

**§ 81.22**

for purposes of estimating probability of causation.

(c) All secondary and unspecified cancers of the lymph node (ICD–9 code 196) shall be considered secondary cancers (cancers resulting from metastasis of cancer from a primary site). For claims identifying cancers of the lymph node, Table 1 in §81.23 provides guidance for assigning a primary site and calculating probability of causation using NIOSH-IREP.

**§ 81.22 General guidelines for use of NIOSH-IREP.**

DOL will use procedures specified in the NIOSH-IREP Operating Guide to calculate probability of causation estimates under EEOICPA. The guide provides current, step-by-step instructions for the operation of IREP. The procedures include entering personal, diagnostic, and exposure data; setting/confirming appropriate values for variables used in calculations; conducting

the calculation; and, obtaining, evaluating, and reporting results.

**§ 81.23 Guidelines for cancers for which primary site is unknown.**

(a) In claims for which the primary cancer site cannot be determined, but a site of metastasis is known, DOL will calculate probability of causation estimates for various likely primary sites. Table 1, below, indicates the primary cancer site(s) DOL will use in NIOSH-IREP when the primary cancer site is unknown.

TABLE 1

Primary cancers (ICD–9 codes<sup>3</sup>) for which probability of causation is to be calculated, if only a secondary cancer site is known. “M” indicates cancer site should be used for males only, and “F” indicates the cancer site should be used for females only. A glossary of cancer descriptions for each ICD–9 code is provided in Appendix A to this part.

Secondary cancer (ICD–9 code)	ICD–9 code of likely primary cancers
Lymph nodes of head, face and neck (196.0)	141, 142 (M), 146 (M), 149 (F), 161 (M), 162, 172, 173, 174 (F), 193 (F).
Intrathoracic lymph nodes (196.1)	150 (M), 162, 174 (F).
Intra-abdominal lymph nodes (196.2)	150 (M), 151 (M), 153, 157 (F), 162, 174 (F), 180 (F), 185 (M), 189, 202 (F).
Lymph nodes of axilla and upper limb (196.3)	162, 172, 174 (F).
Inguinal and lower limb lymph nodes (196.5)	154 (M), 162, 172, 173 (F), 187 (M).
Intrapelvic lymph nodes (196.6)	153 (M), 154 (F), 162 (M), 180 (F), 182 (F), 185 (M), 188.
Lymph nodes of multiple sites (196.8)	150 (M), 151 (M), 153 (M), 162, 174 (F).
Lymph nodes, site unspecified (196.9)	150 (M), 151, 153, 162, 172, 174 (F), 185 (M).
Lung (197.0)	153, 162, 172 (M), 174 (F), 185 (M), 188 (M), 189.
Mediastinum (197.1)	150 (M), 162, 174 (F).
Pleura (197.2)	150 (M), 153 (M), 162, 174 (F), 183 (F), 185 (M), 189 (M).
Other respiratory organs (197.3)	150, 153 (M), 161, 162, 173 (M), 174 (F), 185 (M), 193 (F).
Small intestine, including duodenum (197.4)	152, 153, 157, 162, 171, 172 (M), 174 (F), 183 (F), 189 (M).
Large intestine and rectum (197.5)	153, 154, 162, 174 (F), 183 (F), 185 (M).
Retroperitoneum and peritoneum (197.6)	151, 153, 154 (M), 157, 162 (M), 171, 174 (F), 182 (F), 183 (F).
Liver, specified as secondary (197.7)	151 (M), 153, 154 (M), 157, 162, 174 (F).
Other digestive organs (197.8)	150 (M), 151, 153, 157, 162, 174 (F), 185 (M).
Kidney (198.0)	153, 162, 174 (F), 180 (F), 185 (M), 188, 189, 202 (F).
Other urinary organs (198.1)	153, 174 (F), 180 (F), 183 (F), 185 (M), 188, 189 (F).
Skin (198.2)	153, 162, 171 (M), 172, 173 (M), 174 (F), 189 (M).
Brain and spinal cord (198.3)	162, 172 (M), 174 (F).
Other parts of nervous system (198.4)	162, 172 (M), 174 (F), 185 (M), 202.
Bone and bone marrow (198.5)	162, 174 (F), 185 (M).
Ovary (198.6)	153 (F), 174 (F), 183 (F).
Suprarenal gland (198.7)	153 (F), 162, 174 (F).
Other specified sites (198.8)	153, 162, 172 (M), 174 (F), 183 (F), 185 (M), 188 (M).

<sup>3</sup>The International Classification of Diseases Clinical Modification (9th Revision) Volume I&II. [1991] Department of Health

and Human Services Publication No. (PHS) 91–1260, U.S. Government Printing Office, Washington D.C.