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Black Lung, Lemaster-Lewey

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Lewis, Alvie
black lung

pi

August 19, 1974

Mr. Alvie Lewis
305 E. Church Street
Masontown, Pennsylvania 15461

Dear Alvie,

I'm happy to send you this letter from the Administrative Law Judge granting you black lung benefits.

Although the Appeals Council may decide to review the Judge's decision, this approval is a hopeful sign, Alvie.

The minute I have any more news about your black lung claim, I will let you know at once.

Best wishes.

Sincerely,

Ken Hechler

Lewis, Alvie

August 16, 1974

191 09 4932

Black Lung Office
Room 1105
Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219

Honorable Ken Hechler
House of Representatives
Washington, D.C. 20515

Dear Mr. Hechler:

Re: Alvie Lewis
305 E. Church Street
Masontown, PA 15461

This is in reference to your interest in Mr. Lewis' claim for Black Lung Benefits.

I have today issued my decision which awards benefits to Mr. Lewis.

The Appeals Council may decide upon its own motion, within 90 days following the date of this decision, to review and possibly change the decision. If the Appeals Council decides to review the decision on its own motion, Mr. Lewis will be notified promptly.

Sincerely yours,

E. M. O'Shea

E. M. O'Shea
Administrative Law Judge

ENO/dw



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
SOCIAL SECURITY ADMINISTRATION
BALTIMORE, MARYLAND 21235

Lewis, Alvie J.

BL

REFER TO:
DI:DO:I
191-09-4932

SEPTEMBER 14 1973

OFFICE OF THE COMMISSIONER

Honorable Ken Hechler
House of Representatives
Washington, D.C. 20515

Dear Mr. Hechler:

Re: Mr. Alvie J. Lewis, 305 East Church Street, Masontown,
Pennsylvania 15461

I am informed that Mr. Lewis' claim was reviewed under the provisions of the Black Lung Benefits Act and he was recently notified of the proposed denial of his claim. This notice afforded him the opportunity to request a further review before the decision became effective. In view of your inquiry, the evidence in this case has been carefully reexamined by our headquarters disability staff. It has been determined, upon review, that the reconsideration decision is correct on the basis of the evidence that was submitted. I am enclosing an advance copy of the affirmation notice which is being sent to Mr. Lewis.

Since Mr. Lewis' appeal request on his previous decision under the law in effect prior to the 1972 amendments is now applicable to this current denial, his records are being forwarded to our Bureau of Hearings and Appeals for further processing. I am asking the Director of that Bureau to provide you with a report when action on the case is completed.

Sincerely yours,

Arthur E. Hess
Acting Commissioner
of Social Security

Enclosure



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
SOCIAL SECURITY ADMINISTRATION
BALTIMORE, MARYLAND 21241

BUREAU OF
DISABILITY INSURANCE

REFER TO:

DI:R:5S

191-09-4932

NOTICE OF AMENDED BLACK LUNG BENEFIT DETERMINATION
(1972 AMENDMENTS)

Mr. Alvie J. Lewis
305 East Church Street
Masontown, Pennsylvania 15461

Dear Mr. Lewis:

We have received correspondence concerning your application under the provisions of the Federal Coal Mine Health and Safety Act, as amended in 1972.

We have again reviewed the evidence in your case to be sure that a correct determination was made. After carefully studying the evidence, we still find that the determination in your case is proper and in accordance with the law. Therefore, the denial of your application remains unchanged.

Our records show that your appeal of the previous denial of your black lung claim under the Federal Coal Mine Health and Safety Act of 1969 is still pending with the Bureau of Hearings and Appeals. We are, therefore, sending your file to the Bureau of Hearings and Appeals where arrangements will be made to comply with your earlier request. You may expect to hear from them about this. You do not have to take any additional action at this time.

Copy sent to Mr. Kenneth J. Yablonski
Attorney at Law

ISSUED BY: Division of Reconsideration
Bureau of Disability Insurance

DATE:

AUTHORITY: Federal Coal Mine Health and Safety Act of 1969, as amended
Sections 411, 413(b), 426(a), 431 and 508; Subparts D and F
(20 CFR Part 410) of Social Security Regulations No. 10



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
SOCIAL SECURITY ADMINISTRATION
BALTIMORE, MARYLAND 21235

LEWIS, ALVIE J.
BLACK LUNG

REFER TO:
OPA:I
191-09-4932

July 16 1973

OFFICE OF THE COMMISSIONER

Honorable Ken Hechler
House of Representatives
Washington, D.C. 20515

Dear Mr. Hechler:

This refers to your inquiry of June 28 concerning the black lung claim of Mr. Alvie J. Lewis, 305 East Church Street, Masontown, Pennsylvania.

I know of your concern in the matter, and I assure you it will be given every proper consideration. I will be in touch with you again as soon as I have the necessary information.

