



September 11th  
Victim Compensation Fund

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## THIRD ANNUAL STATUS REPORT

# SEPTEMBER 11<sup>TH</sup> VICTIM COMPENSATION FUND

OCTOBER 2014

Sheila L. Birnbaum  
Special Master



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**SEPTEMBER 11<sup>TH</sup> VICTIM COMPENSATION FUND**  
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## 1. Introduction

As the Special Master for the September 11th Victim Compensation Fund (“VCF” or “Fund”), I respectfully submit this third Annual Status Report describing the activities of the VCF. Our first Annual Status Report, published in October 2012, focused on the VCF’s start-up activities during the first year of operation. Such activities included developing the claim forms, deploying the online system used by claimants and VCF staff, and establishing the infrastructure and initial procedures for the Claims Processing Center and toll-free Helpline. Our second Annual Status Report, published in November 2013, focused on the progress we made in the second year of operation in all aspects of claims processing and the extensive outreach activities we undertook in connection with the October 3, 2013 VCF registration deadline. This report focuses on our continued progress reviewing and rendering decisions on claims, our outreach efforts related to the October 12, 2014 deadline for claimants diagnosed with a 9/11-related cancer, and includes updated VCF program statistics.

I will continue to release Annual Status Reports through the Fund’s conclusion in 2017.

## 2. Background on the Victim Compensation Fund

In 2001, Congress created the September 11th Victim Compensation Fund, which provided compensation for economic and non-economic loss to individuals, or the personal representative of individuals, who were killed or physically injured as a result of the terrorist-related attacks of September 11, 2001. As established by Congress, the VCF provides a no-fault alternative to tort litigation – any individual who chooses to seek compensation from the VCF waives the right to sue for damages for 9/11-related physical injury or death. The original VCF (“VCF 1”) closed in 2004, having paid over \$7.049 billion to surviving personal representatives of 2,880 people who died in the attacks and to 2,680 claimants who were injured in the attacks or the rescue efforts conducted immediately thereafter.

On January 2, 2011, President Obama signed into law the James Zadroga 9/11 Health and Compensation Act of 2010 (P.L. 111-347) (“Zadroga Act”). Title I of the Zadroga Act creates the World Trade Center (“WTC”) Health Program, which is operated by the National Institute for Occupational Safety and Health (“NIOSH”) and provides medical treatment and monitoring for 9/11-related health conditions. Title II of the Zadroga Act reopens the VCF and expands compensation eligibility to those who took part in the debris removal efforts during the immediate aftermath of the attacks. The Zadroga Act authorizes the VCF to accept claims for five years, starting in October 2011 and ending in October 2016, with final payments to be made during a sixth year in 2016-2017. Unlike VCF 1, which had no cap on funding, the Act provides a limited \$2.775 billion appropriation, with \$875 million available in the first five years, to provide compensation to claimants and to cover the Fund’s administrative costs.

On June 21, 2011, I issued proposed rules to implement the reopened VCF. My staff and I reviewed and considered 95 comments on the proposed rules received during the 45-day public comment period. On August 31, 2011, the final rules governing the operation of the VCF were published in the Federal Register. The rules took effect on Monday, October 3, 2011, which was the day that administrative funding for the VCF became available. That same day, we launched the VCF’s website ([www.vcf.gov](http://www.vcf.gov)) and the toll-free Helpline.



### 3. Year 3 Accomplishments

Our third year of operation saw measureable progress in the number of eligibility decisions rendered and compensation calculations issued. Details of our progress are included throughout this Report. I have listed below many of the highlights of our accomplishments this year:

