

## 4. Environmental risk management (3) Environmental health measures

### [5] Relief for asbestos health damage

#### Description in the plan

- Based on the “Act on Asbestos Health Damage Relief” (Act No.4 of 2006), prompt relief will be carried out for victims and others with health damage caused by asbestos. Moreover, based on the report of the Asbestos Health Damage Relief Subcommittee of the Environmental Health Subcommittee of the Central Environment Council, compiled in December 2016, we will conduct necessary surveys for the operation of the Asbestos Health Damage Relief System and take measures to further disseminate the system, etc..

#### Progress and assessment of measures

##### i) Progress since 2018

FY 2018	<ul style="list-style-type: none"> <li>- <b>Medical judgments</b> on applications for certification <b>were made one by one.</b></li> <li>- Based on the report of the Asbestos Health Damage Relief Subcommittee of the Environmental Health Subcommittee of the Central Environment Council (December 2016, hereinafter referred to as the “Report”), necessary <b>medical knowledge was collected and the results of surveys on the actual conditions of caregiving for certified persons was summarized.</b></li> </ul>
FY 2019	<ul style="list-style-type: none"> <li>- <b>Medical judgments</b> on applications for certification <b>were made one by one.</b></li> <li>- <b>The council meetings were postponed</b> (February-March 2020) because it was difficult for council members working at hospitals outside the Tokyo metropolitan area to attend the meetings in Tokyo <b>due to COVID-19.</b></li> <li>- <b>Collection of necessary medical knowledge was continued.</b></li> </ul>
FY 2020	<ul style="list-style-type: none"> <li>- <b>The council meetings were continued to be postponed</b> (April-June) due to COVID-19. On the other hand, <b>the Council started to hold meetings remotely</b> on cases that could be deliberated using a web conference system (from April). <b>The number of council meetings held was increased by increasing the number of council members</b> (from December) to deal with cases that had not been deliberated due to the postponement of the council meetings.</li> <li>- Based on the collected medical knowledge, etc., the <b>“Considerations Regarding Medical Judgment”</b> (decided by the Asbestos Health Damage Judgment Subcommittee of the Central Environment Council) and the <b>“Enforcement of the Act on Asbestos Health Damage Relief (related to payment of relief benefits, etc.)”</b> (notified by the Director-General of the Environmental Health Department) <b>were revised.</b></li> <li>- Based on the Report, <b>“surveys on the accuracy of asbestos interpretation” were started</b> to contribute to the development of a system to detect asbestos-related diseases by utilizing existing medical examination opportunities.</li> </ul>
FY 2021	<ul style="list-style-type: none"> <li>- In order to reduce the number of cases that have not been deliberated, <b>the number of council members was further increased</b> (from May), and <b>the number of council meetings continued to be increased.</b></li> <li>- In order to ensure smooth operation of the Council even under the influence of COVID-19, a <b>“judgment information management system” was established to enable online medical judgment, etc.</b> (full-scale operation is scheduled to begin in FY 2022).</li> </ul>
FY 2022	<ul style="list-style-type: none"> <li>- <b>Start of operation of the judgment information management system (from May)</b></li> <li>- <b>The Act on Asbestos Health Damage Relief was amended to extend the deadline for claiming the special condolence money for bereaved families.</b> (legislation by Diet members)</li> <li>- <b>Cooperation between the Asbestos Health Damage Relief System and the Construction Asbestos Benefit System was started.</b></li> <li>- <b>The Asbestos Health Damage Relief Subcommittee of the Environmental Health Subcommittee of the Central Environment Council was held (from June) to begin evaluation and examination of the enforcement of the Asbestos Health Damage Relief System.</b></li> </ul>

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#### Progress and assessment of measures

#### ii) Quantitative assessment of progress

##### ○ Status of certification for relief benefits under the Act on Asbestos Health Damage Relief

- Since FY 2018, the certification has continued to be granted one by one based on applications. Over the past five years, the number of applications has increased by 5% per year, and accordingly, the number of certified cases has also been increasing.
- On the other hand, the Council was postponed (12 meetings in total from February to June 2020) because it was difficult for council members working at hospitals outside the Tokyo metropolitan area to attend the meetings in Tokyo due to COVID-19. As a result, the number of certified cases decreased from FY 2019 to FY 2020, but the number of applications increased in FY 2021 due to enhanced publicity concerning the deadline for claiming the special condolence money for bereaved families.

Certification status by designated disease (excluding persons who died prior to the enforcement date)

(persons)

	FY 2018	FY 2019	FY 2020	FY 2021 (preliminary figures)	Cumulative total since the establishment of the system
Mesothelioma	904	756	563	1,030	10,790
Lung cancer	172	176	97	235	2,269
Asbestosis	3	2	3	1	45
Diffuse pleural thickening	34	23	20	21	216
Total	1,113	957	683	1,287	13,320

Certification status of persons who died prior to the enforcement date

(persons)

	FY 2018	FY 2019	FY 2020	FY 2021	Cumulative total since the establishment of the system
Total	13	12	8	22	3,661

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#### ii) Quantitative assessment of progress

##### ○ Status of council meetings on medical judgment

- In order to continue deliberations and judgments even under the influence of COVID-19, remote meetings of the council were started (from April 2020) for cases that could be deliberated using a web conference system. Furthermore, for cases to be deliberated involving pathological findings that required the physical attendance of council members, meetings were also held by limiting the physical attendees to the council members in charge of pathology and using a web conference system at the same time (from May 2020).
- In light of the difficulty of bringing council members working at hospitals outside the Tokyo metropolitan area to Tokyo due to COVID-19, the number of council members belonging to hospitals in the suburbs of the Tokyo metropolitan area was increased (2 persons in FY 2020, and 3 persons in FY 2021). As a result, the number of council meetings (subcommittee meetings) held was increased to accelerate the processing of cases that had not been deliberated.
- **Online council meetings have been held through full-scale operation of the judgment information management system (from May 2022).**

