



TO: Bennington State Office Building Stakeholder Team

FROM: Sharon Moffatt, RN, MSN, Commissioner
Vermont Department of Health

Tasha Wallis, Commissioner
Department of Buildings and General Services

THROUGH: Charlie Gingo, Agency of Human Services
Bennington District Field Director

RE: Investigation Update

DATE: October 19, 2006

Background

In early June 2006, the Vermont Department of Health together with the Department of Buildings & General Services (BGS), began investigating health concerns among employees of the Bennington State Office Building. The primary health concern was identified as sarcoidosis – a disease characterized by inflammation in one or more organs.

Because sarcoidosis is a serious illness of unknown cause, the investigation has been extensive, including meetings with employees and the Building Stakeholders Team, a health survey of current and past employees, building inspection and environmental testing, employee medical screening tests and review of medical and death records.

On Oct. 5, the Vermont Department of Health presented detailed findings from *The Interim Report on the Investigation into Health Concerns Among Occupants of the Bennington State Office Building*. The health survey of current employees found higher than expected rates of sarcoidosis, asthma and asthma-like symptoms. A visual inspection of the building found evidence of past water damage, and environmental sampling in the building found evidence of fungi and endotoxin (bacteria).

Although no conclusive evidence has been found to link health concerns with the building itself, the Health Department recommended further diagnostic work and likely renovation of the building – and relocation of employees while this is being done.

The investigation continues. However, it is possible that the cause of sarcoidosis cases will not be found. We continue to advise any employee who has specific health concerns to consult with his or her own health care provider.

UPDATE

The following update and other detailed information on the investigation as it progresses is always available on the Health Department's website: *healthvermont.gov*, then select *Community Public Health*.

Relocation Planning

Ed Turbitt is working with BGS on the logistics of the move with Bennington State Office Building managers and Bennington officials, and he will be attending the Oct. 19 meeting with the latest relocation planning information.

The Health Department will provide guidance about what can be moved (e.g. papers and other fibrous materials) in advance of the move.

Environmental Testing

Questions have been raised about soil testing outside the building. There is no soil testing being done. Testing has focused on the building itself, and factors that could contribute to poor indoor air quality. It is not possible to speculatively test all substances for all potential toxins.

Health Survey – Former Employees

Approximately 320 surveys have now been mailed to former employees and contractors identified to us as people who worked more than 20 hours per week in the building as far back as 1994. Responses are still coming in – including a small number from people who said they did not work more than 20 hours. We expect to continue to collect survey results for another week or two. To date, the response rate has been about 25 percent.

Community Health Assessment

As part of the effort to find out more about the health status of people in Bennington beyond the State Office Building, Health Department investigators have requested insurance data from the four major insurance carriers in the state – BlueCross/BlueShield, Cigna, MVP and CBS – as well as Medicaid. Data are in so far from two of the four insurers, plus Medicaid.

NIOSH Employee Medical Screening Results

The National Institute for Occupational Safety and Health (NIOSH) is still on track to mail individual test results by about Oct. 20 to each of the 102 participants in the medical screening tests offered in September. Health Department investigators will get the aggregate (group) results a week or so after participants get their individual results. The group findings should add detail to the information that is already known from the health survey of current employees.

***** It is possible that some participants will learn from their test results that they may have undiagnosed asthma.** On Sept. 15, the Health Department alerted health care providers in the Bennington area about the investigation and the employee medical screening tests – and informed them that we are encouraging employees who participate in the testing to share their results with their health care provider.

Reimbursement for Costs Related to NIOSH Screening

According to the agreement worked out between the Department of Human Resources and VSEA, any state employee who participated in the NIOSH screening is eligible to be reimbursed for out-of-pocket medical costs related to the screening. Details are repeated below.

Eligible employees are those who work in the building and who participated in the NIOSH medical screening tests in September. Any eligible employee who chooses to visit a physician to discuss the results of the NIOSH assessment can be reimbursed for their out-of-pocket expenses for that visit, subject to the following limitations:

- Employees in the SelectCare plan would be eligible for reimbursement of the standard \$15 co-payment (even if they voluntarily choose to see an out-of-network provider and their actual expenses are therefore greater than the standard co-payment).
- Employees in the TotalChoice plan would be eligible for reimbursement for the patient share of the approved cost of the office visit (100 percent until the annual deductible has been met, and 20 after the deductible has been met).

These visits should take place within 60 days of receipt of the NIOSH assessment results, and the request for reimbursement should be submitted within 60 days following the visit.

The Application for NIOSH Reimbursement form is posted on the Health Department's website: healthvermont.gov, then select Community Public Health and Bennington State Office Building, then look under Employee Medical Screening.

NIOSH Reimbursement Process

Employees who are requesting reimbursement as detailed above must submit their request through their own agency. The Agency of Human Services has come up with a simple two-step process:

- 1) Requests should be submitted to the applicable district or regional director, who will approve as appropriate, based on knowledge of employee's participation in the NIOSH testing, and the supporting documentation.
- 2) Approved requests will then be forwarded to the AHS Business Office to the attention of Ira Sollace, and he will coordinate to process the employee voucher and the funds transfer.

Questions & Answers

Following are questions raised by the Building Stakeholder Team and answers compiled by the Department of Health, Department of Buildings & General Services and the Department of Human Resources.

Q: Why are employees who participated in the NIOSH testing the only ones eligible for reimbursement of co-pays?

A: The reimbursement program was worked out with VSEA so that employees would have the opportunity to seek medical consultation without out-of-pocket expense (limited to the terms of the agreement) if they wanted help understanding the NIOSH result. The purpose of the agreement was NOT to reimburse employees for any other purpose. In that the program is targeted specifically to making medical consultation available to help understand personal NIOSH test results, there would no basis to reimburse anyone else.

Q: Why are contractual employees NOT eligible for reimbursement of co-pays?

A: Contractual employees were not considered or addressed in the program worked out with the VSEA. The VSEA does not and cannot represent contractual employees. If any contractual employees participated in the NIOSH testing and sought medical consultation with their own provider for help in understanding their personal NIOSH test results, they may forward a request for reimbursement through their regular administrative channels with the State and the possibility of reimbursement will be considered.

Q: The Department of Corrections has operated a community high school in the building for a number of years. Most of these students attend school 20 or more hours per week. Should they be included in the health survey?

A: For purposes of the investigation, these part-time students do not need to participate in the health survey. However, the Health Department staff are available to discuss any questions or concerns with community school staff or students, and can provide any student who has a health concern with a letter to share with his or her own health care provider.