- We continue to increase our staff to meet the increase in claim submissions and to refine, expand, and modify our procedures so that we can more efficiently resolve claims more quickly. We have cross-trained VCF staff so that we can maximize resources in the areas needed at any given time.
- In response to requests from claimants and their attorneys, we will soon add information to our compensation decision letters that provides a detailed breakdown of the components of the loss calculation.
- Our continued work with the WTC Health Program resulted in streamlined forms and procedures for claimants who need to provide information from their non-WTC Health Program physicians in order to demonstrate an eligible condition. This included close collaboration with the WTC Health Program to more efficiently move these claims through the required verification process. We now have NIOSH personnel co-located in our offices to speed this process.
- The team of people focused exclusively on processing payments has continued to expand to ensure that claimants receive their initial payments as quickly as possible. We also implemented a change early in the year to pay every claimant the initial 10% of their loss regardless of whether they appeal the decision or seek to later amend their claim.
- We added new functionality to our online system to allow claimants to amend their claim to add a new condition or submit new information related to their losses.
- We have continued to work with employers and unions to obtain information that enables us to evaluate claims more quickly and thereby help claimants who have difficulty obtaining necessary documents.
- We began holding appeal hearings and have recruited and trained Hearing Officers. Hearings can be conducted in-person or by phone, and we are able to accommodate special requests as needed.
- We revamped the VCF website ([www.vcf.gov](http://www.vcf.gov)) to make it more user-friendly, including a redesigned Frequently Asked Questions (“FAQs”) section; new “Forms and Resources” section with easy access to forms, instructions, and tip sheets; new pages specific to claimants who need to provide information through the Private Physician process; and a new “News and Reports” page to more easily highlight messages from the Special Master and VCF statistics reports.
- The information included in the quarterly statistics reports continues to expand and now includes details on the breakdown of Personal Injury and Deceased claims and statistics on claims that include cancer.
- In April 2014, I was pleased to appoint Nell McCarthy as a second Deputy Special Master focused on the operational management of the Fund.
- We worked with our partners in the 9/11 community to spread the message about the October 12, 2014 filing deadline. This included a targeted mailing by the WTC Health Program to their patients diagnosed with cancer; updated and detailed information posted to our website in English, Spanish, Polish, and Chinese; and outreach materials provided to congressional representatives and interest groups.



#### 4. Status of Filed Claims

The progress we have made over the past year is reflected in the statistics posted to our website at the end of each quarter. The statistics in Tables 1-6 represent activity through the end of the day on September 30, 2014. Comparison data is shown for the subset of statistics included in the Second Annual Report released in November 2013.

**Table 1: Status of Eligibility Forms Received**

As shown in this table, the VCF has received 16,833 Eligibility Forms, 9,366 (56%) of which have enough information to be reviewed at this time. Of those 9,366 reviewable claims, 8,517 (90.9%) have been approved and 849 (9.1%) are under review. Of the 7,438 claims that cannot be reviewed at this time, the table breaks down those claims into the three reasons why they cannot be reviewed.

ELIGIBILITY FORMS	As of 9/30/2014	As of 11/20/2013
<b>TOTAL Eligibility Forms</b>	<b>16,833</b>	<b>11,056</b>
<b>Eligibility Claims That Can be Decided</b>	<b>9,366</b>	<b>5,011</b>
Personal Injury Claims	9,331	
Claims for Deceased Individuals*	35	
<b>Eligibility Decisions Rendered – Approved</b>	<b>8,517</b>	<b>2,536</b>
Personal Injury Claims	8,492	
Claims for Deceased Individuals*	25	
<b>Eligibility Reviews in Progress</b>	<b>849</b>	<b>2,475</b>
<b>Eligibility Decisions Rendered – Not Eligible</b>	<b>29</b>	
Personal Injury Claims	28	
Claims for Deceased Individuals*	1	
<b>Eligibility Claims that Cannot be Decided Now</b>		
Claims missing signed Exhibit A – which allows the VCF to obtain information about eligible conditions	1,246	
Claims missing requested information regarding presence at a 9/11 site, lawsuit resolution, or additional medical documentation and/or claims pending WTC Health Program review	2,574	
Claimants who do not appear to have an eligible condition and have not responded to requests for additional medical documentation	3,618	

\* Eligibility Forms for Deceased Individuals includes only those claimants who died of causes directly related to their 9/11 eligible condition.



**Table 2: Eligibility Claims by Category of Condition**  
(based on conditions certified by the WTC Health Program)

ELIGIBILITY FORMS	TOTAL	Claims with Cancer as the only Condition	Claims for only Non-Cancer Conditions	Claims with both Cancer and Non-Cancer Conditions
Eligibility Claims That Can be Decided	9,366	546	7,820	1,000
Eligibility Decisions Rendered – Approved	8,517	472	7,136	909
Eligibility Decisions Rendered – Not Eligible*	11	1	9	1

\* Only includes claims deemed not eligible that had an eligible condition.

**Table 3: Status of Compensation Forms for Eligible Claimants**

This table shows that of the 7,002 Compensation Forms received, 4,958 (71%) are from claimants who have been deemed eligible. Of those with eligibility approved, 3,447 (69%) have submitted the documents and supporting information that is necessary to begin review of the compensation claim. The remaining 1,511 compensation claims (31%) cannot be reviewed at this time either because they are missing the required authorizations or other required information. Among the 3,447 claims that can be reviewed, the VCF has issued decisions on 2,042 claims (59%) and the remaining 1,405 (41%) remain under review.

