BRB No. 09-0674 BLA

JIMMY DOUGLAS GARRETT	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	
ISLAND CREEK COAL COMPANY	)	
	)	DATE ISSUED: 07/29/2010
Employer-Petitioner	)	
	)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR	)	
	)	
Party-in-Interest	)	DECISION and ORDER

Appeal of the Decision and Order – Award of Benefits of Administrative Law Judge Thomas F. Phalen, Jr., United States Department of Labor.

Allison B. Moreman (Jackson Kelly), Lexington, Kentucky, for employer.

Barry H. Joyner (M. Patricia Smith, Solicitor of Labor; Rae Ellen James, Associate Solicitor; Michael J. Rutledge, Counsel for Administrative Litigation and Legal Advice), Washington, D.C., for the Director, Office of Workers' Compensation Programs, United States Department of Labor.

Before: SMITH, McGRANERY, and HALL, Administrative Appeals Judges.

PER CURIAM:

Employer appeals the Decision and Order – Award of Benefits (05-BLA-0076) of Administrative Law Judge Thomas F. Phalen, Jr., (the administrative law judge), rendered on a claim filed pursuant to the provisions of the Black Lung Benefits Act, 30 U.S.C. §§901-944 (2006), *amended by* Pub. L. No. 111-148, §1556, 124 Stat. 119 (2010) (to be codified at 30 U.S.C. §§921(c)(4) and 932(*l*)) (the Act).[1] Claimant filed this claim

[1] Employer and the Director, Office of Workers' Compensation Programs, correctly state that the recent amendments to the Black Lung Benefits Act, which became

for benefits on October 8, 1999. In the initial Decision and Order, Administrative Law Judge Robert L. Hillyard credited claimant with sixteen years of coal mine employment[2] and found that the evidence was insufficient to establish the existence of pneumoconiosis pursuant to 20 C.F.R. §718.202(a). Because claimant failed to establish this essential element of entitlement, Judge Hillyard denied benefits. Upon review of claimant's appeal, the Board affirmed Judge Hillyard's finding that the existence of pneumoconiosis was not established, and affirmed the denial of benefits. *Garrett v. Island Creek Coal Co.*, BRB No. 02-0583 BLA (May 30, 2003)(unpub.). Thereafter, claimant timely requested modification pursuant to 20 C.F.R. §725.310 (2000).[3] Director's Exhibits 68, 69.

The administrative law judge reviewed the evidence and the prior decision. He found no mistake in a determination of fact, but he found that the new evidence established total disability, which he found established a change in conditions pursuant to 20 C.F.R. §725.310 (2000). Considering all of the evidence of record, the administrative law judge found that the medical opinion evidence established the existence of legal pneumoconiosis,[4] in the form of chronic obstructive pulmonary disease (COPD) due to both smoking and coal mine dust exposure, pursuant to 20 C.F.R. §718.202(a)(4). The administrative law judge further found that claimant is totally disabled from a respiratory or pulmonary standpoint pursuant to 20 C.F.R. §718.204(b)(2), and that claimant's total disability is due to pneumoconiosis pursuant to 20 C.F.R. §718.204(c). Accordingly, the administrative law judge awarded benefits.

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effective on March 23, 2010, do not apply to this case, as claimant's claim was filed before January 1, 2005.

[2] The Board will apply the law of the United States Court of Appeals for the Sixth Circuit, as claimant was last employed in the coal mining industry in Kentucky. *See Shupe v. Director, OWCP*, 12 BLR 1-200 (1989) (*en banc*).

[3] The latest revisions to 20 C.F.R. §725.310 do not apply to claims, such as this one, that were pending on January 19, 2001, the effective date of the revised regulations. 20 C.F.R. §725.2(c). Where a former version of a regulation remains applicable, we will cite to the 2000 edition of the Code of Federal Regulations.

[4] "Legal pneumoconiosis" includes any chronic lung disease or impairment and its sequelae arising out of coal mine employment. 20 C.F.R. §718.201(a)(2). "Arising out of coal mine employment" refers to "any chronic pulmonary disease or respiratory or pulmonary impairment significantly related to, or substantially aggravated by, dust exposure in coal mine employment." 20 C.F.R. §718.201(b).

