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# Determine occupational disease

Heruntergeladen am 04.06.2025

<https://fimportal.de/xzufi-services/6000921/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99006016037000
Leistungsbezeichnung I	Determine occupational disease
Leistungsbezeichnung II	Determine occupational disease
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

## Modul

## Sachverhalt

### Fachlich freigegeben durch

### Handlungsgrundlage

- [Berufskrankheiten-Verordnung](http://www.gesetze-im-internet.de/bkv/) (BKV)
  - § 9 [Sozialgesetzbuch Siebtes Buch](https://amt24.sachsen.de/fehler-link-nicht-gefunden) (SGB VII) – Berufskrankheiten
    - § 193 SGB VII – Pflicht zur Anzeige eines Versicherungsfalls durch die Unternehmer
    - § 200 SGB VII – Auswahl der Gutachter
    - § 202 SGB VII – Anzeigepflicht von Ärzten bei Berufskrankheiten
    - § 25 [Sozialgesetzbuch Zehntes Buch](http://www.gesetze-im-internet.de/sgb\_10/index.html) (SGB X) – Recht auf Akteneinsicht

### Teaser

If you suspect that your illness is work-related and you would like to receive benefits from the statutory accident insurance, it must first be clarified whether your illness can be recognised as an occupational disease. This is done in the occupational disease assessment procedure.

### Volltext

If you suspect that your illness is work-related and you would like to receive benefits from the statutory accident insurance, it must first be clarified whether your illness can be recognised as an occupational disease. This is done in the occupational disease assessment procedure.

Occupational diseases are illnesses that are caused by the fact that you are exposed to harmful effects (e.g. certain chemicals, physical effects such as noise and heavy loads, pathogens) to a significantly greater extent than the rest of the population in the course of your work.

However, not every illness can be recognised as an occupational disease. Further explanations of what occupational diseases are can be found, for example, on the information portals of the German statutory accident insurance or the Federal Ministry of Labour and Social Affairs.

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If you suffer from an occupational disease, you are entitled to benefits from the statutory accident insurance. These benefits include, for example

- Treatment costs
- Costs for necessary reorganisation of the workplace
- Pension

(However, a pension is only paid if the injury exceeds a certain threshold of reduction in earning capacity (MdE))

- Retraining measures

**\*\*Note:\*\*** If your illness is not recognised as an occupational disease, the necessary medical benefits will be provided by the health insurance and any pension benefits by the statutory pension insurance.

## Erforderliche Unterlagen

- will be communicated to you when you contact us

## Voraussetzungen

A prerequisite for the procedure for determining an occupational disease is the notification of the (suspected) occupational disease by the treating doctor or the employer to the responsible accident insurance institution [\(see - > Further information\)](#).

The health insurance funds should also inform the accident insurance institution accordingly. Of course, you can also report your illness yourself - simply and informally - to your employer's liability insurance association or accident insurance fund. This can also be done online via the service portal of the German Social Accident Insurance [\(see link - > Online application\)](#).

Two questions, among others, must be answered in the procedure for determining an occupational disease:

- Is there a connection between the activity and the harmful effect?
- Is there a connection between the harmful effect and the disease that has occurred?

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Kosten	none
Verfahrensablauf	<p>After receiving the report, your accident insurance institution will inform the office responsible for occupational health and safety in the respective federal state (occupational health service of the Saxony state directorate) of the suspicion and will contact you to determine the full facts of the case.</p> <p>#### How is an occupational disease determined?</p> <p>The question of whether there is a connection between the activity and the damaging effect is clarified by taking your work history as the person affected (work history). The aim is to establish what stresses and strains you were exposed to during your working life. This can be done using questionnaires, but also through personal interviews or by inspecting documents. In the case of existing workplaces, a workplace inspection or workplace measurement can be carried out.</p> <p>As a rule, all competent persons (e.g. company doctor, occupational safety specialist) and the works council should be involved. You can also submit a statement yourself, which should be as detailed as possible and can include the workloads of colleagues at the same workplace.</p> <p><b>**Attention!**</b> The documents relating to the work history survey form the basis for the subsequent medical report. Therefore, make sure that no false information is given and that all details are complete.</p> <p>If the work history survey comes to the conclusion that there is no connection between the activity and the damaging effect, the procedure is terminated and recognition as an occupational disease is rejected.</p> <p>#### Medical report</p> <p>If the opposite is the case, the medical connection between the harmful effect and the clinical picture must be clarified. Medical documents are requested from the treating doctor for this purpose. In cases of</p>

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doubt, an expert opinion may be required to clarify whether the harmful effect actually caused the illness. The accident insurance institution must provide you with a choice of several medical experts. You can also suggest an expert yourself, but the accident insurance institution does not have to follow your suggestion.

**\*\*Tip:\*\*** You can bring a trusted person and - if necessary - an interpreter with you to the expert appointment.

The expert report will be sent to the relevant accident insurance institution. You will receive a copy on request. Check that all the information is complete and correct. If you discover any deficiencies, you can inform the accident insurance institution of these in writing.

The accident insurance institutions check every illness where there is a justified suspicion of an occupational disease. The authorities responsible for medical occupational health and safety are involved in the identification of occupational illnesses (occupational health service of the Saxony State Directorate). Once all the results of the investigation are available, the file is submitted to the pension committee of the accident insurance institution for a decision. This committee recognises the illness as an occupational disease or rejects the application.

**Bearbeitungsdauer**

**Frist** none

**weiterführende Informationen**

**Hinweise** You can also inform the state authority responsible for occupational health and safety about the suspected existence of an occupational disease.

- Landesdirektion Sachsen

**Rechtsbehelf** objection (details in the notification)

**Kurztext**

Modul	Sachverhalt
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Ansprechpunkt	
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Zuständige Stelle	
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Formulare	
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Ursprungsportal	
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