

The Diffuse Mesothelioma Scheme 2008

FACT SHEET



Diffuse Mesothelioma Scheme 2008



Most of those who develop Diffuse Mesothelioma have worked in jobs or been in environments where they have been exposed to asbestos dust particles in the air. Where the illness is as a result of occupational exposure to asbestos and the person has been an employed earner he/she can claim under the Industrial Injuries Disablement Benefit (IIDB) Scheme and potentially The Pneumoconiosis etc. (Workers Compensation) Act 1979.

However there are a number of cases of Diffuse Mesothelioma each year that have no occupational causation, who therefore cannot claim under the IIDB Scheme and the 1979 Scheme.

The 2008 Diffuse Mesothelioma Scheme seeks to compensate this group of people

Eligibility

You can claim a one-off lump sum payment if you:

- aren't entitled to a payment under the 1979 Pneumoconiosis Act
- haven't been given a payment for the disease

- from an employer, a civil claim or elsewhere aren't entitled to compensation from a Ministry of Defence scheme

Your exposure to asbestos must have happened in the United Kingdom. For example:

- you came into contact with asbestos from a relative – e.g. by washing their clothes
- you were exposed to asbestos in the environment – e.g. you lived near a factory using asbestos
- your exposure to asbestos was while self-employed
- your exposure cannot be specified but it occurred in the United Kingdom

Applications to this scheme must be made within 12 months of diagnosis

Dependants' Claim

If you're the dependant (spouse, child, partner or relative) of someone who suffered from mesothelioma but who has died, you may be able to make a claim for the compensation outlined above. **A dependant claim must be made within 12 months of the death of the sufferer**

A payment under the Diffuse Mesothelioma Scheme 2008 may adversely affect any existing entitlement you may have to other state benefits

THE DOCTOR'S ROLE IN THE DIFFUSE MESOTHELIOMA SCHEME 2008:

If your patient is diagnosed with Diffuse Mesothelioma:

- encourage them to claim the appropriate benefit as soon as possible
- provide documentary confirmation of the diagnosis of Diffuse Mesothelioma.

The claim will fail if the medical evidence does not clearly say that the claimant has Diffuse Mesothelioma.

In a tiny number of cases a Health Care Professional from the Centre for Health and Disability Assessments, who provide medical advice to the Department of Work & Pensions, may contact you requesting information about or clarification of the evidence submitted by the claimant. This contact may be by way of a phone call.

You will be asked to provide the Centre for Health and Disability Assessments with documentary evidence where possible, and in most cases due to the urgency of making a decision on entitlement, you will be requested to supply the information by fax if possible.

Suitable supplementary documentary evidence might include copies of hospital letters, X-ray reports, scans or biopsy results.

If documentary evidence is not available, but the diagnosis of Diffuse Mesothelioma has been made, verbal confirmation of the diagnosis is acceptable.