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**MEMORANDUM**

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TO: The Honorable Alan D. Moats (via email & FedEx)  
and All Parties (via email)

FROM: Michael K. Rozen, Director of Medical Monitoring

RE: Status Report of the Director  
*Jack Leach, et al. v. E.I. du Pont de Nemours and Co.,*  
C-8 PFOA Medical Monitoring Program

DATE: January 21, 2015

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On November 20, 2012, the Court appointed Michael K. Rozen, Esq. as Director of Medical Monitoring (the "Director") in the above-referenced matter to oversee the implementation of the Medical Panel Protocols for the Medical Monitoring Program (the "Program"). The Director previously submitted to the Court reports summarizing the progress and status of planning for implementation of the Medical Panel Protocols on September 20, 2013, November 19, 2013, April 28, 2014 and November 21, 2014.

The Program was launched with a mailing to approximately 98,000 potential Class Members in the beginning of September 2014 and Class Members have been registering, making appointments for monitoring and receiving monitoring pursuant to the Medical Panel Protocols. Each week the Director submits to the parties a Weekly Summary Report with detailed Program Statistics. Attached hereto is the Weekly Summary Report for the week ending January 16, 2015, which sets out in detail the current number of Program participants (over 5,000 to date) and their demographics, as well as, among other information, the number of scheduled physician monitoring appointments, the number of approved services, and the total amount approved for payment. In addition the Director has begun sending the parties a Summary of the number of services approved by CPT Code, which is the code utilized by the medical community and the Program to designate the type of medical service. A CPT Code Summary with a description of the CPT Codes is also attached hereto.

Pursuant to agreement of the parties, on January 19, 2015 publication of town hall meetings to be conducted by the Director on January 29th and January 30th, 2015 began in nine regional

## FEINBERG ROZEN, LLP

~ The Honorable Alan D. Moats and All Parties  
January 21, 2015

newspapers. At these upcoming town halls the Director will answer any and all questions regarding the Medical Monitoring Program.

In addition, the Medical Panel has submitted to the Director and the Parties some further guidance regarding the periodicity of monitoring in the event a participant tests negative initially for any of the linked conditions. We anticipate making some relevant additions to the Program website which would efficiently and effectively communicate this information to participants, and we will also notify all participating health care providers of the additional guidance.

# C-8 Medical Monitoring Program

C-8MedicalMonitoringProgram.com

## WEEKLY SUMMARY REPORT

For the week ended January 16, 2015

### POTENTIAL PARTICIPANTS

	TOTAL PARTICIPANTS
Potential Participants Sent Notice Packet	98,968
Registrations Received*	6,250
a. Eligible for Medical Monitoring	5,059
b. Duplicate Registrations	299
c. Ineligible (see page 2 for details)	82
d. Deficient (see page 2 for details)	764
e. Under Review	46
Physician Appointments Made by Eligible Class Members	748
Physician Appointments Requested with Non HealthSmart Providers	4

\*If confirmed as a participant in the C-8 Health Study, the Program will use documentation on hand to confirm eligibility for Medical Monitoring.

### PAYMENTS

	WEEK ENDING 01/16/2015	CUMULATIVE TO DATE
Number of Approved CPT Code Services	77	375
Total Amount Approved for Payment	\$14,133.71	\$50,233.26

### C-8 HEALTH STUDY PARTICIPANTS

	WEEK ENDING 01/16/2015	CUMULATIVE REGISTRANTS TO DATE
Participant	36	5,758
Non-Participant	7	492

### WATER DISTRICTS / SOURCES (AS REPORTED BY REGISTRANT)\*

	WEEK ENDING 01/16/2015	CUMULATIVE REGISTRANTS TO DATE
Little Hocking Water Association	8	1,289
Lubeck Public Service District	5	1,406
City of Belpre	8	936
Mason County Public Service District	13	1,323
Tuppers Plains - Chester Water District	10	1,246
Village of Pomeroy	2	420
Private Water Sources	5	332
Water District Not Identified by Registrant	3	345

\*Registrant may indicate multiple Water Districts / Sources.