Number of council meetings (subcommittee meetings) held (2018 to June 2022) \*Total of the examination subcommittee and the asbestosis, etc. examination subcommittee

(times)

	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
FY 2018	3	3	4	3	3	4	3	3	4	3	4	3
FY 2019	3	4	3	3	4	3	3	3	4	3	3	0
FY 2020	1	2	2	3	4	3	3	3	3	3	3	4
FY 2021	4	4	4	4	4	4	4	4	4	4	4	4
FY 2022	3	4	4									

- Council meetings (partially) postponed due to COVID-19
- Council meetings (partially) resumed using a web conference system
- The number of council meetings held increased by increasing the council members
- Full-scale operation of the judgment information management system

The number of certified cases under the influence of COVID-19  
- 9 cases/month as of April 2020 → 132 cases/month as of March 2022

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#### Progress and assessment of measures

##### iii) Overall assessment of progress

- Relief for health damage caused by asbestos has been steadily promoted through the accumulation of certifications based on the Act on Asbestos Health Damage Relief and the payment of the committed relief benefits to victims of asbestos-related health damage.
- Based on the Report, actions including the following were taken to promote matters contributing to the operation of the Asbestos Health Damage Relief System.
  - ✓ Efforts to collect medical knowledge, and revision of the considerations, etc. based on the latest knowledge
  - ✓ Surveys to contribute to the development of a system to detect asbestos-related diseases by utilizing existing medical examination opportunities (number of participating local governments in **FY 2021: 33**)
  - ✓ Summarization of the results of surveys on the actual conditions of caregiving for certified persons
- By making full use of online conference systems, etc., the number of council meetings held has been increased for early resolution of cases that have been delayed under the influence of COVID-19. Moreover, in order to ensure smooth operation of the Council even under the influence of COVID-19, initiatives to contribute to prompt relief for victims and others of asbestos-related health damage are being reinforced by, for example, establishing and starting the operation of a “judgment information management system” that enables online medical judgment, etc.

#### Direction of future measures

- Strive to provide prompt relief for victims and others of asbestos-related health damage based on the Act on Asbestos Health Damage Relief.
- Continue to collect medical knowledge, etc. that contributes to the operation of the Asbestos Health Damage Relief System, as well as promote activities such as surveys to contribute to detection of asbestos-related diseases and cooperation with the existing cancer registry system.
- **Stably** operate **a judgment information management system** that enables online medical judgment, and strive to operate the Council smoothly not only in normal times but also under the influence of COVID-19 to contribute to prompt relief for victims and others.
- **Begin evaluation and review of the Act on Asbestos Health Damage Relief.**

#### Issues and challenges for the next plan

- Maintenance and reinforcement of systems necessary for prompt relief for victims and others of asbestos-related health damage and **stable operation of such systems**
- Promotion of collection and examination of medical knowledge, etc. that contributes to the operation of the Asbestos Health Damage Relief System
- Dissemination of the benefit system based on the “Act on Payment of Benefits, etc. to Construction Workers Affected by Specified Asbestos Damage” to certified persons of the Asbestos Health Damage Relief System

### Deadline for claiming the special condolence money for bereaved families (for non-workers, under the jurisdiction of the MOE)

- Since the enforcement of the Act on Asbestos Health Damage Relief in 2006, the Act was amended twice (in 2008 and 2011) **by legislation by Diet members** to extend the deadline for claiming the special condolence money for bereaved families of non-workers who died of asbestos-related diseases prior to the enforcement date (March 27, 2006) of the Act on Asbestos Health Damage Relief. **The deadline** before this amendment of the Act was **March 27, 2022**.

#### [Details]

Enacted in 2006 (Cabinet Act): The deadline for claim was three years from the enforcement date. (March 27, 2009)  
Amended in 2008 (legislation by Diet members): The deadline for claim was extended by 3 years to 6 years from the enforcement date. (March 27, 2012)  
Amended in 2011 (legislation by Diet members): The deadline for claim was extended by 10 years to 16 years from the enforcement date. (March 27, 2022)

### Deadline for claiming the special survivors benefits (for workers etc., under the jurisdiction of the Ministry of Health, Labour and Welfare)

- Since the enforcement of the Act on Asbestos Health Damage Relief in 2006, the Act was amended twice (in 2008 and 2011) **by legislation by Diet members** to extend the deadline for claiming the special survivors benefits for the bereaved families of workers, etc. who died of asbestos-related disease and who lost the right to claim the survivor compensation benefits (pension or lump-sum payment) under the occupational accident compensation insurance due to prescription (five years) and to expand the scope of workers, etc. who are eligible for the payment of the benefits. Before this amendment of the Act, **the persons eligible for the payment was bereaved families of workers who died by March 26, 2016** and **the deadline was March 27, 2022**.

\*The amount of the special condolence money for bereaved families (eligible for bereaved families of deceased non-workers) is 2.8 million yen.  
\*The amount of the special survivors benefits (eligible for bereaved families of workers who died by March 26, 2016) is 3.3 to 2.4 million yen/year as special survivor pension or 12 million yen as special lump-sum benefit.

● In recent years, **the number of applications** for the special condolence money for bereaved families and the special survivors benefits has been **approx. 15 (of which, approx. 10 were certified) and approx. 40 (of which, approx. 20 were certified) per year, respectively**.

● In May of this year, the Act on Asbestos Health Damage Relief was partially amended by legislation by Diet members, and **the deadline for the special condolence money for bereaved families and the special survivors benefits was extended by 10 years to 26 years (March 27, 2032) from the enforcement date**.