COMPENSATION FORMS	As of 9/30/2014	As of 11/20/2013
<b>TOTAL Compensation Forms</b>	<b>7,002</b>	
TOTAL Compensation Forms <i>from claimants who have been deemed Eligible</i>	4,958	871
<b>Compensation Forms that Can be Reviewed</b> – forms with proper signatures/exhibits that are under review to assess whether there is sufficient information to determine loss	<b>3,447</b>	<b>716</b>
Personal Injury Claims	3,440	
Claims for Deceased Individuals*	7	
<b>Compensation Decisions Rendered</b>	<b>2,042</b>	<b>112</b>
Personal Injury Claims	2,038	
Claims for Deceased Individuals*	4	
<b>Compensation Reviews in Progress</b>	<b>1,405</b>	<b>604</b>
<b>Compensation Forms Missing Required Information</b>	<b>1,511</b>	<b>155</b>

\* Statistics for Claims for Deceased Individuals includes only those claimants who died of causes directly related to their 9/11 eligible condition.

**Table 4: Compensation Decisions by Categories of Conditions**

COMPENSATION FORMS	TOTAL	Claims with Cancer as the only Condition	Claims for only Non-Cancer Conditions	Claims with both Cancer and Non-Cancer Conditions
Compensation Forms That Can be Reviewed	3,447	162	2,582	433
Compensation Decisions Rendered	2,042	66	1,761	215
Total Dollar Value before Proration	\$551,269,835.47	\$27,265,482.66	\$424,254,870.42	\$99,749,482.39



**Table 5a: Compensation Decisions Rendered**

COMPENSATION DECISIONS RENDERED	As of 9/30/14	Dollar Value before Proration	As of 11/20/2013	
<b>Decisions Rendered</b>	<b>2,042</b>	\$551,269,835.47	<b>112</b>	\$27,156,383.94
Highest Amount		\$4,133,466.00		
Personal Injury Claims		\$4,133,466.00		
Claims for Deceased Individuals		\$269,919.37		
Lowest Amount		\$10,000.00		
Mean Dollar Value		\$269,965.64		
Personal Injury Claims		\$424,160.16		
Claims for Deceased Individuals		\$293,540.04		

**Table 5b: Compensation Decisions Rendered – Compensation Amounts by Self-Reported Claimant Category**

*(based on the category identified by the claimant at the time the Eligibility Form was submitted)*

COMPENSATION DECISIONS RENDERED	As of 9/30/14	Dollar Value before Proration
Responder-NYC	1,755	\$518,862,034.43
Non-Responder NYC - cleaning or maintenance work	134	\$9,828,708.23
Non-Responder NYC - other employment	116	\$18,623,394.83
Resident within NYC zone	20	\$2,229,066.44
Attend school/ childcare/ adult care facility	2	\$105,250.00
NYC – Other Capacity*	5	\$205,000.00
No Response	10	\$1,416,381.54

\* Includes visitors, tourists, and any individual who was in the exposure zone during the relevant time period and is not included in another category.

The table below shows registration data. In advance of our October 3, 2013 and October 12, 2014 deadlines, the Fund created an Interim Registration form to make the registration process as easy as possible for all potential claimants. The data in the table below shows the status of these registrations as of September 30, 2014.

**Table 6: Registration Information**

REGISTRATIONS	
<b>TOTAL Submitted Registrations</b> <i>The total number of complete registrations that have been submitted online or received in hard copy.</i>	<b>56,187</b>
<b>Interim Registrations</b> <i>The number of individuals who submitted an Interim Registration form or the equivalent information by email, fax or mail, or entered the equivalent information in the online system in order to meet the October 3, 2013 or October 12, 2014 filing deadlines.</i>	<b>7,064</b>





## 5. Outline of the VCF Application Process

Under the Zadroga Act, in order to be eligible for the Fund, individuals must show that they or a decedent (1) were present at a “9/11 crash site”<sup>1</sup> at the time or in the immediate aftermath of the crashes – defined as any point in time from September 11, 2001, through May 30, 2002 – and (2) suffered physical harm or death as a direct result of the crashes or debris removal.