# C-8 Medical Monitoring Program

C-8MedicalMonitoringProgram.com

## REGISTRANT DEFICIENCY REASONS

	TOTAL PARTICIPANTS
Deficient Registrants**	764
Registrants with only Administrative Deficiencies <i>(Authorized Representative Documents Insufficient or not Provided; Registrant DOB/SSN/Gender not Provided; Missing Signature; Identity not Verified; and/or Pending Address Confirmation by Water District)</i>	105
Registrants with Documentation Deficiencies ***	659
Documentation not Provided	67
Documents submitted do not establish a period of one year prior to December 4, 2004	176
Documents Submitted are not Legible	14
Documents with No Identification that Connects to Registrant	6
Documents with No Address	396

\*\*Each Registrant may be deficient for one or more reasons

\*\*\*68 Registrants with Documentation Deficiencies also have Administrative Deficiencies

## INELIGIBLE REGISTRANTS

	TOTAL PARTICIPANTS
Ineligible Registrants	82
Previously Opted-Out of the Class	0
Registrant Born on or After December 4, 2003	4
Registrants Whose Private Water Sources Tested Below 0.05 ppb of PFOA	0
Registrations Filed on behalf of Deceased Individuals	78

## CALL CENTER ACTIVITY

	WEEK ENDING 01/16/2015	CUMULATIVE CALLS TO DATE
Calls Received	132	3,461
a. Interactive Voice Response ("IVR") Only	30	702
b. Live Operator	102	2,759

## WEBSITE ACTIVITY

	WEEK ENDING 01/16/2015	CUMULATIVE TO DATE
Unique Visitors	116	4,797
Page Views	278	12,071

# C-8 Medical Monitoring Program

C-8MedicalMonitoringProgram.com

## TIME TO APPOINTMENTS

	TOTAL
7 days or less	159
8-15 days	193
16-24 days	105
More than 24 days	291

## APPOINTMENTS BY MEDICAL MONITORING PARTICIPANT LOCATION

ZIP CODE	TOTAL
26101	62
45714	56
26181	37
45750	35
45769	32
25123	32
26104	29
25550	24
26105	23
45723	21
45771	19
45742	19
45772	15
45784	14
25515	12
25241	12
26150	11
26164	11
45760	11
26187	10
25287	10
25541	9
45724	9
45701	8
45778	8
45710	6
45743	6
45631	6
26133	6
25253	6
25265	5
25502	5
25503	5
26184	5
45729	5
45786	4
45775	4
80227	4
43105	4
26142	4
25801	4
25239	4
25260	4
25264	3

25271	3
40409	3
26415	3
45745	3
45735	3
45720	3
26180	3
43787	3
43204	2
45623	2
45694	2
45177	2
45740	2
45728	2
45744	2
45764	2
45770	2
85718	2
89130	2
74959	2
78624	2
26426	2
40517	2
29715	2
32533	2
33870	2
35953	2
36602	2
43130	2
25414	2
25082	2
25106	2
26103	2
26143	2
25520	2
25701	2
25705	2
25559	1
26146	1
19808	1
21401	1
25314	1
25275	1
25177	1
43140	1
43147	1
43149	1
43160	1
39564	1
43123	1
34957	1
32931	1
43026	1
43076	1
26508	1
26554	1
29526	1

26421	1
26288	1
26330	1
26346	1
26169	1
26178	1
26161	1
45777	1
45788	1
46311	1
73012	1
45779	1
45782	1
45783	1
45773	1
45711	1
45255	1
45344	1
45620	1
43228	1
43230	1
43231	1
43754	1
43947	1
44077	1
45039	1
45171	1