On appeal, employer asserts that the administrative law judge erred in granting modification, based on a change in conditions. Employer also contends that the administrative law judge erred in finding legal pneumoconiosis and that claimant's disability was due to pneumoconiosis.[5] Neither claimant, nor the Director, Office of Workers' Compensation Programs, has responded to employer's appeal.

The Board's scope of review is defined by statute. The administrative law judge's Decision and Order must be affirmed if it is rational, supported by substantial evidence, and in accordance with applicable law. 33 U.S.C. §921(b)(3), as incorporated by 30 U.S.C. §932(a); *O'Keeffe v. Smith, Hinchman & Grylls Associates, Inc.*, 380 U.S. 359 (1965).

To establish entitlement to benefits under the Act, claimant must demonstrate by a preponderance of the evidence that he is totally disabled due to pneumoconiosis arising out of coal mine employment. 30 U.S.C. §901; 20 C.F.R. §§718.3, 718.202, 718.203, 718.204. Failure to establish any one of these elements precludes entitlement. *Anderson v. Valley Camp of Utah, Inc.*, 12 BLR 1-111, 1-112 (1989); *Trent v. Director, OWCP*, 11 BLR 1-26, 1-27 (1987).

Modification

We first consider employer's argument that the administrative law judge erred in granting modification, based on his finding that the new evidence established total disability. Modification of a denial of benefits may be granted if claimant establishes that there are changed conditions or if there was a mistake in a determination of fact in the earlier decision. 20 C.F.R. §725.310(a) (2000). In evaluating whether claimant has established modification, based on a change in conditions, the administrative law judge must evaluate the new evidence to determine whether it establishes an element of entitlement that defeated entitlement in the prior decision. *Nataloni v. Director, OWCP*, 17 BLR 1-82 (1993). Because the only basis for Judge Hillyard's denial of benefits was the failure to establish the existence of pneumoconiosis, a finding that the new evidence establishes the existence of pneumoconiosis is the only means of establishing a change in conditions. Therefore, it was error for the administrative law judge to find a change in conditions based on a finding of total disability. However, in view of our affirmance, *infra*, of the administrative law judge's finding of legal pneumoconiosis, claimant has also established a change in conditions pursuant to Section 725.310 (2000). Accordingly,

[5] We affirm the administrative law judge's findings of sixteen years of coal mine employment, and that total disability is established pursuant to 20 C.F.R. §718.204(b)(2), as these findings are not challenged on appeal. *See Skrack v. Island Creek Coal Co.*, 6 BLR 1-710 (1983).

the administrative law judge's error was harmless. *Larioni v. Director, OWCP*, 6 BLR 1-1276 (1984).

Legal Pneumoconiosis

Employer argues that the administrative law judge committed numerous errors in finding that the medical opinion evidence established the existence of legal pneumoconiosis. Considering the more recent medical opinions of record,[6] the administrative law judge correctly noted that Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan, Castle, and Selby diagnosed obstructive airways disease or impairment in the form of COPD or emphysema, due to cigarette smoking, and they opined that claimant's coal mine dust exposure did not cause or contribute to his disease and impairment. Director's Exhibits 26, 27, 30, 37, 40, 47, 55-58, 88; Employer's Exhibits 1-12. Drs. Clapp and Houser diagnosed legal pneumoconiosis, in the form of COPD due to both cigarette smoking and coal mine dust exposure. 20 C.F.R. §718.201(a)(2); Director's Exhibits 18, 39, 50, 51, 54, 68, 79, 81; Claimant's Exhibit 1. The administrative law judge accorded less weight to the opinions of Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan, Castle, Selby, and Clapp, because he found that they were based on inadequate reasoning or reasoning contrary to the premises underlying the regulations. By contrast, the administrative law judge found that the diagnosis of legal pneumoconiosis rendered by Dr. Houser was sufficiently reasoned and documented. Decision and Order at 27-33. The administrative law judge, therefore, found that the medical opinion evidence established the existence of legal pneumoconiosis pursuant to Section 718.202(a)(4).

