

PLAINTIFF'S EXHIBIT

MET-594

METROPOLITAN LIFE INSURANCE COMPANY

FREDERICK H. ECKEL, President

New York City

ANTHONY J. LANZA, M.D.

Assistant Medical Director

November 11, 1930

Mr. Allen Hardwall,
15 Broad Street,
New York City.

Dear Mr. Hardwall:

In accordance with your request at our last meeting, I should like to
the following suggestions in regard to the possible inclusion of asbestosis in the
compensation schedule for the State of New Jersey.

I believe that if the schedule can be amended by including the following
definition of asbestosis, it can be made to operate fairly and justly both to the
employer and the claimant.

"Asbestosis - fibrosis of the lungs due to the inhalation of asbestos
dust or dust containing asbestos in suspension and accompanied by definite impairment
of working ability. For the purpose of this act the term asbestosis shall be held
to include pulmonary fibrosis due to the inhalation of asbestos dust, whether com-
plicated or not by the presence of tuberculosis or other infection."

If the above definition can be written into the act, I believe it will
provide for any contingency that is apt to arise. You will note that the definition
does not state tuberculosis caused by or consequent upon asbestosis, but a complaint
thereof. It would be better also if after the words "working ability" in the present
paragraph, there could be inserted "at any occupation", but I doubt very much whether
this could be done. The point at issue is that an employee coming within the
classification of ordinary labor or semi-skilled labor can make his living in other
occupations if he is barred from further work in the asbestos industry on account of
beginning asbestosis. This might not be true for highly skilled occupations. The
compensation boards have held that a painter when he has lead poisoning and is there-
fore prevented from working at his trade, is totally disabled because he cannot readily
make a living at some other occupation.

Attached you will find a copy of the Workmen's Compensation Act of
Great Britain 1925, Section 47 dealing with silicosis, and also the asbestosis act of
1930 which makes the silicosis act also applicable to asbestosis. These English acts
may help to clarify the situation here. Of course, the English system is based upon
the practice of having a medical tribunal which decides both the presence of an
occupational disease and the extent of disability. While this system is much to be
feared, it is not likely that our compensation machinery in the States can be altered
to provide for this sort of supervision, although it is highly desirable in dealing
with occupational diseases.

Sincerely yours,

A. J. Lanza, M.D.
Assistant Medical Director.

Encs.
cc-Mr. C. L. Sager.

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