

# ROZEN LAW FIRM, LLP

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## MEMORANDUM

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: May 9, 2016

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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 has previously submitted 35 Status Reports to the Court summarizing the progress and status of planning for implementation of the Medical Panel Protocols, most recently on April 25, 2016.

The Program was launched with a mailing of notice packets 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. Since September 2014, additional notice packets have been mailed to potential Class Members upon request bringing the total number of mailings to 99,029.

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 May 6, 2016, which sets out in detail the current number of Program participants (6,626 Registrations 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. Also attached is a CPT Code Summary Report setting forth the total services approved for payment by the Director through May 3, 2016, by CPT Code.

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By agreement of the parties, the Director mails an Affidavit of Settlement Class Membership to all Registrants with insufficient documentation, along with a letter which explains that a completed and notarized Affidavit will be accepted as proof of Class Member status and eligibility to participate fully in the C-8 Medical Monitoring Program. As of May 6, 2016 a total of 5,881 Registrants have been deemed eligible for medical monitoring. The Director mailed to the 4,040 eligible Registrants who had not yet had monitoring appointments, a letter reminding them to schedule physician monitoring appointments. As reflected in the attached Weekly Summary Report, since this mailing, there has been a significant increase in the number of scheduled physician medical monitoring appointments.

The parties continue to work with the Director, his team, and each other in good faith.

## WEEKLY SUMMARY REPORT

For the week ended May 6, 2016

### POTENTIAL PARTICIPANTS

	TOTAL PARTICIPANTS
Potential Participants Sent Notice Packet	99,030
Registrations Received*	6,626
a. Eligible for Medical Monitoring	5,881
b. Duplicate Registrations	326
c. Ineligible (see page 2 for details)	94
d. Deficient (see page 2 for details)	309
e. Under Review	16
Affidavit of Class Membership Mailed	457
a. Affidavits Received	182
b. Affidavits Incomplete or Invalid	8
Physician Appointments Made by Eligible Class Members	1,976
Physician Appointments Scheduled after 5/6/2016	43
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 5/6/2016	CUMULATIVE TO DATE
Number of Approved CPT Code Services	100	9,252
Total Amount Approved for Payment	\$3,535.41	\$777,659.52
Total Amount of Funds Disbursed to HealthSmart	\$15,151.23	\$775,807.55
Balance in DuPont Medical Monitoring Escrow Account (as of 3/31/2016)	\$0.00	\$757,570.36

### C-8 HEALTH STUDY PARTICIPANTS

	WEEK ENDING 5/6/2016	CUMULATIVE REGISTRANTS TO DATE
Participant	1	6,079
Non-Participant	0	547

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

	WEEK ENDING 5/6/2016	CUMULATIVE REGISTRANTS TO DATE
Little Hocking Water Association	0	1,379
Lubeck Public Service District	1	1,498
City of Belpre	0	995
Mason County Public Service District	0	1,403
Tuppers Plains - Chester Water District	0	1,325
Village of Pomeroy	0	455
Private Water Source	0	347
Water District Not Identified by Registrant	0	355

\*Registrant may indicate multiple Water Districts / Sources.

## REGISTRANT DEFICIENCY REASONS

	TOTAL PARTICIPANTS
Deficient Registrants**	309
Registrants with only Administrative Deficiencies	41
Registrants with Documentation Deficiencies ***	268
Documentation not provided	48
Documents submitted do not establish a period of one year prior to December 4, 2004	54
Documents Submitted are not Legible	6
Documents with No Identification that Connects to Registrant	0
Documents with No Matching Eligible Address	160

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

\*\*\*28 Registrants with Documentation Deficiencies also have Administrative Deficiencies

## INELIGIBLE REGISTRANTS

	TOTAL PARTICIPANTS
Ineligible Registrants	94
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	90
Under Review: Intake/Data Entry	0

## CALL CENTER ACTIVITY

	WEEK ENDING 5/6/2016	CUMULATIVE CALLS TO DATE
Calls Received	22	7,352
a. Interactive Voice Response ("IVR") Only	10	1,579
b. Live Operator	12	5,773

