

# Notes and Brief Reports

## Black Lung Benefits, July 1970\*

A major part of the Federal Coal Mine Health and Safety Act of 1969 is concerned with the problem of an occupationally related respiratory disease — pneumoconiosis — among coal miners. This condition, known as black lung disease, is dealt with in the law in terms of prevention and of compensation to disabled coal miners and their widows.

The legislation establishes standards of permissible levels of dust in underground coal mines and requires miners to take periodic chest X-rays. A miner found to be developing pneumoconiosis must be given the opportunity to transfer to an area of the mine with a lower concentration of dust at no loss in pay.

Title IV of the Act provides monthly benefit payments to miners totally disabled because of pneumoconiosis and to the widows of coal miners who died from the disease. Operational responsibility for the program is delegated to the Social Security Administration until December 1972. Black lung benefits are to be paid from general funds of the U.S. Treasury, not from social security trust funds.

The first benefit checks payable to miners and widows of miners were received during the early part of May 1970. By the end of July, a total of 22,400 beneficiaries were receiving monthly black lung benefits. Of these, 17,800 were miners and 4,600 were widows (table 1).

### MONTHLY BENEFIT AMOUNTS

The Coal Mine Health and Safety Act relates the monthly black lung benefit to the salary levels of Federal employees. The basic amount is equal to 50 percent of the minimum payment a Federal employee at the entrance level of grade 2 would receive if he were disabled by a job-related accident. The basic benefit is increased when the miner or widow has dependents: 50 percent for one dependent (wife or child), 75

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TABLE 1.—Black lung benefits to miners and widows in current-payment status: Number and monthly amount by State, July 1970

State	Number			Monthly amount		
	Total	Miners	Widows	Total	Miners	Widows
Total.....	22,360	17,777	4,613	\$3,742,683	\$3,047,332	\$695,351
Alabama.....	467	362	105	92,865	76,248	16,617
Arkansas.....	75	50	25	13,582	9,969	3,613
Florida.....	109	89	20	19,111	16,221	2,890
Illinois.....	93	34	59	15,216	6,646	8,570
Indiana.....	64	40	24	11,494	7,882	3,612
Kentucky.....	905	699	206	174,865	140,078	34,787
Maryland.....	64	45	19	10,017	7,271	2,746
Michigan.....	72	52	20	11,576	8,601	2,975
New Jersey.....	227	165	62	35,198	25,950	9,248
New York.....	116	94	22	18,499	15,332	3,167
Ohio.....	179	122	57	31,781	22,804	8,977
Pennsylvania.....	16,718	13,655	3,063	2,672,561	2,223,847	448,714
Tennessee.....	241	157	84	46,951	33,297	13,654
Virginia.....	647	453	194	127,366	96,055	31,311
West Virginia.....	2,079	1,553	526	405,872	320,024	85,848
All others.....	334	207	127	55,729	37,107	18,622

percent for two dependents, and 100 percent for three or more dependents. The following monthly amounts were payable in July 1970 to eligible persons:

Miner or widow without dependents .....	\$144.50
Miner or widow with 1 dependent .....	216.70
Miner or widow with 2 dependents .....	252.80
Miner or widow with 3 or more dependents ..	288.90

When a miner or widow is also receiving benefit payments under a State program of workmen's compensation, unemployment compensation, or disability benefits on account of the miner's disability, the black lung benefit payment is reduced by the amount of the State program payment. In practice, this provision involves almost exclusively State workmen's compensation payments.

The OASDI disability benefits of miners under age 62 may be reduced if the total amount of their black lung benefits and disability benefits exceeds 80 percent of their average earnings before disability.

### ADMINISTRATION

The Social Security Administration procedures for processing applications and determining eligibility for benefits are similar to those used for disability insurance benefits under the social security program. During the first 7 months of 1970, approximately 190,000 black lung claims were received by social security district offices. Although the bulk of the applications were filed

during the period immediately after the law was passed—45,000 during the first 2 weeks—claims are still being received at a rate of almost 3,000 a week. Since benefits are payable from the month in which an application is filed, the benefit rights of applicants are protected by their filing.