**CPT Code Summary Report**  
**TOTAL SERVICES APPROVED FOR PAYMENT AS OF JANUARY 20, 2015**

CPT Code	Code Description	CPT Code Total
36415	Routine Venipuncture	58
74177	CT Scan of the abdomen and pelvis with Contrast	2
76870	Ultrasound, scrotum and contents	3
76870-26	Ultrasound, scrotum and contents	1
80061	Serum Lipid panel	11
81015	Microscopic Exam of Urine	1
82270-QW	Occult Blood Feces	1
82274	Assay Test for Blood Fecal	5
82542	C-8 (PFOA) Test	86
84439	Thyroxine; free	6
84443	Thyroid Stimulating Hormone (TSH)	37
85025	Complete CBC w/AUTO DIFF WBC	14
85652	RBC SED Rate Automated	12
86140	C-Reactive Protein	3
86376	Microsomal antibodies (thyroid or liver kidney)	3
87493	Infectious agent detection by nucleic acid (DNA or RNA); Clostridium difficile, toxin gene(s), amplified probe technique	6
99203	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	11
99203-25	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	1
99204	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 45 minutes face to face.	11
99205	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 60 minutes face to face.	3
99213	Office/outpatient visit EST presenting problems are of low to moderate. Physicians typically spend 15 minutes face to face.	61
99214	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	31
99214-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	1
99215	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	3
99215-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	1
99243	Office consult for a New or Established patient. Problems moderate in severity. 40 minute face to face.	1
99244	Office consult for a New or Established patient. Problems moderate to high in severity. 60 minute face to face.	2
<b>Total Number of Services Approved for Payment</b>		<b>375</b>
<b>Total Amount Approved Payment</b>		<b>\$50,233.26</b>





**C-8 (PFOA) MEDICAL MONITORING PROGRAM CODING**

NOTICE: The C-8 (PFOA) Medical Monitoring Program only provides coverage to eligible Class Members for screening and monitoring of any of the Probable Link Conditions recommended by the Medical Panel. Nothing in the C-8 (PFOA) Medical Monitoring Program or HealthSmart documents shall be construed to prohibit the free, open and unrestricted exchange of any and all information of any kind between health care providers and Class Members regarding the nature of a Class Member's medical condition, the health care treatment options and alternatives available and their relative risks and benefits, whether or not covered or excluded under the C-8 (PFOA) Medical Monitoring Program. At all times, a Participating Provider's primary consideration shall be the quality of health care services rendered to a Class Member. All such services shall be rendered in accordance with generally accepted medical practices and standards prevailing in the medical community, and shall be within the scope of Participating Provider's licensure.

\*Office Visit: The C-8 (PFOA) Medical Monitoring Program will reimburse the physician for a single office visit to cover the screening interface with an Class Member. Any subsequent office visits will only be reimbursed under the C-8 (PFOA) Medical Monitoring Program when the recommended follow up test/procedure requires an office visit to be billed in order to perform the specific recommended follow up test/procedure. If a physician bills for an office visit that is not required for a recommended follow up test/procedure, the physician's office must bill the Class Member's private insurance for the office visit, since the C-8 (PFOA) program will deny the office visit as it is not part of the monitoring program.

C-8 (PFOA) MPP Probable Link Category	Screening Test/ Procedure	Follow-up Test/ Procedure	CPT Code	CPT Description	CPT Category
<b>OFFICE VISITS FOR ALL PROBABLE LINKS*</b>					
All probable links	X	X	99203	OFFICE/OUTPATIENT VISIT NEW presenting problems are of moderate Severity. Physicians typically spend 30 minutes face to face.	E&M
All probable links	X	X	99204	OFFICE/OUTPATIENT VISIT NEW presenting problems are of moderate to High Severity. Physicians typically spend 45 minutes face to face.	E&M
All probable links	X	X	99205	OFFICE/OUTPATIENT VISIT NEW presenting problems are of moderate to High Severity. Physicians typically spend 60 minutes face to face.	E&M
All probable links	X	X	99213	OFFICE/OUTPATIENT VISIT EST presenting problems are of low to Moderate. Physicians typically spend 15 minutes face to face.	E&M
All probable links	X	X	99214	OFFICE/OUTPATIENT VISIT EST presenting problems are of moderate to High Severity. Physicians typically spend 25 minutes face to face.	E&M
All probable links	X	X	99215	OFFICE/OUTPATIENT VISIT EST presenting problems are of moderate to High Severity. Physicians typically spend 40 minutes face to face.	E&M
All probable links	X	X	99242	Office Consult for a New or Established patient. Problems Low in Severity. 30 minute face to face.	E&M
All probable links	X	X	99243	Office Consult for a New or Established patient. Problems Moderate in Severity. 40 minute face to face.	E&M
All probable links	X	X	99244	Office Consult for a New or Established patient. Problems Moderate to High in Severity. 60 minute face to face.	E&M
All probable links	X	X	99245	Office Consult for a New or Established patient. Problems Moderate to High in Severity. 80 minute face to face.	E&M
All Probable Links	X	X	36415	ROUTINE VENIPUNCTURE	Labs



