

Department of Justice

§ 79.27

- (C) Radiotherapy summary report;
- (D) Medical oncology summary report; or
- (E) Operative report;
- (iv) Report of one of the following radiology examinations:
 - (A) Computerized tomography (CT) scan;
 - (B) Magnetic resonance imaging (MRI); or
 - (C) CT or MRI with enhancement; or
- (v) Death certificate, provided that it is signed by a physician at the time of death.
- (17) *Primary cancer of the colon.*
 - (i) Pathology report of tissue biopsy;
 - (ii) Autopsy report;
 - (iii) Endoscopy report, provided the examination covered the duodenum and parts of the jejunum;
 - (iv) Colonoscopy report, provided that the examination covered the distal ileum;
 - (v) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Report of gastroenterology examination;
 - (D) Operative report;
 - (E) Radiotherapy summary report; or
 - (F) Medical oncology summary or consultation report;
 - (vi) Report of one of the following radiologic studies:
 - (A) Upper gastrointestinal (GI) series with small bowel follow-through;
 - (B) Angiography;
 - (C) Computerized tomography (CT) scan; or
 - (D) Magnetic resonance imaging (MRI); or
 - (vii) Death certificate, provided that it is signed by a physician at the time of death.
- (18) *Primary cancer of the ovary.*
 - (i) Pathology report of tissue biopsy or surgical resection;
 - (ii) Autopsy report;
 - (iii) One of the following summary medical reports:
 - (A) Physician summary report;
 - (B) Hospital discharge summary report;
 - (C) Radiotherapy summary report;
 - (D) Medical oncology summary report; or
 - (E) Operative report; or

- (iv) Death certificate, provided that it is signed by a physician at the time of death.

§ 79.27 Indication of the presence of hepatitis B or cirrhosis.

- (a)(1) If the claimant or eligible surviving beneficiary is claiming eligibility under this subpart for primary cancer of the liver, the claimant or eligible surviving beneficiary must submit, in addition to proof of the disease, all medical records pertaining to the claimant listed below from any hospital, medical facility, or health care provider that were created within the period six months before and six months after the date of diagnosis of primary cancer of the liver:
 - (i) All history and physical examination reports;
 - (ii) All operative and consultation reports;
 - (iii) All pathology reports; and
 - (iv) All physician, hospital, and health care facility admission and discharge summaries.
- (2) In the event that any of the records in paragraph (a)(1) of this section no longer exist, the claimant or eligible surviving beneficiary must submit a certified statement by the custodian(s) of those records to that effect.
- (b) If the medical records listed in paragraph (a) of this section, or information possessed by the state cancer or tumor registries, indicates the presence of hepatitis B or cirrhosis, the Radiation Exposure Compensation Program will notify the claimant or eligible surviving beneficiary and afford that individual the opportunity to submit other written medical documentation or contemporaneous records in accordance with § 79.72(b) to establish that in fact there was no presence of hepatitis B or cirrhosis.
- (c) The Program may also require that the claimant or eligible surviving beneficiary provide additional medical records or other contemporaneous records, or an authorization to release such additional medical and contemporaneous records, as may be needed to make a determination regarding the indication of the presence of hepatitis B or cirrhosis.