

Claims

(last updated March 24, 2004)

Personal Injury Claims

Pursuant to §23(13) of the Marshall Islands Nuclear Claims Tribunal Act 1987, as amended, the Tribunal adopted regulations in August 1991 establishing a list of 25 medical conditions which are irrefutably presumed to be the result of the Nuclear Testing Program. Those regulations were amended by the Tribunal and approved by the Cabinet of the Republic of the Marshall Islands in January 1994 to add two additional conditions (numbers 26 and 27 below) to the presumed list. Effective October 1, 1996, the regulations were again amended by the Tribunal and approved by the Cabinet to include seven additional conditions (numbers 28-34 below). Based on a 1996 report from the Radiation Effects Research Foundation entitled Studies of the Mortality of Atomic Bomb Survivors, bone cancer was added to the list in 1998 (number 35 below). Autoimmune thyroiditis was added to the list in 2003 (number 36 below).

For eligible claimants, the administratively presumed medical conditions and the amounts of compensation for each that will be paid in pro rata annual payments are as follows:

1	Leukemia (other than chronic lymphocytic leukemia)	\$125,000
2	Cancer of the thyroid	
	a. if recurrent or requires multiple surgical and/or ablation	\$75,000
	b. if non-recurrent or does not require multiple treatment	\$50,000
3	Cancer of the breast	
	a. if recurrent or requires mastectomy	\$100,000
	b. if not recurrent or requires lumpectomy	\$75,000
4	Cancer of the pharynx	\$100,000
5	Cancer of the esophagus	\$125,000
6	Cancer of the stomach	\$125,000
7	Cancer of the small intestine	\$125,000
8	Cancer of the pancreas	\$125,000
9	Multiple myeloma	\$125,000
10	Lymphomas (except Hodgkin's disease)	\$100,000
11	Cancer of the bile ducts	\$125,000
12	Cancer of the gall bladder	\$125,000
13	Cancer of the liver (except if cirrhosis or hepatitis B is indicated)	\$125,000
14	Cancer of the colon	\$75,000
15	Cancer of the urinary tract, including the urinary	\$75,000

	bladder, renal pelves, ureter and urethra	
16	Tumors of the salivary gland	
	a. if malignant	\$50,000
	b. if benign and requiring surgery	\$37,500
	c. if benign and not requiring surgery	\$12,500
17	Non-malignant thyroid nodular disease (unless limited to occult nodules)	
	a. if requiring total thyroidectomy	\$50,000
	b. if requiring partial thyroidectomy	\$37,500
	c. if not requiring thyroidectomy	\$12,500
18	Cancer of the ovary	\$125,000
19	Unexplained hypothyroidism (unless thyroiditis indicated)	\$37,500
20	Severe growth retardation due to thyroid damage	\$100,000
21	Unexplained bone marrow failure	\$125,000
22	Meningioma	\$100,000
23	Radiation sickness diagnosed between June 30, 1946 and August 18, 1958, inclusive	\$12,500
24	Beta burns diagnosed between June 30, 1946 and August 18, 1958, inclusive	\$12,500
25	Severe mental retardation (provided born between May and September 1954, inclusive, and mother was present on Rongelap or Utirik Atolls at any time in March 1954)	\$100,000
26	Unexplained hyperparathyroidism	\$12,500
27	Tumors of the parathyroid gland	
	a. if malignant	\$50,000
	b. if benign and requiring surgery	\$37,500
	c. if benign and not requiring surgery	\$12,500
28	Bronchial cancer (including cancer of the lung and pulmonary system)	\$37,500
29	Tumors of the brain, including schwannomas, but not including other benign neural tumors	\$125,000
30	Cancer of the central nervous system	\$125,000
31	Cancer of the kidney	\$75,000
32	Cancer of the rectum	\$75,000
33	Cancer of the cecum	\$75,000
34	Non-melanoma skin cancer in individuals who were diagnosed as having suffered beta burns under number 24 above	\$37,500
35	Cancer of the bone	\$125,000
36	Autoimmune thyroiditis	\$12,500