Employer asserts that the administrative law judge erred in his consideration of the opinions of Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan, Castle, and Selby. We disagree. The administrative law judge permissibly found that each of these opinions was less well-reasoned and less persuasive because he found that each of these opinions is inconsistent with the amended regulations. Specifically, the administrative law judge found that Dr. Broudy's statement, that coal mine dust exposure ordinarily causes a restrictive defect, is contrary to the regulations, which state that coal dust exposure can cause both obstructive and restrictive impairments. Employer's Exhibit 5. Because the definition of legal pneumoconiosis includes "any chronic restrictive or obstructive pulmonary disease arising out of coal mine employment," 20 C.F.R. §718.201(a)(2), the administrative law judge permissibly found that Dr. Broudy's opinion is contrary to a

[6] The administrative law judge noted that the medical opinions spanned many years and he reasonably found that the more recent medical evidence is more probative of claimant's current condition. *See Cooley v. Island Creek Coal Co.*, 845 F.2d 622, 11 BLR 2-147 (6th Cir. 1988); *Wetzel v. Director, OWCP*, 8 BLR 1-139 (1985); Decision and Order at 27.

premise underlying the amended regulations and rationally accorded it less weight on this basis. *See Jericol Mining, Inc. v. Napier*, 301 F.3d 703, 713-14, 22 BLR 2-537, 2-551 (6th Cir. 2002); *Director, OWCP v. Rowe*, 710 F.2d 251, 255, 5 BLR 2-99, 2-103 (6th Cir. 1983). We also affirm the administrative law judge's consideration of Dr. Jarboe's opinion. Dr. Jarboe stated "when coal dust inhalation causes emphysema of the degree we see on this man's chest radiograph, usually there is going to be a significant amount of dust retention in the lungs." Director's Exhibit 37 at 19. Dr. Jarboe also stated that if there is advanced emphysema caused by coal dust inhalation, "it almost always is associated with a significant degree of coal dust retention . . . [in other words] a more advanced degree of simple pneumoconiosis, like a category 3, 2 or 3, or even more commonly, progressive massive fibrosis," none of which is present in this claimant. *Id*. at 20. The administrative law judge permissibly accorded less weight to Dr. Jarboe's opinion as "contrary to the premise in the regulations that coal dust can contribute to COPD even without positive x-ray evidence." Decision and Order at 27; *see* 65 Fed. Reg. 79,939 (Dec. 20, 2000)(indicating that "[m]ost evidence to date indicates that exposure to coal mine dust can cause chronic airflow limitation in life and emphysema at autopsy, and this may occur independently of CWP [clinical pneumoconiosis]."); 65 Fed. Reg. 79,971; *Consolidation Coal Co. v. Director, OWCP* [*Beeler*], 521 F.3d 723, 726, 24 BLR 2-97, 2-103 (7th Cir. 2008); *J.O.* [*Obush*] *v. Helen Mining Co.*, 24 BLR 1-117, 1-125-26 (2009).

We also reject employer's contention that the administrative law judge erred in finding Dr. Repsher's opinion less persuasive. The administrative law judge reasonably found that, in opining that claimant's COPD is not due to coal mine dust exposure, Dr. Repsher relied, in part, upon his view that the inhalation of coal dust causes obstructive lung disease only in a statistical sense that is not measurable in an individual miner's case. Decision and Order at 27-28; Employer's Exhibit 6 at 14-15. The administrative law judge permissibly concluded that Dr. Repsher's view is inconsistent with the premise underlying the amended definition of legal pneumoconiosis set forth at 20 C.F.R. §718.201(a)(2), where the Department of Labor recognized that coal dust exposure can cause measurable, clinically significant obstructive lung disease in an individual miner. *See Gray v. SLC Coal Co.*, 176 F.3d 382, 388, 21 BLR 2-615, 2-626 (6th Cir. 1999); *Rowe*, 710 F.2d at 255, 5 BLR at 2-103; *Beeler*, 521 F.3d at 726, 24 BLR at 2-103; *Obush*, 24 BLR at 1-125-26; *Trumbo v. Reading Anthracite Co.*, 17 BLR 1-85, 1-88-89 and n.4 (1993); Decision and Order at 27-28; Employer's Exhibit 6 at 14-15. Therefore, we affirm the administrative law judge's finding that Dr. Repsher's opinion is entitled to less weight.

