

CHANGES TO PRESCRIBED DISEASES

Contents	Paragraphs
Introduction	1
Prescribed disease A1	2
Prescribed disease B6	3
Prescribed disease C34	4 – 5
Presumption	6
Prescribed disease D9	7
Reduced earnings allowance	
Prescribed diseases A1 and B6	8
Prescribed disease C34	9
Prescribed disease D9	10
Annotations	
Contacts	
Appendix	

INTRODUCTION

- 1 This memo gives guidance on changes to PDs introduced by the Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2017 (SS (II) (PD) Amdt Regs 17) ([SI 2017 No. 232](#)). The changes are introduced following recommendations of the Industrial Injuries Advisory Council and take effect on 30.3.17¹.

1 SS (II) (PD) Amdt Regs 17, reg 1(1)

PRESCRIBED DISEASE A1

- 2 From 30.3.17 both the definition and occupation for PD A1 are changing¹. Where appropriate, the cancers, including of the breast, apply to both men and women.

Note 1: The Appendix to this memo gives details of the new definition and occupation.

Note 2: See [DMG 67311](#) for guidance on the phrase “sufficient to double the risk of the occurrence of the condition”.

1 SS (II) (PD) Regs, Sch 1, Part 1

PRESCRIBED DISEASE B6

- 3 From 30.3.17 both the definition and occupation for PD B6 are changed¹. The words “(including farmer’s lung)” are removed from the definition and there are additions to the occupation.

Note: The Appendix to this memo gives details of the new definition and occupation.

1 SS (II) (PD) Regs, Sch 1, Part 1

PRESCRIBED DISEASE C34

- 4 On 30.3.17 PD C34 is added to the list of PDs¹. It is defined as “Extrinsic allergic alveolitis” and to satisfy the prescription test claimants must have worked in any occupation involving exposure to airborne isocyanates; or to any other substance that causes extrinsic allergic alveolitis.

1 SS (II) (PD) Regs, Sch 1, Part 1

- 5 Extrinsic allergic alveolitis is an inflammatory disease caused by reaction to inhaled organic dust. The Industrial Injuries Advisory Council concluded that high levels of exposure to chemicals, called isocyanates, or any other chemical substance, could cause extrinsic allergic alveolitis. This new PD recognises the chemical causes of extrinsic allergic alveolitis.

Note: The biological causes of extrinsic allergic alveolitis should be considered in accordance with PD B6.

Presumption

- 6 Where a person has contracted PD C34 there is a presumption¹, unless the contrary is proved, that the PD is due to the employed earner’s employment if the person who has contracted a PD was employed in a prescribed occupation².

1 SS (II) (PD) Regs, reg 4(2); 2 Sch 1, Part 1

PRESCRIBED DISEASE D9

- 7 From 30.3.17 the definition of PD D9 is changed¹. The words “with obliteration of the costophrenic angle” are removed. This is to reflect the use of computerised tomography for diagnosing this disease.

Note: There is no change to the occupations.

1 SS (II) (PD) Regs, Sch 1, Part 1

REDUCED EARNINGS ALLOWANCE

Prescribed Diseases A1 and B6

- 8 The changes to PDs A1 and B6 are an extension to the list of prescribed diseases or occupations. Therefore, there is no entitlement to REA in respect of those changes as the extensions were after 10.10.94¹. Should this provision refer to “rather than “extension to those diseases”?

1 SS (II) (PD) Regs, reg 14A

Prescribed disease C34

- 9 There is no entitlement to REA in respect of PD C34 because the disease was prescribed after 10.10.94¹.

1 SS (II) (PD) Regs, reg 14A

Prescribed Diseases D9

- 10 Entitlement to REA may still arise in respect of the change to PD D9 where a date of onset is before 1.10.90¹ because the change is
1. a redefinition of the disease **and**
 2. not an extension of the disease.

1 SS CB Act 92, Sch 7, para 11(1)

ANNOTATIONS

Please annotate the number of this memo (DMG 4/17) against DMG paragraphs:

67188; 67311 (heading); 67557 (heading); 67631 (main heading); 67943 (heading)

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 1S25, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in [Memo DMG 23/16](#) - Obtaining legal advice and guidance on the Law.

DMA Leeds: March 2017

The content of the examples in this document (including use of imagery) is for illustrative purposes only

APPENDIX

PDs A1 and B6 are

	Prescribed disease or injury	Occupation
A1	Leukaemia (other than chronic lymphocytic leukaemia) or primary cancer of the bone, bladder, breast, colon, liver, lung, ovary, stomach, testis or thyroid.	Exposure to ionising radiation where the dose is sufficient to double the risk of the occurrence of the condition.
B6	Extrinsic allergic alveolitis	<p>Exposure to moulds or fungal spores or heterologous proteins or any other biological substance that causes extrinsic allergic alveolitis by reason of employment in:</p> <p>(a) agriculture, horticulture, forestry, cultivation of edible fungi or maltworking; or</p> <p>(b) loading or unloading or handling in storage mouldy vegetable matter or edible fungi; or</p> <p>(c) caring for or handling birds; or</p> <p>(d) handling bagasse; or</p> <p>(e) work involving exposure to metalworking fluid mists; or</p> <p>(f) any other workplace.</p>

Note: In the entry for PD B6 the words in **bold** are the changes from 30.3.17.