After December 1972, the Secretary of Labor will exercise supervision over black lung benefits. The program will be administered by State workmen's compensation agencies making payments under State laws and meeting Federal requirements.

### GEOGRAPHIC DISTRIBUTION

Pennsylvania is the major black lung area in the Nation with more than 75 percent of the total beneficiary population. West Virginia follows with 9 percent, Kentucky with 4 percent, and Virginia with nearly 3 percent. About 92 percent of the black lung beneficiaries reside in these four States (table 2).

TABLE 2.—Black lung benefits to miners and widows in current-payment status: Counties with 100 or more beneficiaries, July 1970

State and county	Number			Monthly amount		
	Total	Miners	Widows	Total	Miners	Widows
<b>Total</b> .....	22,390	17,777	4,613	\$3,742,683	\$3,047,332	\$695,351
<b>Alabama:</b>						
Jefferson.....	295	221	74	58,639	46,827	11,812
Walker.....	124	104	20	24,634	21,600	3,034
<b>Kentucky:</b>						
Floyd.....	124	101	23	21,385	17,231	4,154
Harlan.....	167	142	25	33,115	28,275	4,840
Pike.....	153	118	35	28,344	22,520	5,824
<b>Pennsylvania:</b>						
Allegheny.....	290	272	18	41,042	38,529	2,513
Cambria.....	1,167	1,024	143	192,629	170,906	21,723
Carbon.....	535	399	136	85,163	65,618	19,545
Clearfield.....	148	140	8	24,037	22,881	1,156
Columbia.....	138	113	25	24,894	20,920	3,974
Fayette.....	404	361	43	62,876	50,796	6,080
Indiana.....	323	298	25	52,921	49,254	3,667
Lackawanna.....	2,007	1,619	388	330,047	274,699	55,348
Luzerne.....	5,726	4,496	1,230	913,738	732,471	181,267
Northumberland.....	855	675	180	140,400	114,001	26,399
Schuylkill.....	2,753	2,164	589	433,025	348,112	84,913
Somerset.....	538	466	72	91,331	80,004	11,327
Washington.....	389	348	41	56,945	50,687	6,258
Westmoreland.....	249	228	21	37,387	34,340	3,047
<b>Virginia:</b>						
Tazewell.....	192	125	67	37,690	26,969	10,721
Wise.....	128	88	40	24,669	17,914	6,755
<b>West Virginia:</b>						
Fayette.....	298	219	79	58,106	45,027	13,079
Logan.....	221	168	53	42,113	34,176	7,937
McDowell.....	324	246	78	63,942	50,770	13,172
Mercer.....	137	98	39	25,820	19,820	6,000
Raleigh.....	514	377	137	100,399	78,105	22,294
Wyoming.....	113	91	22	23,234	19,181	4,053
All other.....	4,078	3,076	1,002	714,158	559,699	154,459

Luzerne County, located in eastern Pennsylvania, has more than 25 percent of all the beneficiaries—the largest black lung beneficiary population of any county. Its neighboring counties, Schuylkill and Lackawanna, rank second and third. Each of these three counties has more than 1,000 black lung beneficiaries and together they represent 47 percent of the total beneficiary population. These counties are part of the major hard-coal-producing area of the United States. In western Pennsylvania, Cambria County, which produces soft coal, also has more than 1,000 beneficiaries. The accompanying chart shows the prevalence of black lung beneficiaries in Pennsylvania and West Virginia, by county.

### PAYMENTS TO MINERS, WIDOWS, AND DEPENDENTS

A total of 22,400 coal miners and widows of coal miners received monthly payments under the black lung program at the end of July 1970. They were receiving benefits at a monthly rate of \$3.7 million, an average of \$167 per payment.

Monthly payments in July averaged \$171 for miners and \$151 for widows. During the preceding month, widows were receiving an average of \$45 more than miners. These differences reflect a change in the application of the offset provision for miners and widows receiving benefits from Pennsylvania, as explained below.