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## WEBSITE ACTIVITY

	WEEK ENDING 5/6/2016	CUMULATIVE TO DATE
Unique Visitors	39	8,268
Page Views	56	18,948

## TIME TO APPOINTMENTS

	TOTAL
7 days or less	368
8-15 days	466
16-24 days	284
More than 24 days	858

## APPOINTMENTS BY MEDICAL MONITORING PARTICIPANT LOCATION

ZIP CODE	TOTAL
45714	166
26101	161
26181	81
45750	75
45723	74
25550	74
45769	68
25123	68
26104	67
45742	60
26105	55
45771	50
45784	40
25515	33
25253	30
45760	28
45735	27
45724	26
26150	25
45701	25
45772	25
45778	24
25241	22
25502	20
25287	19
26164	19
45729	19
25271	18
45631	18
26187	18
45743	16

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25260	16
26142	16
25082	15
25541	15
45779	13
26133	13
25503	13
25265	10
26184	10
45710	9
25520	9
45775	9
26180	8
25239	8
45786	8
32164	6
25264	6
33870	5
35953	5
45764	5
26143	5
34759	5
25187	5
44077	5
43787	5
26103	5
80227	4
45711	4
43105	4
25314	4
25560	4
25705	4
25801	4
25106	4
45620	4
25504	4
45770	4
45720	4
26170	3
43068	3
43725	3
25177	3
25064	3
26138	3
25248	3
45745	3
43701	3

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45768	3
40409	3
25526	3
33919	3
43947	3
43130	3
45744	3
25312	3
45783	3
29715	3
25275	3
43056	2
32162	2
28273	2
45686	2
45728	2
26426	2
45782	2
26346	2
43731	2
34788	2
26362	2
45623	2
25213	2
45177	2
25701	2
34429	2
44140	2
44805	2
45694	2
45767	2
74959	2
89130	2
24185	2
40517	2
43138	2
43055	2
16063	2
26102	2
23089	2
45056	2
26169	2
45373	2
45740	2
43147	2
78028	2
31305	2

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33542	2
43204	2
45712	2
36602	2
85718	2
25414	2
43228	1
43082	1
45741	1
15357	1
26161	1
29461	1
26415	1
48503	1
27051	1
43081	1
45344	1
52246	1
43123	1
26141	1
91325	1
43230	1
25559	1
25545	1
43754	1
23456	1
27703	1
43119	1
25362	1
45776	1
32931	1
27513	1
43213	1
45069	1
32724	1
41858	1
46311	1
43026	1
25143	1
26288	1
43050	1
25313	1
27301	1
45732	1
48572	1
29440	1
45739	1

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43209	1
43219	1
39564	1
44127	1
45229	1
45255	1
45171	1
19446	1
92648	1
43229	1
85365	1
45648	1
73012	1
45674	1
20686	1
43149	1
43021	1
40601	1
45331	1
35901	1
37075	1
45695	1
25243	1
26421	1
45614	1
45713	1
23322	1
33947	1
45383	1
41005	1
26508	1
29587	1
43160	1
29909	1
32766	1
45773	1
26554	1
43231	1
33625	1
45669	1
45788	1
28462	1
43140	1
25303	1
26146	1
45766	1
25703	1
26330	1
28117	1

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45777	1
46408	1
32720	1
26178	1
38501	1
29526	1
25302	1
20141	1
45039	1

