Additional Comments on Social Security and Workmen's Compensation

To the Editor:

It is apparent from Dr. Howe's letter (Chest 66: 1, 108) that he did not fully appreciate the recommendations and thinking behind the Environmental Health Committee's statement on Workmen's Compensation. Reference was made in our statement to the National Commission on State Workmen's Compensation Laws, and cogent reasons were given for the differing conclusions which our committee reached. In my opinion, Dr. Howe is incorrect when he claims that the labor unions are opposed to the federalization of workmen's compensation and in this regard, I suggest he read some of the testimony given to the Senate Subcommittee on Labor in support of S2008— not that the support of labor is necessarily a recommendation for the legislation. If Dr. Howe studies our statement again, he will see that we did not advise extending the present Social Security system so that it could encompass workmen's compensation; indeed, we suggested a new scheme which would take care of all of Dr. Howe's criticisms.

I shall refer in turn to the points raised by Dr. Howe:

1. While it is true that Social Security depends on a minimum of quarter years of employment, there is no reason to extend this restriction to industrial illness and injury. Our proposed system suggests that the cost of industrial illness and injury should be borne by the employer through a premium paid into a federal system. The size of the premium can be adjusted so as to cover injury from the first day of employment.

2. At present Social Security offers benefits only for total and permanent disability. Although this is only too true, the concept is not immutable, and to criticize Social Security because the system has no experience with medical payments for temporary disability, is inept sophistry. At its inception Social Security had no experience with permanent disability, but they rapidly learned how to handle it and have done an excellent job. Moreover, a federal system is surely not above profiting from the experience that the States have gained in this field.

3. To complain that a federal system which "splits jurisdiction for benefits for permanent total disability, temporary total disability and permanent partial disability among several agencies" would be "an administrative nightmare" is the type of ex-cathedra statement we can well do without. How do the state schemes avoid this nightmare, and why must there be several agencies?

4. Vocational rehabilitation is grossly neglected under the present system; a deficiency to which the National Commission (of which Dr. Howe is a member) so rightly called attention. A federal system would have the opportunity to correct such defects.

5. It is quite possible to build a safety incentive into any federal system. This has been achieved in other countries.

6. The system which the Environmental Health Committee proposed has not advocated a flat rate regardless of the type of injury.

7. While it is true that the National Commission could find no evidence that the federal system performed any better than any of the state programs, what they omitted to say was that such evidence is lacking mainly because there are virtually no federally operated programs available for comparison.

Finally, the Environmental Health Committee did not propose that Workmen's Compensation be taken over by Social Security as Dr. Howe seems to imply; rather the Committee suggested that a more humane, efficient, and more uniform approach was desirable and could best be achieved through a federally operated system of the type described in the statement that was published in Chest. Those of us who have seen the efficient and humane way in which federally administered programs work in Israel, West Germany, Britain, and elsewhere in Europe can only deplore the inadequacies of our own workmen's compensation laws.

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