- **Covered Conditions:** The physical harms covered by the VCF include both traumatic physical injuries and personal injury or death resulting from health conditions or diseases that the WTC Health Program has determined to be 9/11-related. The list of presumptively-covered health conditions has been adjusted twice since the Fund reopened – once in October 2012 to include the cancers added to the list of covered conditions by the WTC Health Program and a second time in October 2013 when the WTC Health Program list was again updated to include prostate cancer. The VCF will continue to adjust the list of conditions eligible for compensation in response to any changes made by the WTC Health Program, including updating VCF guidance, website information, and forms as appropriate.

Additionally, in evaluating whether a claimant’s injuries or conditions are “a result of” the crashes or debris removal, the VCF accepts certification decisions of the WTC Health Program. The WTC Health Program evaluates each claimant’s claimed injuries and exposures to determine whether the 9/11-related exposure is substantially likely to have been a significant factor in aggravating, contributing to, or causing the covered injury or condition. Over this past year, we have worked closely with the WTC Health Program to refine our joint processes so the exchange of information needed to render decisions on claims is more timely and efficient.

- **Eligibility:** The Eligibility section of the claim form requests information about a claimant’s or decedent’s circumstances for being present at a 9/11 crash site, the length of time at the site, and the individual’s diagnosed physical conditions and corresponding treatment. Claimants are encouraged to submit their claims using the VCF’s online system. Over the past year, we continued to make enhancements to our Claimant Portal to make it easier for claimants and their representatives to file a claim online. These enhancements include new functionality to amend a claim using simplified forms; enhancements to the Claimant Search feature; a law firm “drop point” to facilitate the exchange of files between the law firms and the VCF; modifications to the Document Type list used when uploading documents to online claims; and enhanced email notifications when documents are successfully uploaded to a claim and when the VCF posts outbound correspondence. In addition, for those who prefer to submit a hard copy form, we continue to offer PDF fillable versions of the claim forms in English and Spanish and all VCF forms can be downloaded and printed from the VCF website. Claimants may also call the toll-free Helpline to request that forms and information be mailed to them in hard copy.

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<sup>1</sup> Under the Zadroga Act and the final regulations, the 9/11 crash sites include: the World Trade Center site, the Pentagon site and the Shanksville, Pennsylvania site; the buildings or portions of buildings that were destroyed as a result of the terrorist-related airplane crashes of September 11, 2001; and the “NYC Exposure Zone” which consists of: the area in Manhattan south of the line that runs along Canal Street from the Hudson River to the intersection of Canal Street and East Broadway, north on East Broadway to Clinton Street, and east on Clinton Street, and east on Clinton Street to the East River; and any area related to or along routes of debris removal, such as barges and the Fresh Kills site.





- **Compensation:** The Compensation section of the claim form can be submitted at the same time as the Eligibility section or after an eligibility decision has been rendered. The Compensation section requests information about a claimant's or decedent's medical expenses or other out-of-pocket losses, lost earnings to date, expected lost future earnings, and sources of collateral payments that have covered expenses or provided compensation for lost wages.

As in VCF 1, all awards are generally calculated as follows: economic loss plus non-economic loss minus collateral source payments yields the net calculation.

Collateral source payments, such as life insurance or proceeds from a settled 9/11-related lawsuit, are those that a claimant has received, is receiving, or is entitled to receive as a result of the September 11<sup>th</sup> attacks.

The total amount of payment is subject to the total amount of funds authorized by Congress. As noted in the background section of this report, the Zadroga Act provides a \$2.775 billion appropriation, with \$875 million available in the first five years, to provide compensation to claimants and to cover the Fund's administrative costs. In January 2013, we published the "VCF Explanation of First Payments" analysis that was conducted in order to determine the initial pro-rated payment of ten percent of the total calculated amount.

In our third year, we modified our processes to ensure claimants receive their initial payments as quickly as possible by making the first payment on every claim, including those who appeal the loss calculation. If an appeal results in an increased loss calculation, we will make a subsequent payment to ensure the claimant receives the full ten percent of the revised amount. This decision has improved our payment processing times and provides money to claimants as quickly as possible.

- **Fraud Prevention:** As with any government program involving compensation, it is crucial that we implement key protocols to prevent fraud. The VCF requires claimants to submit supporting documentation for each element of their claim, including proof of presence at a site, a 9/11-related injury, timely withdrawal of certain 9/11-related lawsuits, economic loss, and disability. These requirements help us ensure that legitimate claims are processed and paid and that fraudulent claims or claims of questionable validity are detected. We continue to train our staff on fraud detection techniques and work closely with the Department of Justice Office of the Inspector General ("OIG") to investigate claims as appropriate. These efforts are particularly important given the cap on the total amount of money available for claimants.