Sincerely yours,

Arthur E. Hess
Acting Commissioner
of Social Security

BLCK LUNG DM
ALVIE J. LEWIS

June 27, 1973

Mr. Alvie J. Lewis
305 E. Church Street
Masontown, Pennsylvania 15461

Dear Alvie:

Thank you for writing me about your efforts to obtain black lung benefits and also a pension from the UMW Welfare and Retirement Fund. I know how much these would mean.

It is my understanding that under the Fund's current regulations they will only give four years work credit for injuries. I sympathize with your feelings about this, and I hope that further changes will be made in the Fund's requirements in the near future.

In an effort to help with your black lung claim, I am contacting the Social Security Commissioner to ask that he look into your claim. I'm glad to indicate my interest on your behalf and try to speed up a decision for you. When I have some word, I'll be sure to let you know.

Sincerely,

Ken Hechler

P.S. Enclosed is a statement you may want to see about the Federal black lung claims.

Monday June 25, 1973

Dear Mr. Heckler.

I heard you was a good friend of Mr. Joseph Yablonski I had a few letters from him before he was killed he was going to get the Miners Pension for me after he was elected President of the U.M.W. but he never made it I would like to explain my condition to you and am hoping as your friend you might be able to do for me what he was going to do.

Mr. Heckler I started to work in the coal mines in 1922 I was 14 yrs old in 1923 I got 3 ribs caved in and cracked in 1924 I got a broken rib in 1929 I was squeezed between a mine motor and empty mine car was in the Hospital for a week with Bruises and burn's in 1935 I was in two train trip wrecks and was bounced around and bruised up, in 1936 I had my left thumb cut off, in 1938 I got 2 vertebrae broken in the lower part of my back the Doctor said it was lumbago, so he only gave me some -

Pills and Liment they would not do
 any thing else until I had a hearing before
 a Referee which took about 3 months by that
 time the breaks had grown back together and
 my spine is crooked I have 2 Disks out of
 place in my back and one in my neck and
 I have been suffering with it ever since it
 happened the Referee ~~had~~^{told} them to get me a
 chair brace but they did not do it, my Doctor
 said they could not operate on my back then
 he said 9 times out of 10 I would be Paralyzed
 from the waist down they Paid me Compensa-
 sation from 1938 till 1944 then stopped we
 tried to get them to open the case up again but the
 Supreme Court turned us down so I layed around
 till my back got fairly good then I got a job
 at Robena mine v ss, as lay up man or
 Roadman in Sept. 1947 then in 1948 June 10
 while at work I got a very bad headache
 when I got home I started to take aspirin
 but I could not get the headache stopped I was
 in 3 Hospitals they could not find the trouble

I read about Dr. Professor Sprigel in Philadelphia I wrote him and told him what I had been going through and could he help me, he answered and said he was shure he could and if I wanted him to help let him know and he would make the arrangements at the Temple Hospital in Philadelphia so I went up there on May 25, 1949 they operated on me on May 30 1949 for a Brain Tumor. 6 mo. after the operation I was ready to return to work I went to the USS employment office they gave me a slip to be examined by the Co. Doctor, after seeing the hole in my head he had to have more information on the operation I put my name on a sheet of his stationery and he wrote to Dr Sprigel for the case history when he got it he called me in and told me that the operation I went through would not permit me to go back in the mines but he would see that I got a job on the outside which he did they gave

me a job on the coke yard at Dearth
 I started ¹⁹⁵³ March and in Jan. 12 1954 they
 shut the coke yard down then I could not
 get a job in the mines for at that time they
 would not hire a man if he was 45 or over
 and I was 46 then after they made the rule
 a miner could get a Pension at 55 it was
 in 1945 I think but I applied in 1966 and they
 said I could not get the Pension as I did
 not have 20 years in the mines. what
 I am trying to get help on is this, they only
 want to allow me 4 years for all the time
 I had to loose on account of the accidents
 and the brain tumor and I was at work
 when the fair came on. I lost 13 years on
 account of the accidents and the tumor -
 Trouble. Jock Yoblowski told me that if
 you get injured in the mine and hafta
 loose a lot of time it should count on
 your Pension time just the same as
 if you were on the job from the time
 you get hurt till the Doctor Release
 you to go back to work and he said

the same goes if you get sick on the job, I was shure they would give me the Pension after it was revised but they said I did not have 20 years in or 5 years after 1946 I figured as many times I was injured and the Doctor stopped me from working in the mines they should of took all that into Consideration the distric 4 President said they were going to send an investigator out to see me but that was 2 months ago he has never come. so I thought if you know any of the board members or Mr. Millee maybe you could be of help to me if you would have the time. The Doctors say I have black Lung I applied for it in apr. 1966 but cant get no satisfaction from them I applied for the Federal in 1970 but they keep stalling us I have had 6 Heart attacks so I guess think I will be dying soon and they can save the state and Federal some money. Mr. Huckle if there is any thing you can

do to help me in the Pension Plan or
the Black Lung Compensation we
will greatly appreciate it very much.
Please.

yours Truly,
Mr. Alvin J. Lewis
305. E, Church Street
Mason Town Pa. 15461

SOC. No. 191-09-4932