Similarly, we affirm the administrative law judge finding that Dr. Ghio's opinion is less persuasive and entitled to less weight. The administrative law judge reasonably found that Dr. Ghio's statements, that "the severity of obstruction and reduction in diffusing capacity define this injury to be one following smoking," Employer's Exhibit 2,

and that "you would never see chronic obstructive pulmonary disease after coal dust exposure leading to respiratory failure with hospitalization," Employer's Exhibit 3 at 18, are based on the premise that claimant's pulmonary impairment is too severe to be caused by coal dust exposure, which is antithetical to the Act. *See Mountain Claim, Inc. v. Collins*, 256 Fed. Appx. 757, 760-61 (6th Cir. Nov. 29, 2007)(holding that the administrative law judge properly discredited medical opinions based on studies which were antithetical to the Act, *i.e.*, which concluded that miners who did not smoke and were only exposed to coal dust never developed a disabling obstructive respiratory impairment, as they were hostile to the Act); *see also* 65 Fed. Reg. 79,938-42; Decision and Order at 28. In addition, the administrative law judge permissibly found that Dr. Ghio's opinion, that it is unlikely that coal dust exposure can be clinically significant, is inconsistent with the premise underlying the amended regulations, that coal dust exposure can cause measurable, clinically significant obstructive disease in a miner. *See Napier*, 301 F.3d at 713-14, 22 BLR at 2-551; *Rowe*, 710 F.2d at 255, 5 BLR at 2-103; Decision and Order at 28; Employer's Exhibit 2. Therefore, we affirm the administrative law judge's consideration of Dr. Ghio's opinion.

Turning to Dr. Fino's opinion, we affirm the administrative law judge's finding that Dr. Fino's opinion is less persuasive and entitled to less weight. Dr. Fino ruled out coal dust exposure as a significant factor in the miner's emphysema, based on his opinion that the amount of coal mine dust retained in claimant's lung was not above average. Employer's Exhibit 7. The administrative law judge permissibly found that Dr. Fino's statements were inconsistent with the Department of Labor's recognition that coal dust can contribute significantly to a miner's obstructive lung disease independent of clinical pneumoconiosis. *See* 65 Fed. Reg. 79,939; *Beeler*, 521 at 726, 24 BLR at 2-103; *Obush*, 24 BLR at 1-125-26; Decision and Order at 30. Therefore, we affirm the administrative law judge's finding that Dr. Fino's opinion is entitled to less weight.

Employer further challenges the administrative law judge's evaluation of Dr. Dahhan's opinion. The administrative law judge, as the finder-of-fact, permissibly determined that Dr. Dahhan did "not sufficiently explain" either his opinion that claimant's potential responsiveness to bronchodilator medication precluded a diagnosis of legal pneumoconiosis, or his conclusion that claimant's coal dust exposure played no role in claimant's pulmonary impairment. *See Crockett Colleries, Inc. v. Barrett*, 478 F.3d 350, 356, 23 BLR 2-472, 2-483 (6th Cir. 2007; *Napier*, 301 F.3d at 713-14, 22 BLR at 2-551; *Rowe*, 710 F.2d at 255, 5 BLR at 2-103; Decision and Order at 28. Therefore, we affirm the administrative law judge's finding that Dr. Dahhan's opinion is entitled to less weight.

Employer also asserts that the administrative law judge erred in his consideration of the opinions of Drs. Castle and Selby. We disagree. The administrative law judge correctly noted that, when asked to explain his opinion that claimant's obstructive

impairment is not related to coal dust exposure, Dr. Castle stated that such exposure typically causes an "irreversible" ventilatory impairment, while, by contrast, claimant's airway obstruction demonstrated "some degree of reversibility." Employer's Exhibit 10 at 15. The administrative law judge permissibly concluded that Dr. Castle's opinion was less persuasive because, while acknowledging that claimant's impairment was only partially reversible, Dr. Castle insufficiently explained how he could exclude coal dust as a significant contributing factor to the *irreversible* component of claimant's COPD. *See Barrett*, 478 F.3d at 356, 23 BLR at 2-483; Decision and Order at 30. Regarding Dr. Selby's opinion, the administrative law judge correctly noted that, when asked to discuss the likelihood that claimant would develop medical or legal pneumoconiosis in 2007, more than ten years after his last coal mine dust exposure, Dr. Selby responded that it was "extremely unlikely that [claimant's] last coal dust exposure in '92 would now be showing itself in 2007." Employer's Exhibit 11 at 8. The administrative law judge permissibly found Dr. Selby's opinion to be unpersuasive in light of the medical evidence of record, which reflects that claimant was diagnosed with moderate airways obstruction as early as 1993. *See Napier*, 301 F.3d at 713-14, 22 BLR at 2-551; *Rowe*, 710 F.2d at 255, 5 BLR at 2-103. Therefore, we affirm the administrative law judge's findings that the opinions of Drs. Castle and Selby are entitled to less weight, as supported by substantial evidence.

