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ANALYSIS OF OCCUPATIONAL DISEASE COMPENSATION STATUTES AND
DEVELOPMENTS IN 1947 SESSIONS OF STATE LEGISLATURES
PREPARED FOR FOUNDATION MEMBERS

by

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May, 1947

PLAINTIFF'S
EXHIBIT
USX-106

USEI000143

TENNESSEE

1. Effective date of Act - March 12, 1947.
2. Schedule of compensable diseases: (See Item 6 below)
 - Lead poisoning
 - Metal fume fever
 - Silicosis
 - Benzol poisoning
 - Dermatitis
 - Minea's disease, including only cellulitis, bursitis, nystagmus, ankylostomiasis, tenosynovitis
 - Anthrax
 - Asbestosis
 - Chronic manganese poisoning
3. Compensation is payable for partial disability, total disability or death resulting from occupational disease in the same manner as compensation is payable under the Workmen's Compensation law for injury by accident.
4. Medical Board
 - (No provision)
5. Limitations
 - (a) An employee must give written notice to the employer within thirty (30) days after the first distinct manifestation of the disease
 - (b) Suit must be commenced within one year after the beginning of incapacity for work resulting from an occupational disease, and if death results from the occupational disease, suit must be commenced within one year thereafter.
6. Election of employer

By the provisions of Senate Bill No. 1088 (Chapter 197, Laws of 1947) an employer may elect general coverage for any and all occupational diseases.

TEXAS

1. Effective date of the Act - The bill was signed by the Governor on April 19, 1947 and becomes effective ninety days after the adjournment of the Legislature (date of adjournment now not certain).

2. Schedule of compensable diseases:

Poisoning by:

Aluminum trioxide
Arsenic
Benzol or its homologues and derivatives
Beryllium
Cadmium
Carbon bisulphide
Carbon dioxide
Carbon monoxide
Chlorine
Cyanide
Formaldehyde
Halogenated hydrocarbons
Hydrochloric acid
Hydrofluoric acid
Hydrogen sulphide
Lead
Manganese
Mercury
Methanol (wood alcohol)
Methyl chloride
Nitrous fumes
Nitric acid
Petroleum or petroleum products
Phosphorus
Selenium
Sulphuric acid
Sulphur dioxide
Sulphur trioxide
Tellurium
Thallium
Zinc

Anthrax caused by handling of wool, hair, bristles, hides and skins

Blisters caused by prolonged or repeated use of tools or mechanical appliances

Synovitis, tenosynovitis, or bursitis due to an occupation involving continual or repeated pressure on the parts affected

Chrome ulceration

Compressed air illness

Dermatitis, that is, inflammation of the skin due to oil, cutting compounds or lubricants, dust, liquids, fumes, gases or vapors

TEXAS (Cont'd)

Diseased condition caused by exposure to x-rays or radioactive substances
Diseased condition of the eyes due to electric arc and welding, and cataract in glass workers
Epitheliomatous cancer or ulceration of the skin or of the corneal surface of the eye caused by tar, pitch, bitumen, mineral oil or paraffin or any compound, product, or residue of any of these substances
Glanders and other diseased conditions caused by handling any equine animal, or the carcass of any such animal
Infectious or contagious disease contracted in the course of employment in or in immediate connection with a hospital or sanatorium in which persons or animals suffering from such disease are cared for or treated
Nystagmus incurred in underground work
Asbestosis
Silicosis

3. Special provisions for silicosis and asbestosis

- (a) Compensation is payable for partial disability, total disability and death
- (b) Limitation of monetary liability

If incapacity or death occurs within the first twelve months after the effective date of the Act, compensation limited to 20% of the number of weeks of compensation otherwise payable for such incapacity or death; this amount is increased in each succeeding twelve months period by an additional 20% of the number of weeks of compensation otherwise payable for such incapacity or death until the amount attained equals the amount payable for incapacity in the same manner had such incapacity or death been due to an injury other than an occupational disease.

4. Medical Board

Upon motion by either party the Workmen's Compensation Board shall appoint a medical committee of three doctors who shall examine the claimant and report to the Board its opinion regarding all medical questions in the case. The opinion of the medical committee is advisory to the Board.

5. Limitations:

An employee shall give notice to the employer thirty (30) days after the first distinct manifestation of the disease and file claim within six months after the first distinct manifestation of the disease, or in case of death within six months after date of death. The Workmen's Compensation Board may, in meritorious cases, waive strict compliance with the foregoing limitations as to notice, and the filing of the claim before the Board.