The typical miner family, which includes more than 60 percent of the beneficiaries, consists of two persons—the miner and his wife. In addition, 10 percent had two or more dependents. The families of miners include about 2,400 dependent children.

Nearly 47 percent of the widows receiving benefits were widowed during the past 5 years. About 30 percent had been widowed for as many as 10 years. Almost 90 percent of the widows were receiving benefits only for themselves; the remainder had one or more children (table 3). Benefits were payable to more than 700 children of deceased coal miners, with widow and one-child families comprising half the total (table 4).

Payment data also indicate that widows tend to move from the State in which they resided with their husbands: a large proportion of widows reside in non-coal-mining States. Specifically, it

Counties in West Virginia and Pennsylvania having 100 or more black lung beneficiaries receiving monthly payments under the Federal Coal Mine Health and Safety Act, July 1970

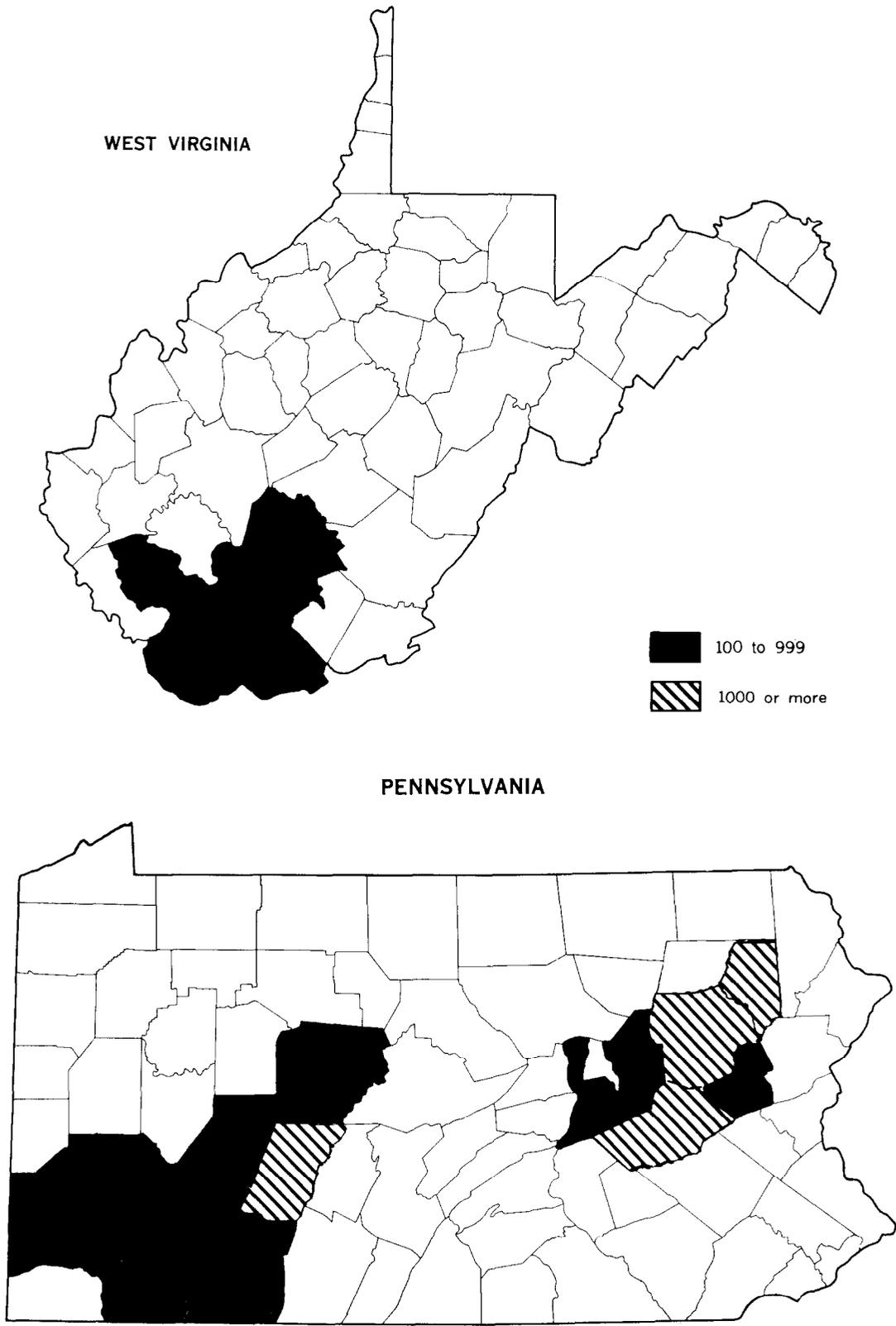


TABLE 3.—Black lung benefits to widows in current-payment status: Number by year of death of miner and type of family, July 1970

Year of death	Number	Widows only	Widows and—			Widows with off-set <sup>1</sup>
			1 child	2 children	3 or more	
Total.....	4,613	3,984	333	87	59	150
1965-70.....	2,146	1,741	195	59	47	104
1960-64.....	1,108	956	92	20	12	28
1955-59.....	684	641	27	7	0	9
1950-54.....	352	333	13	0	0	6
1949 and earlier.....	323	313	6	1	0	3

<sup>1</sup> Number of dependents not available.

appears that a number of widows of coal miners from Pennsylvania, Virginia, and Kentucky have left these States. Widows of West Virginia miners tend, however, to remain in their native State.

TABLE 4.—Black lung benefits to miners and widows in current-payment status: Number, by type of family, July 1970

Type of beneficiary	Total	Individual only	Dependents			Offset cases <sup>1</sup>
			1	2	3 or more	
Total.....	22,390	7,939	8,649	898	533	4,371
Miners.....	17,777	3,955	8,316	811	474	4,221
Widows.....	4,613	3,984	333	87	59	150

<sup>1</sup> Number of dependents not available.

