The 8th Scientific Respiratory Medicine Meeting

New Direction of Respiratory Medicine Towards Translational Medicine

Proceeding Book

February, 12th - 14th, 2010
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PIPKRA 2010
PROCEEDING BOOK

New Direction of Respiratory Medicine Towards Translational Medicine

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Legal Aspects of Occupational Lung Disease

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Abstract

The effects of the workplace or occupational environment on lung health have been identified for a long time and have intrigued many astute medical observers. A wide range of mineral particles can be inhaled into the lungs and potentially can cause lung and pleural diseases. The most frequent problems are caused by chronic inhalation of asbestos, coal, and silica, and less frequently caused by some metal and non-fibrous silicates. The major pathological reactions to be considered in these diseases are emphysema, lung fibrosis, lung cancer, and malignant mesothelioma.

Legal actions available to victims of occupational lung disease are claims for benefits under workers' compensation laws. The role of the physician as medicolegal consultant and expert witness is (1) to describe and diagnose all significant pathology, (2) to prove or disprove a causal relationship between the significant pathology and impairment or death, (3) to identify and explain the etiology of the significant pathology, and (4) to evaluate impairment and disability. The pulmonologist's opinions, which must take into account legal as well as medical criteria, are given by way of written reports and oral testimony. It is very important for the pulmonologist to act as both medicolegal consultant and expert witness in cases of occupational lung diseases.

Keywords: workplace, pathological reaction, medicolegal