

MEDICAL PROBLEMS FROM ASBESTOS EXPOSURE

Asbestos was widely used in shipbuilding and housebuilding and industry up until 1980. Exposure since then has mostly been in those taking asbestos out. Most individuals exposed to asbestos have no problems at all. There are a number of unusual diseases which can be caused by asbestos exposure. Most occur many years after last exposure. A period of less than 10 years is extremely unusual and 30-40 years is more common. When you come to the Chest Clinic, we will go through all the jobs that you have had since leaving school. This is to try and find out where you might have been exposed to asbestos and how much exposure you might have had. Exposure a long time ago is probably more relevant than more recent exposure.

The traditional sites of asbestos exposure were in insulation and lagging, power stations and shipbuilding. More recently workers in the construction industry and those working in boiler houses have been those most affected. In Birmingham there have been particular hot spots at the Metropolitan Cammell Train works in Washwood Heath and the Lucas Battery Factory at Formans Road. Neither, as far as I know, have used asbestos since 1981.

Diseases due to Asbestos Exposure

1 Pleural plaques

These are thickenings of the tissue on the inside of the ribs. They usually show up on chest x-rays. They are nearly always due to asbestos exposure, they cause no problems, they don't hurt, they don't cause breathlessness and they don't turn into anything more serious. They don't constitute damage from asbestos from a common law point-of-view. They are best shown on thin section CT scans of the lungs.

2 Diffuse pleural thickening

This is thickening of the outside of the lungs, rather than the inside of the ribs. This can cause a dull pain and can restrict the movement of the lungs, rather like wearing a corset. It is not usually severe but can be a nuisance. If it is severe, you can get compensation both from the Benefits Agency and under Common Law. It is often confused with fat on the inside of the ribs and it requires a CT scan to look at this properly.

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2 Pleural effusion

Fluid between the lung and the ribs can be due to asbestos exposure. This sometimes comes and goes without anybody noticing it, but may come before the diffuse pleural thickening. There are many other causes of pleural effusion.

3 Mesothelioma

This is the only fairly common severe and life threatening disease related to asbestos exposure that we see now. It is a cancer of the lining of the lung (pleura) and usually occurs many years after first exposure to asbestos and it is almost unheard of less than 15 years from first exposure. Pleural plaques and diffuse pleural thickening never turn into a mesothelioma, although if you have been exposed to asbestos you are much more likely to get a mesothelioma than if you haven't (about 90% of all mesotheliomas are due to asbestos exposure). The diagnosis is quite difficult and requires a biopsy, sometimes more than once. Compensation is available both from the government by the Benefits Agency and under Common Law. Treatment options are limited.

4 Asbestosis

Asbestosis is fibrosis in the lung due to asbestos exposure. It usually requires high exposure and is now rare, as those who are going to get asbestosis from really high exposure mostly got it sometime ago. This can cause substantial breathlessness and needs to be separated from other causes of fibrosis in the lung of which there are many. Compensation is available both by the Benefits Agency and under Common Law.

Government Compensation

For this it is only necessary to show that you fulfil the regulations and have a prescribed disease related to asbestos exposure. It does not involve your employer at all and there is no need to show negligence. Pleural plaques don't count for compensation from the Benefits Agency. More advanced pleural thickening, asbestosis and mesothelioma all do count. If you have any of these, you will be advised to make a claim from the Benefits Agency who will require you to write all your jobs down again. We should be able

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Government Compensation continued

to give you a copy of these. The adjudication officer (a Benefits Agency employee) checks with the employer to make sure that you were actually employed there and that there was asbestos exposure (they often know when companies that have gone out of business). You will then be assessed by a doctor who will decide how disabled you are.

Common Law Claims

You can also sue your employer where the asbestos exposure occurred. This requires a solicitor and is a difficult and complicated process. You have to show that you have been damaged by the asbestos and that your employer was at fault (negligent). You shouldnt apply if you only have pleural plaques, otherwise you have to apply within 3 years of first knowing that you had any damage from asbestos. The best way of going forward is to enlist your union. If you have already retired, you could try and contact your old union. If you do not have a union membership, then a solicitor working on a “no win no fee” basis is the next best. You will often be asked to pay for copying your medical records, paying for any medical reports that are involved and for taking out an insurance. It is not strictly speaking no fee, but it is no huge fee. The solicitor will get paid out of any settlement.

Follow-up

We like to follow up all those who have damage from asbestos; those with pleural plaques every 2 years and those with more significant disease, more frequently. If you get pain on breathing please phone for an earlier appointment (Tel. 0121 424 1914).

PSB/jph
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