

Casualty & Surety Division
3805 Cutshaw Avenue - P. O. Box 92
Richmond, Virginia 23201
355-7411

PLAINTIFF'S EXHIBIT

ACS-329

January 6, 1967

Mr. Wallace B. Hofferth
Insurance Manager
Armstrong Cork Company
Lancaster, Pa. 17604

Dear Mr. Hofferth:

We have received our copy of Charlie Mount's letter of December 30 to you.

These claims have been handled by James E. Foster, of this office, and he has had several telephone conversations with Mr. H. N. Nunis, of your Richmond Office.

I understand from Foster that the routine chest x-ray examination is done at our City Clinic for which there is no charge and, therefore, you have not been confronted with a bill. However, if this diagnostic x-ray reveals anything suspicious, the employee is referred to a Dr. Ray at the Medical College of Virginia Hospital for further study and it is at this point that a compensation claim is presented.

Mr. Foster has discussed this situation with W. L. Robinson, Examiner at our Industrial Commission, and it is his opinion that even if a charge was made for the diagnostic x-ray and it revealed evidence of asbestosis, that we would not be liable for the original charge. However, he emphasized that this was only his opinion and this would not necessarily hold true in a hearing before the Commission. We know, of course, that where an employee develops other signs of lung infection and goes for a diagnostic chest x-ray that this charge would be compensable.

I hope I have not confused you further, but should you have any questions, please write to me.

Sincerely yours,

T. W. Strotmeyer
T. W. Strotmeyer
Administrative Assistant

TWS/cf

cc: C. O. Mount, Mgr.
Baltimore Claim