



## **DEPARTMENT OF LABOR**

### **Office of Workers' Compensation Programs**

#### **Agency Information Collection Activities; Comment Request; Roentgenographic Interpretation (CM-933), Roentgenographic Quality Rereading (CM-933b), Medical History and Examination for Coal Mine Workers' Pneumoconiosis (CM-988), Report of Arterial Blood Gas Study (CM-1159), and Report of Ventilatory Study (CM-2907)**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Roentgenographic Interpretation" (Form CM-933), "Roentgenographic Quality Rereading" (Form CM-933a), "Medical History and Examination for Coal Mine Workers' Pneumoconiosis" (Form CM-988 and CM-988a), "Report of Arterial Blood Gas Study" (Form CM-1159), and "Report of Ventilatory Study" (Form CM-2907). This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response and estimated total burden may be obtained free by contacting Anjanette Suggs by telephone at 202-354-9660 or by email at [suggs.anjanette@dol.gov](mailto:suggs.anjanette@dol.gov)

Submit written comments about this ICR by mail or courier to the U.S. Department of Labor, Office of Workers' Compensation Program, Division of Coal Mine Workers'

Compensation, Room S-3323, 200 Constitution Avenue, N.W., Washington, DC 20210;

by email: [suggs.anjanette@dol.gov](mailto:suggs.anjanette@dol.gov).

**FOR FURTHER INFORMATION:** Contact Anjanette Suggs by telephone at 202-354-9660 or by email at [suggs.anjanette@dol.gov](mailto:suggs.anjanette@dol.gov)

**SUPPLEMENTARY INFORMATION:** The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Black Lung Benefits Act, 30 U.S.C. 901 et seq., provides benefits to coal miners who are totally disabled by black lung disease arising out of coal mine employment, and certain dependents and survivors. When a miner applies for benefits, the Division of Coal Mine Workers' Compensation (DCMWC) is required to give the miner an opportunity to establish his or her eligibility by providing a complete pulmonary evaluation, including a chest radiograph (X-ray), physical examination, pulmonary function test (also known as a ventilatory study), and arterial blood gas study. 30 U.S.C. 923(b); 20 CFR 718.101, 725.406. Forms CM-933, 933b, 988, 988a, 1159, and 2907 are used by physicians to report the results of these diagnostic tests. The information collected on these forms is used to determine whether the miner is totally disabled due to black lung disease caused by coal mine employment. The Black Lung Benefits Act, 30 U.S.C. 901 et seq., and implementing regulation, 20 CFR 725.406, authorize this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to

respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the ADDRESSES section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. To help ensure appropriate consideration, comments should mention 1240-0023.

Submitted comments will also be a matter of public record for this ICR and posted on the Internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* DOL-OWCP-DCMWC.

*Type of Review:* Extension.

*Title of Collection:* Roentgenographic Interpretation, Roentgenographic Quality Rereading, Medical History and Examination for Coal Mine Workers' Pneumoconiosis, Report of Arterial Blood Gas Study, and Report of Ventilatory Study.

*Form:* Roentgenographic Interpretation, (CM-933), Roentgenographic Quality Rereading, (CM-933b), Medical History and Examination for Coal Mine Workers' Pneumoconiosis, (CM-988), Report of Arterial Blood Gas Study, (CM-1159), and Report of Ventilatory Study, (CM-2907).

*OMB Control Number:* 1240-0023.

*Affected Public:* Business or other for profit, and not-for-profit institutions.

*Estimated Number of Respondents:* 21,500.

*Frequency:* Occasion.

*Total Estimated Annual Responses:* 21,500.

*Estimated Average Time per Response:* 3 to 40 minutes.

*Estimated Total Annual Burden Hours:* 5,232 hours.

*Total Estimated Annual Other Cost Burden:* \$0.00

(Authority: 44 U.S.C. 3506(c)(2)(A))

Dated: June 20, 2023.

**Anjanette Suggs,**

*Agency Clearance Officer.*

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