There is also no merit to employer's contention that the administrative law judge selectively analyzed the opinions of Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan Castle, and Selby by solely focusing on the physicians' lack of rationale for concluding that coal mine dust did not contribute to claimant's obstructive disease, without considering each physician's extensive rationale for concluding that claimant's obstruction *is due* to smoking. Employer's Brief at 40-49. Contrary to employer's assertion, claimant need only prove that his respiratory or pulmonary impairment is aggravated by coal mine dust exposure in order to establish the existence of legal pneumoconiosis pursuant to 20 C.F.R. §718.202(a)(4). Thus, having permissibly discredited the critical portions of the physicians' opinions, *i.e*, their opinions as to whether coal mine dust contributed to claimant's impairment, the administrative law judge was not required to consider their opinions as to the possible alternative causes of claimant's condition.

Employer next argues that the administrative law judge erred in finding Dr. Houser's opinion sufficient to establish the existence of legal pneumoconiosis. As a preliminary matter, we reject employer's assertion that Dr. Houser's opinion is insufficient to establish legal pneumoconiosis. Dr. Houser diagnosed COPD due to cigarette smoking and exposure to coal and rock dusts. Director's Exhibit 51. This

diagnosis satisfies the definition of legal pneumoconiosis.[7] 20 C.F.R. §718.201. Noting that Dr. Houser is claimant's treating physician, the administrative law judge initially considered his opinion in light of the criteria set forth at 20 C.F.R. §718.104(d), and permissibly found that Dr. Houser "saw Claimant enough to develop superior and relevant information concerning the Claimant's condition." *See Eastover Mining Co. v. Williams*, 338 F.3d 501, 513; 22 BLR 2-625, 647 (6th Cir. 2003); Decision and Order at 32. The administrative law judge also correctly noted that Dr. Houser was the physician who examined claimant most recently. Decision and Order at 32. In light of these factors, the administrative law judge acted within his discretion in concluding that, although Dr. Houser's letter of July 2004 was "brief and by itself is somewhat conclusory," when "considered in light of the record as a whole and his history of treating Claimant . . . [Dr. Houser's opinion] is sufficiently well-documented and reasoned." *Rowe*, 710 F.2d at 255, 5 BLR at 2-103; Decision and Order at 32-33. Thus, there is no merit to employer's contention that Dr. Houser's opinion is not sufficient to meet claimant's burden to establish the existence of legal pneumoconiosis.[8]

Because they are rational and supported by substantial evidence, we affirm the administrative law judge's credibility determinations. *See Rowe*, 710 F.2d at 255, 5 BLR at 2-103; *Clark v. Karst-Robbins Coal Co.*, 12 BLR 1-149(1989)(*en banc*). We therefore

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[7] We also reject employer's assertion that the administrative law judge erred in crediting Dr. Houser's opinion without considering whether Dr. Houser's "errant diagnosis of medical coal workers' pneumoconiosis" affected his diagnosis of legal pneumoconiosis. Employer's Brief at 38. Dr. Houser diagnosed both clinical and legal pneumoconiosis. While the administrative law judge found the x-ray evidence to be negative for the existence of clinical pneumoconiosis, pursuant to 20 C.F.R. §718.202(a)(1), he did not make a finding regarding the existence of clinical pneumoconiosis at Section 718.202(a)(4). Moreover, the decision cited by employer, *Island Creek Coal Co. v. Compton*, 211 F.3d 203, 22 BLR 2-162 (4th Cir. 2000), has not been adopted by the United States Court of Appeals for the Sixth Circuit. We, therefore, reject employer's allegation of error.