**CPT Code Summary Report**

**TOTAL SERVICES APPROVED FOR PAYMENT AS OF May 3, 2016**

CPT Code	Code Description	CPT Code Total
810	Anesthesia for lower intestinal endoscopic procedures, endoscope introduced distal to duodenum	18
36415	Routine Venipuncture	1160
45378	Colonoscopy , diagnostic	53
45380	Colonoscopy with biopsy, single or multiple	6
45384	Colonoscopy with removal of tumor(s)polyps by hot biopsy forceps or cautery	2
45385	Colonoscscopy with removal of tumors, polyp(s),or other lesion(s)by snare technique	4
71010	Chest X-ray, single view, frontal	1
71020	Chest X-ray, 2 views, frontal and lateral	12
74150	CT Scan of the abdomen without Contrast	36
74160	CT Scan of the abdomen with Contrast	13
74176	CT Scan of the abdomen and Pelvis without Contrast	1
74177	CT Scan of the abdomen and pelvis with Contrast	8
74181	MRI of the abdomen without contrast	12
74182	MRI of the abdomen without contrast	25
76700	Ultrasound, abdominal, real time with image documentation, complete	9
76870	Ultrasound, scrotum and contents	33
76870-26	Ultrasound, scrotum and contents	3
80061	Serum Lipid panel	594
81001	Urinalysis, by dip stick with microscopy	423
81003	Urinalysis, by dip stick without microscopy	729
81015	Microscopic Exam of Urine	8
82270-QW	Occult Blood Feces	2
82274	Assay Test for Blood Fecal	105
82542	C-8 (PFOA) Test	1670
84439	Thyroxine; free	400
84443	Thyroid Stimulating Hormone (TSH)	963
85025	Complete CBC w/AUTO DIFF WBC	293
85652	RBC SED Rate Automated	220
86140	C-Reactive Protein	119

86141	C-Reactive Protein HS	73
86300	Immunoassay Tumor CA 15-3	25
86301	Immunoassay Tumor CA 19-9	30
86304	Immunoassay Tumor CA 125	24
86376	Microsomal antibodies (thyroid or liver kidney)	284
86900	Histologic cell type	13
87493	Infectious agent detection by nucleic acid (DNA or RNA); Clostridium difficile, toxin gene(s), amplified probe technique	65
88305	Level IV - Surgical pathology, gross and microscopic examination	22
88307	Surgical Pathology, gross and microcopic examination	1
99201	New patient- Problem Focused	1
99202	New patient-Expanded Problem Focused	23
99203	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	632
99203-25	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	6
99204	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 45 minutes face to face.	126
99205	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 60 minutes face to face.	61
99211	Established patient- Minimal Eval.	1
99212	Established patient- Problem Focused	15
99213	Office/outpatient visit EST presenting problems are of low to moderate. Physicians typically spend 15 minutes face to face.	500
99214	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	282
99214-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	2
99215	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	46
99215-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	2
99242	Office Consult.Problem low in severity, 30 minute face to face	26
99243	Office consult for a New or Established patient. Problems moderate in severity. 40 minute face to face.	4
99244	Office consult for a New or Established patient. Problems moderate to high in severity. 60 minute face to face.	4
99245	Office consult for a New or Established patient. Problems moderate to high in severity. 80 minute face to face.	1
99395	This code approved by director incident to monitoring visit.	3
99396	This code approved by director incident to monitoring visit.	2
93000	This code approved by the director as a special exception	3
80048	This code approved by the director as a special exception	2

80076	This code approved by the director as a special exception	1
81002	This code approved by the director as a special exception	1
86901	This code approved by the director as a special exception	1
93005	This code approved by the director as a special exception	1
A9578	This code approved by the director incident to MRI	1
A9585	This code approved by the director incident to MRI	2
G0121	This code approved by the director incident to colonoscopy	1
J1170	This code approved by the director incident to colonoscopy	1
J2405	This code approved by the director as a special exception	3
J2250	This code approved by the director incident to colonoscopy	6
J3010	This code approved by the director incident to colonoscopy	1
J3490	This code approved by the director incident to colonoscopy	1
Q9967	This code approved by the director as a special exception incident to CT scan.	9
250	This code approved by the director incident to colonoscopy	5
258	This code approved by the director incident to colonoscopy	3
270	This code approved by the director incident to CT scan	1
271	This code approved by the director incident to colonoscopy	1
272	This code approved by the director incident to colonoscopy	2
490	This code approved by the director as a special exception	1
255	This code approved by the director as a special exception incident to CT scan.	4
710	This code approved by the director incident to colonoscopy	2
no code provided	Incident of colonoscopy approved by director as a special exception	3
<b>Total Number of Services Approved for Payment</b>		<b>9,252</b>
<b>Total Amount Approved Payment</b>		<b>\$777,659.52</b>