any agency or entity to whom release is authorized, where the contractor is providing a service relating to the purpose for which the information can be released.
- h. Federal, state or local agencies if necessary to obtain information relevant to a determination of initial or continuing eligibility for program benefits, whether benefits have been or are being paid improperly, including whether dual benefits prohibited under any federal or state law are being paid; and salary offset and debt collection procedures, including any action required by the Debt Collection Act of 1982, 31 U.S.C. 3711.
- i. Debt collection agency that DOL has contracted for collection services to recover indebtedness owed to the United States.
- j. Internal Revenue Service for the purpose of obtaining taxpayer mailing addresses in order to locate taxpayers to collect, compromise, or write-off a Federal claim against the taxpayer; discharging an indebtedness owed by an individual.
- k. Credit Bureaus for the purpose of receiving consumer credit reports identifying the assets, liabilities, income and expenses of a debtor to ascertain the debtor's ability to pay a debt and to establish a payment schedule.

**Note:** Disclosure of information contained in the file to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information. Telephonic disclosure of information is essential to permit efficient administration and adjudication of claims.

#### **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

The amount, status and history of overdue debts; the name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which

the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3711(f) for the purpose of encouraging the repayment of an overdue debt.

## **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

### **STORAGE:**

Files are stored electronically and/or on paper.

### **RETRIEVABILITY:**

Files are retrieved by coal miner's name and social security number; medical provider number; coal mine operator number; insurance carrier number.

### **SAFEGUARDS:**

Access by authorized personnel only. Computer security safeguards are used for electronically stored data and locked locations for paper files.

### **RETENTION AND DISPOSAL:**

Electronic file data has permanent retention. Claimant and benefit master file data will be transferred to magnetic tape and transmitted to NARA every ten years. This data (which includes both open and closed cases) will not be made available to the public until ninety years after transfer to NARA due to Privacy Act restrictions.

### **SYSTEM MANAGER(S) AND ADDRESS:**

Director, Division of Coal Mine Workers' Compensation, U.S. Department of Labor, Room C-3520, 200 Constitution Ave., NW, Washington, DC 20210, and district office director (see addresses in The Appendix to this document).

### **NOTIFICATION PROCEDURE:**

Inquiries should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

### **RECORD ACCESS PROCEDURES:**

A request for access should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

### **CONTESTING RECORD PROCEDURES:**

A petition for amendment should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

### **RECORD SOURCE CATEGORIES:**

Information contained in this system is obtained from individuals and organizations.

## **SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

Investigatory portion of system exempted from certain provisions of the Act: In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for civil law enforcement purposes, which is maintained in this system's files of the Office of Workers' Compensation Programs of the Employment Standards Administration, is exempt from paragraphs (c)(3), (d), (e)(1),(e)(4) (G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.