

§ 79.27

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- (E) Operative report;
- (v) Report of one of the following radiology examinations:
 - (A) Computerized tomography (CT) scan; or
 - (B) Magnetic resonance imaging (MRI); or
- (vi) Death certificate, provided that it is signed by a physician at the time of death.
- (15) *Primary cancer of the urinary bladder.*
 - (i) Pathology report of tissue biopsy or surgical resection;
 - (ii) Autopsy report;
 - (iii) Report of cytoscopy, with or without biopsy;
 - (iv) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Radiotherapy summary report;
 - (D) Medical oncology summary report;
 - (E) Operative report;
 - (v) Report of one of the following radiology examinations:
 - (A) Computerized tomography (CT) scan; or
 - (B) Magnetic resonance imaging (MRI); or
 - (vi) Death certificate, provided that it is signed by a physician at the time of death.
- (16) *Primary cancer of the brain.*
 - (i) Pathology report of tissue biopsy or surgical resection;
 - (ii) Autopsy report;
 - (iii) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Radiotherapy summary report;
 - (D) Medical oncology summary report;
 - (E) Operative report;
 - (iv) Report of one of the following radiology examinations:
 - (A) Computerized tomography (CT) scan;
 - (B) Magnetic resonance imaging (MRI); or
 - (C) CT or MRI with enhancement; or
 - (v) Death certificate, provided that it is signed by a physician at the time of death.
- (17) *Primary cancer of the colon.*

- (i) Pathology report of tissue biopsy;
- (ii) Autopsy report;
- (iii) Endoscopy report, provided the examination covered the duodenum and parts of the jejunum;
- (iv) Colonoscopy report, provided that the examination covered the distal ileum;
- (v) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Report of gastroenterology examination;
 - (D) Operative report;
 - (E) Radiotherapy summary report; or
 - (F) Medical oncology summary or consultation report;
- (vi) Report of one of the following radiologic studies:
 - (A) Upper gastrointestinal (GI) series with small bowel follow-through;
 - (B) Angiography;
 - (C) Computerized tomography (CT) scan; or
 - (D) Magnetic resonance imaging (MRI); or
- (vii) Death certificate, provided that it is signed by a physician at the time of death.
- (18) *Primary cancer of the ovary.*
 - (i) Pathology report of tissue biopsy or surgical resection;
 - (ii) Autopsy report;
 - (iii) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Radiotherapy summary report;
 - (D) Medical oncology summary report; or
 - (E) Operative report; or
 - (iv) Death certificate, provided that it is signed by a physician at the time of death.

§ 79.27 Indication of the presence of hepatitis B or cirrhosis.

- (a)(1) If the claimant or eligible surviving beneficiary is claiming eligibility under this subpart for primary cancer of the liver, the claimant or eligible surviving beneficiary must submit, in addition to proof of the disease, all medical records pertaining to the claimant listed below from any hospital, medical facility, or health care

provider that were created within the period six months before and six months after the date of diagnosis of primary cancer of the liver:

- (i) All history and physical examination reports;
- (ii) All operative and consultation reports;
- (iii) All pathology reports; and
- (iv) All physician, hospital, and health care facility admission and discharge summaries.

(2) In the event that any of the records in paragraph (a)(1) of this section no longer exist, the claimant or eligible surviving beneficiary must submit a certified statement by the custodian(s) of those records to that effect.

(b) If the medical records listed in paragraph (a) of this section, or information possessed by the state cancer or tumor registries, indicates the presence of hepatitis B or cirrhosis, the Radiation Exposure Compensation Program will notify the claimant or eligible surviving beneficiary and afford that individual the opportunity to submit other written medical documentation or contemporaneous records in accordance with § 79.72(b) to establish that in fact there was no presence of hepatitis B or cirrhosis.

(c) The Program may also require that the claimant or eligible surviving beneficiary provide additional medical records or other contemporaneous records, or an authorization to release such additional medical and contemporaneous records, as may be needed to make a determination regarding the indication of the presence of hepatitis B or cirrhosis.

Subpart D—Eligibility Criteria for Claims by Onsite Participants

§ 79.30 Scope of subpart.

The regulations in this subpart describe the criteria for eligibility for compensation under section 4(a)(2)(C) of the Act, and the evidence that will be accepted as proof of the various eligibility criteria. Section 4(a)(2)(C) of the Act provides for a payment of \$75,000 to individuals who participated onsite in the atmospheric detonation of a nuclear device and later developed a specified compensable disease.

§ 79.31 Definitions.

(a) The definitions listed in § 79.11(b), (e), (f), (g), and (h), and in § 79.21, apply to this subpart.

(b) *Atmospheric detonation of a nuclear device* means only a test conducted by the United States prior to January 1, 1963, as listed in paragraph (d) of this section.

(c) *First exposure* or initial exposure means the date on which the claimant first participated onsite in an atmospheric detonation of a nuclear device.

(d) *Period of atmospheric nuclear testing* means one of the periods listed in this paragraph that are associated with each test operation, plus an additional six-month period thereafter:

(1) For Operation Trinity, the period July 16, 1945, through August 6, 1945:

Event name	Date	Location
Trinity	07/16/45	Trinity Test Site

(2) For Operation Crossroads, the period June 28, 1946, through August 31, 1946, for all activities other than the decontamination of ships involved in Operation Crossroads; the period of atmospheric nuclear testing for the decontamination of ships involved in Operation Crossroads shall run from June 28, 1946, through November 30, 1946:

Event name	Date	Location
Able	07/01/46	Bikini
Baker	07/25/46	Bikini

(3) For Operation Sandstone, the period April 13, 1948, through May 20, 1948:

Event name	Date	Location
X-ray	04/15/48	Enewetak
Yoke	05/01/48	Enewetak
Zebra	05/15/48	Enewetak

(4) For Operation Ranger, the period January 27, 1951, through February 7, 1951:

Event name	Date	Location
Able	01/27/51	Nevada Test Site ("NTS")
Baker	01/28/51	NTS
Easy	02/01/51	NTS
Baker-2	02/02/51	NTS
Fox	02/06/51	NTS

(5) For Operation Greenhouse, the period April 5, 1951, through June 20, 1951,