

Lawsuit Leads to Black Lung Medical Cards



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Lawsuit leads to black lung cards

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It's like trying to work with a pillow over your face, Thomas Culbertson said.

"You can't do it," Culbertson says of the black lung disease that has beleaguered him for the past decade. "If you try to do anything strenuous, in 10 minutes you're down there panting for breath."

Black lung isn't the only preventable problem that has kept Culbertson, 68, of McDowell County from breathing easily after a mining career that spanned more than three decades.

Nearly a decade after black lung forced him to retire early from the mines, Cul-

bertson was surviving on free inhaler samples. He had to get them from a health clinic a roughly hour-long round trip away from his Maybeury home because he had no way to secure the benefits to which he was entitled as a federal black lung beneficiary.

"I didn't know from one month to the next if they were even going to have the samples the following month to give me," Culbertson said. "And then if I didn't, I didn't know where I was going to get it or what I was going to do about when I can't breathe."

So Culbertson did something the United Mine Workers of America union said will save both miners and taxpayers



millions of dollars.

He sued the United States Department of Labor.

Filed last year, Culbertson's federal

lawsuit demands the Department of Labor stop its practice of not providing an ID card to federal black lung beneficiaries who had previously received an award for black lung under a state workers' compensation program.

Now, the agency says black lung beneficiaries awarded benefits under a state workers' compensation program will get a federally issued black lung benefits card. The card includes four key words — "no copay" and "no deductible" — and lists information for where providers should send bills and where beneficiaries should send reimbursement requests.

SEE **BLACK LUNG, 9A**

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