RECEIVED
MAY 14 1984
CALIDRIA CORPORATION
KING CITY, CA

cc: WCT

INTERNAL
CORRESPONDENCE

UNION CARBIDE CORPORATION 4801 WEST 38TH STREET, P.O. BOX 24801, SPEEDWAY
Assistant Corporate Medical Director INDIANAPOLIS, IN 46224
Western Region

MAY 21

J. L. Myers
Metals
King City, California

Date: May 2, 1984

Engineering Dept: Western Medical Region

Area:

Subject: Site Visit

H. B. Rhodes
R. K. Smith
R. F. Wolff
T. A. Lincoln, M.D.

My visit to King City was very short but very nice. I appreciated the inclusion of my wife in our visit to the Rotary Club. She enjoyed the program. I am sorry our time seemed to be so compressed and during my next visit I will allocate more time for you and Dr. Hyde. It would be a good idea to talk to all of the physicians at the Clinic about Union Carbide's policy and our expectations of contract physicians. If the economy improves we will resume some regional meetings for contract physicians. Dr. Hyde stated he attended one several years ago in Los Angeles and it was excellent.

I consider your medical program to be excellent and am quite pleased that the recommendations from my 1982 visit have been implemented so completely. This shows you and your staff are truly concerned about the health and well-being of your employees and have their best interest in mind.

I have two (2) recommendations as a result of this visit and enclose them for your review and consideration. Tell Bob Kronkhyte that I wish him well in his new endeavors.

PLAINTIFF'S EXHIBIT
UC-2838

Sincerely,

T. Guy Fortney, M.D.

TGF:mlm

Enclosure

UCC 025120

RESULTS OF 8/30/82 RECOMMENDATIONS
METALS DIVISION
KING CITY, CALIFORNIA

Recommendation No. 1

It is recommended that all medical records be transferred from their present site in the Plant Manager's office to the Medical Clinic in King City. Dr. Hyde is in complete agreement that the best method of protecting confidentiality of medical records is if they are under the custody of a medical professional. Dr. Hyde is agreeable to storing these records in his facility.

Comment

All medical records of active employees have been transferred to the contract physician's office and maintained in a separate fireproof file. This has not presented any hardship to the Plant Manager. The contract physician feels more comfortable with the medical records maintained this way, knowing that the confidentiality is protected.

Recommendation No. 2

Initiate use of medical examination form UC 186-90, revised 2/80. After all employees have one of the above forms in their medical record, it is recommended that medical re-examination record form UC 275-26, revised 5/82 be used for subsequent examinations.

Comment

Each employee has form UC 186-90 as a part of his/her medical record, henceforth, they will be using the medical re-examination record form.

Recommendation No. 3

I recommend that arrangements be made with the Medical Clinic to offer employees tetanus toxoid immunizations.

Comment

The Medical Clinic is offering tetanus toxoid to employees at the time of their periodic examination when appropriate.

Recommendation No. 4

Adopt a method so that the examining physician can report findings of the pre-employment or periodic examination to management without giving the full results of the examination. Example: 1) Employee able to do full duty. 2) Employee able to work with restrictions. 3) Employee able to wear a respirator, etc.

Comment

The contract physician is now reporting to the Plant Manager using a form which states when the employee had the examination and whether the employee is/is not medically qualified and if a restriction is necessary.

Recommendation No. 5

Devise a method of assuring that employees are notified of changes and abnormalities on their physical examinations. Some written record should be made that this notification has been accomplished.

Union Carbide trial exhibit UC-2838: T. Guy Fortney, M.D. to J. L. Myers on the May 1984 King City Site Visit and M... Published by AsbestosClaims.Law
ACL Doc 17699 · Page 2 of 4 asbestosclaims.law/library/17699/2

Comment

The contract physician has devised a form to notify the employees of the results of their physical examinations. After all of the test results have been returned the physician writes whether everything is normal or list abnormalities with instructions for the employee. A copy of this is maintained in the medical record.

Recommendation No. 6

Adopt a method of informing employees the results of their audiogram when there is a significant shift. Cal-OSHA requires that employees with a significant shift be notified in writing within 21 days from the time the plant is notified that a shift has occurred. This means that when the report from HCNC is received stating that an employee has a significant shift, that there are 21 days to notify this employee. The notification is required to be in writing.

Comment

The physician is now waiting until notification is reviewed from HCNC that the employee has a permanent significant shift and then the employee is informed in writing.

Suggestion No. 1

I suggest that consideration be given to adopting the new Cal-OSHA frequency schedule for medical surveillance of asbestos workers. This schedule is different from the federal asbestos requirement and is more realistic and more lenient. I feel that in adopting this scheduling method employees will have less exposure to x-ray. There should also be some cost savings in such a scheduling.

Comment

The plant has adopted Cal-OSHA's scheduling of asbestos examinations as suggested.

Suggestion No. 2

As there is no federal or Cal-OSHA requirement for sputum cytology, consideration might be given to discontinuing this procedure. Collection method is time consuming and one that most employees do not enjoy. There are some experts in the field that do not feel this method of screening is cost effective.

Comment

The plant is still performing sputum cytology on an annual basis of all employees.

* I am not in favor of Sputums but Dr. Lincoln is.

Union Carbide trial exhibit UC-2838: T. Guy Fortney, M.D. to J. L. Myers on the May 1984 King City Site Visit and M... Published by AsbestosClaims.Law
ACL Doc 17699 · Page 3 of 4 asbestosclaims.law/library/17699/3

RECOMMENDATIONS
METALS DIVISION - KING CITY, CALIFORNIA
April 25, 1984

Comment

A review of the medical records at the Medical Clinic reveal that the records of occupational injuries and return to work evaluations are maintained in the employee's private medical file and not in the occupational medical file along with the medical surveillance examinations.

Recommendation

It is recommended that the record of occupational injuries and return to work evaluations be placed in the employee's occupational medical file. One file would then provide the entire Union Carbide health history of each employee.

Comment

I was informed that some employees insist on exercising their California right to have their physician treat all occupational injuries and/or illnesses. It was mentioned that our contract physician was not examining employees upon returning to the work place. Corporate and Medical Division Policy states that all occupational injuries or illnesses irregardless of the length of absence are to be evaluated by the company physician to determine the employee's ability to return to the work place and safely perform the required work.

Recommendation

I recommend that all of these individuals should be seen by the contract physician who is more familiar with the work place and requirements than other physicians in the area.

Comment

The facility is still performing annual sputum cytology examinations on all employees.

Recommendation

It is recommended that sputum cytology be performed only on employees at the time of their asbestos evaluation examination. This would be on the scheduling frequency prescribed by Cal-OSHA or according to high risk categories. These would include smokers, ten-year exposure record, or over 50 years of age.

Union Carbide trial exhibit UC-2838: T. Guy Fortney, M.D. to J. L. Myers on the May 1984 King City Site Visit and M... Published by AsbestosClaims.Law
ACL Doc 17699 · Page 4 of 4 asbestosclaims.law/library/17699/4