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C-8 (PFOA) MPP Probable Link Category	Screening Test/ Procedure	Follow-up Test/ Procedure	CPT Code	CPT Description	CPT Category
<b>C-8 (PFOA) TEST</b>					
C-8 (PFOA) Test	X		82542	C-8 (PFOA) Test	Labs
<b>HIGH CHOLESTEROL</b>					
High Cholesterol	X		80061	Serum Lipid panel	Labs
<b>THYROID DISEASE</b>					
Serum TSH Level Blood Test	X	X	84443	Thyroid stimulating hormone (TSH)	Labs
Free T4		X	84439	Thyroxine; free	Labs
Anti Thyroid Antibodies		X	86376	Microsomal antibodies (thyroid or liver kidney)	Labs
<b>ULCERATIVE COLITIS</b>					
Sigmoidoscopy		X	45330**	Sigmoidoscopy, flexible; diagnostic, with or without collection of specimen(s) by brushing or washing (separate procedure)	Surgery
Sigmoidoscopy		X	45331**	Sigmoidoscopy, flexible; with biopsy, single or multiple	Surgery
Colonoscopy		X	45378**	Colonoscopy, diagnostic	Surgery
Colonoscopy		X	44388**	Colonoscopy through stoma; diagnostic, with or without collection of specimens	Surgery
Colonoscopy		X	44389**	Colonoscopy through stoma; with biopsy, single or multiple	Surgery
C Difficile		X	87493	Infectious agent detection by nucleic acid (DNA or RNA); Clostridium difficile, toxin gene(s), amplified probe technique	Labs
Complete blood count (CBC with differential)		X	85025	COMPLETE CBC W/AUTO DIFF WBC	Labs
Measures of inflammation (ESR)		X	85651	RBC SED RATE NONAUTOMATED (Manual)	Labs
Measures of inflammation (ESR)		X	85652	RBC SED RATE AUTOMATED	Labs
C-reactive protein		X	86140	C-REACTIVE PROTEIN	Labs
C-reactive protein		X	86141	C-REACTIVE PROTEIN HS	Labs
Stool Testing		X	82270	OCCULT BLOOD FECES	Labs
Stool Testing		X	82271	OCCULT BLOOD OTHER SOURCES	Labs
Stool Testing		X	82272	OCCULT BLD FECES 1-3 TESTS	Labs



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<b>C-8 (PFOA) MPP Probable Link Category</b>	<b>Screening Test/ Procedure</b>	<b>Follow-up Test/ Procedure</b>	<b>CPT Code</b>	<b>CPT Description</b>	<b>CPT Category</b>
Stool Testing		X	82274	ASSAY TEST FOR BLOOD FECAL	Labs
Anesthesia for a Sigmoidoscopy			00810	Anesthesia for lower intestinal endoscopic procedures, endoscope introduced distal to duodenum	Anesthesia
Anesthesia for a Colonoscopy and Sigmoidoscopy			00740	Anesthesia for upper gastrointestinal endoscopic procedures, endoscope introduced proximal to duodenum	Anesthesia
Pathology		X	88300	Level I - Surgical pathology, gross examination only	Pathology
Pathology		X	88302	Level II - Surgical pathology, gross and microscopic examination.	Pathology
Pathology		X	88304	Level III - Surgical pathology, gross and microscopic examination	Pathology
Pathology		X	88305	Level IV - Surgical pathology, gross and microscopic examination	Pathology
Pathology		X	88307	Surgical pathology, gross and microscopic examination	Pathology