[8] Employer also argues that the administrative law judge selectively analyzed the medical opinion evidence by analyzing the opinions of its physicians more critically than the opinion of Dr. Houser. Employer's Brief at 35-40. Employer's contention lacks merit. The administrative law judge permissibly discredited the opinions of Drs. Dahhan, Broudy, Jarboe, Repsher, Ghio, Fino, Castle and Selby, because their reasoning was, *inter alia*, inconsistent with the findings of the Department of Labor (DOL), or because their reasoning was unpersuasive or insufficiently explained. The administrative law judge did not find, nor does employer contend, that Dr. Houser's opinion was based on assumptions that are inconsistent with the findings of DOL.

affirm the administrative law judge's finding that the medical opinion evidence establishes the existence of legal pneumoconiosis at Section 718.202(a)(4).

Cause of Pneumoconiosis

Employer argues that the administrative law judge erred by applying the rebuttable presumption at 20 C.F.R. §718.203(b), to find the existence of legal pneumoconiosis established. Employer's Brief at 27-35. Contrary to employer's assertion, a review of the record does not reveal that the administrative law judge presumed that claimant's respiratory or pulmonary disease arose out of coal mine employment, in order to find legal pneumoconiosis established. As the administrative law judge found, it was unnecessary to analyze the evidence pursuant to Section 718.203, to determine the etiology of the disease, since the finding of legal pneumoconiosis "necessarily subsume[d] that inquiry." *Henley v. Cowan and Co.*, 21 BLR 1-147, 1-151 (1999); Decision and Order at 13.

Total Disability due to Pneumoconiosis

In finding that the evidence established that claimant's total disability is due to his legal pneumoconiosis pursuant to Section 718.204(c), the administrative law judge credited the opinion of Dr. Houser, and accorded less weight to the opinions of Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan, Castle, and Selby, because they did not diagnose legal pneumoconiosis, contrary to the administrative law judge's own finding.

Employer asserts that Dr. Houser's opinion is insufficient to support a finding of disability causation. Employer's Brief at 49-50. We disagree. Dr. Houser stated that claimant is permanently and totally disabled for coal mine employment and other employment, and he stated that the cause of claimant's disability "is related to coal workers' pneumoconiosis and severe chronic obstructive pulmonary disease," which is due to claimant's cigarette smoking and exposure to coal and rock dusts. Director's Exhibit 51. Contrary to employer's contention, as the administrative law judge rationally relied on the reasoned and documented opinion of Dr. Houser to find that claimant established the existence of legal pneumoconiosis, the administrative law judge rationally relied on his opinion to find that claimant is totally disabled due to legal pneumoconiosis. *See Williams*, 338 F.3d at 513, 22 BLR at 2-647; *Peabody Coal Co. v. Smith*, 127 F.3d 504, 21 BLR 2-180 (6th Cir. 1997); Decision and Order at 37. In addition, the administrative law judge rationally discounted the opinions of Drs. Broudy, Jarboe, Repsher, Ghio, Fino, Dahhan, Castle, and Selby because they did not diagnose legal pneumoconiosis, contrary to the administrative law judge's finding. *See Smith*, 127 F.3d at 507, 21 BLR at 2-185-86; *Skukan v. Consolidation Coal Co.*, 993 F.2d 1228, 1233, 17 BLR 2-97, 2-104 (6th Cir. 1993), *vac'd sub nom., Consolidation Coal Co. v. Skukan*, 512 U.S. 1231 (1994), *rev'd on other grounds, Skukan v. Consolidated Coal Co.*, 46 F.3d 15,

19 BLR 2-44 (6th Cir. 1995); *Adams v. Director, OWCP*, 886 F.2d 818, 826, 13 BLR 2-52, 2-63-64 (6th Cir. 1989); Decision and Order at 36-37. Therefore, we affirm the administrative law judge's finding that claimant's total disability is due to his legal pneumoconiosis.

Accordingly, the administrative law judge's Decision and Order – Award of Benefits is affirmed.

SO ORDERED.

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ROY P. SMITH
Administrative Appeals Judge

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REGINA C. McGRANERY
Administrative Appeals Judge

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BETTY JEAN HALL
Administrative Appeals Judge