## OFFSET PROVISION

Pennsylvania workmen's compensation legislation has provided for benefit payments to miners disabled because of pneumoconiosis since 1937. Its provisions are unique in that, for the most part, these benefits are paid from general State revenues rather than employer-financed funds as is usually the case under State workmen's compensation programs.

The Pennsylvania legislature in July 1970 amended the provisions governing publicly financed compensation payments. These amendments provide for the reduction of periodic benefits to persons also entitled under the black lung program—by the amount of the Federal payment.

When this legislation was adopted, the Social Security Administration restored the amount of black lung benefits that had previously been subject to offset in Pennsylvania payments. Because of the concentration of black lung beneficiaries in Pennsylvania, approximately 80 percent of all payments to miners had been subject to a reduction for June 1970. By the end of July, with the change in the Pennsylvania law, the percentage of miners under the offset provision dropped to 25 percent. The offset provision had a very slight impact on benefits to widows, with less than 5 percent of them affected (table 5).

TABLE 5.—Black lung benefits in current-payment status: Number and total and average monthly amount by offset status, June and July 1970

Type of beneficiary	Number	Monthly amount	Average amount
July			
Total.....	22,390	\$3,743,000	\$167.10
Miners.....	17,777	2,047,000	171.40
Widows.....	4,613	695,000	150.70
Subject to offset.....	4,371	340,000	77.90
Miners.....	4,221	332,000	78.60
Widows.....	150	8,000	56.40
Not subject to offset.....	18,019	3,402,000	188.80
Miners.....	13,556	2,715,000	200.30
Widows.....	4,463	687,000	153.90
June			
Total.....	13,576	\$1,587,000	\$116.30
Miners.....	12,410	1,403,000	113.00
Widows.....	1,166	184,000	157.90
Subject to offset.....	10,095	908,000	89.90
Miners.....	10,048	902,000	89.70
Widows.....	47	6,000	118.00
Not subject to offset.....	3,481	679,000	195.10
Miners.....	2,362	501,000	212.00
Widows.....	1,119	179,000	159.60