### **\*\* Colonoscopy and Sigmoidoscopy Note**

\*\* The Medical Monitoring Program is only a screening and monitoring program. Therefore, the allowable for Colonoscopies and Sigmoidoscopies is limited or capped at the allowable for a diagnostic colonoscopy or sigmoidoscopy. All additional charges for foreign body, tumor or poly removal should be submitted to the class member's private insurance for secondary coverage.

## **TESTICULAR CANCER**

Ultrasound		X	76870	Ultrasound, scrotum and contents	Radiology
Ultrasound		X	76700	Ultrasound, abdominal, real time with image documentation; complete	Radiology
MRI PELVIS W/O DYE		X	72195	MRI of the Pelvis without Contrast	Radiology
MRI PELVIS W/DYE		X	72196	MRI of the Pelvis with Contrast	Radiology
CT ABDOMEN & PELVIS W/O CONTRAST		X	74176	CT Scan of the abdomen and Pelvis without Contrast	Radiology
CT ABDOMEN & PELV W/CONTRAST		X	74177	CT Scan of the abdomen and pelvis with Contrast	Radiology
CHEST X-RAY		X	71010	Chest X-ray, single view ,frontal	Radiology
CHEST X-RAY		X	71020	Chest X-ray, 2 views ,frontal and lateral	Radiology
CHEST X-RAY		X	71021	Chest X-ray,2 views, frontal and lateral; with apical lordotic procedure	Radiology



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CHEST X-RAY		X	71022	Chest X-ray, 2 views, frontal and lateral; with oblique projections	Radiology
Inguinal Exploration		X	54550	Exploration for undescended testis (inguinal or scrotal area)	Surgery
Anesthesia for Inguinal Exploration		X	00924	Anesthesia for procedures on male genitalia (including open urethral procedures); undescended testis, unilateral or bilateral	Anesthesia
Anesthesia for Inguinal Exploration		X	00934	Anesthesia for procedures on male genitalia (including open urethral procedures); radical amputation of penis with bilateral inguinal lymphadenectomy	Anesthesia
Orchiectomy		X	54522	Orchiectomy, partial	Surgery
Orchiectomy		X	54690	Laparoscopy, surgical; orchiectomy	Surgery
Anesthesia for an Orchiectomy		X	00928	Anesthesia for procedures on male genitalia (including open urethral procedures); radical orchiectomy, abdominal	Anesthesia
Anesthesia for an Orchiectomy		X	00926	Anesthesia for procedures on male genitalia (including open urethral procedures); radical orchiectomy, inguinal	Anesthesia
Blood Typing		X	86900	Histologic cell type	Labs
Tumor markers		X	86294	IMMUNOASSAY TUMOR QUAL	Labs
Tumor markers		X	86300	IMMUNOASSAY TUMOR CA 15-3	Labs
Tumor markers		X	86301	IMMUNOASSAY TUMOR CA 19-9	Labs
Tumor markers		X	86304	IMMUNOASSAY TUMOR CA 125	Labs
<b>KIDNEY CANCER</b>					
CT ABDOMEN W/O DYE		X	74150	CT Scan of the abdomen without contrast	Radiology
CT ABDOMEN W/DYE		X	74160	CT Scan of the abdomen with contrast	Radiology
MRI ABDOMEN W/O DYE		X	74181	MRI of the abdomen without contrast	Radiology
MRI ABDOMEN W/DYE		X	74182	MRI of the abdomen with contrast	Radiology
Ultrasound		X	76700	Ultrasound, abdominal, real time with image documentation; limited (e.g., single organ, quadrant, follow up)	Radiology
URINALYSIS	X	X	81005	URINALYSIS	Labs
MICROSCOPIC EXAM OF URINE		X	81015	MICROSCOPIC EXAM OF URINE	Labs