## 6. Overview of the Claim Review Process

As required by the VCF's final rules, a claims evaluator reviews each submission, alerts the claimant of missing information needed to process the claim and presents the claim to the Special Master's Office for evaluation when the claim file has information upon which to render a decision. Each claim is reviewed using the same procedures. The timeframe for issuing a decision on an individual claim varies greatly depending on the completeness of the submission and complexity of the claim analysis. The VCF must rely on claimants (or their representatives) to provide the necessary supporting documents, including the authorizations required by the various third parties who provide information directly to the VCF on a claimant's behalf. An overview of the claim review process is provided on the following page.



## Overview of the Claim Review Process

### STEP 1: REGISTER WITH THE FUND

The VCF assigns a unique "Claim Number" to every registrant.

### STEP 2: ELIGIBILITY REVIEW

The claim review team begins eligibility review once the Eligibility Form is received.

1. **Confirm Receipt of Required Authorization Documents**
  - Attestations, Certifications, and Exhibits are reviewed for completeness
2. **Confirm Certified Condition**
  - VCF contacts NIOSH to determine if the claimant has an eligible condition certified by the WTC Health Program
  - If NIOSH returns information indicating a claimant is not in their records or has not been certified by the WTC Health Program, the VCF contacts the claimant to request medical information from the claimant's treating physician(s); once the required medical information is returned, the claim is then reviewed by NIOSH staff co-located at the VCF offices
3. **Verify Presence at a Crash Site**
  - VCF verifies the claimant's presence at a crash site during the required time period
4. **Legal Requirement**
  - VCF confirms that any 9/11-related lawsuits have been settled, withdrawn, or dismissed

Throughout the review process, the VCF works with the claimant or their representative to request any missing or additional information. The VCF can also request information directly from third parties with whom the VCF has established relationships, including FDNY, NYPD, SSA, and certain private employers. Working with these groups minimizes the burden on claimants. In many cases, the VCF must work to verify eligibility requirements through other means, such as workers' compensation records, proof of residence, union records, WTC Health Registry, and personal affidavits.

**OUTCOME: An eligibility determination is completed and the claimant is notified in writing. If eligibility is denied, the claimant has the option to appeal and request a hearing.**

### STEP 3: SUBSTANTIALLY COMPLETE AND COMPENSATION REVIEW

Compensation Forms and supporting information are reviewed. The VCF continues to work with the claimants or their representative to request any missing or additional information. Examples of documents pertinent to the compensation review are wage, salary, and benefits information from the period before disability, disability findings, compensation from other sources, receipts for medical expenses, and tax returns.

**OUTCOME: A claim is deemed substantially complete once all information and supporting documentation needed to calculate an award is received and verified. The Fund completes the compensation calculation.**

### STEP 4: NOTIFICATION

The Special Master has 120 days from the date the file is deemed substantially complete to make a compensation decision and notify the claimant in writing of the calculated amount. During this period, the Special Master's Office is analyzing the submitted documents to determine the claimant's economic and non-economic losses and required offsets.

**OUTCOME: Claimant is notified of the substantially complete determination in writing. A separate letter is sent to notify the claimant of the compensation calculation. The claimant has the option to appeal the compensation calculation and request a hearing.**

### STEP 5: PAYMENT

The Special Master has 20 days from the date the claimant is notified of the compensation decision to authorize payment on the claim. During this period, the VCF is conducting a final review of the claim to ensure, among other things, that we have adequate banking information from the claimant to send the payment. After authorizing payment on the claim, the VCF submits the payment information to the Department of Treasury who issues the payment in a matter of weeks.

**OUTCOME: Claimant receives the initial payment, which is 10% of the calculated loss amount. The funds are sent to the payee and bank designated by the claimant.**



### ***Improving the Quality of Claims and the Claim Review Process***

The Fund is focused on resolving issues that affect the speed of the claim review process. In April 2014, I appointed Nell McCarthy as the Deputy Special Master focused on day-to-day operational management. In her role, Nell reports directly to me and has been tasked with identifying and removing any obstacles that impede our ability to quickly and accurately review each claim and ensuring our computerized claims processing system supports the review and tracking of claims as efficiently as possible.

The statistics released in this Report show that we are continuing to make progress in processing, assessing, and paying claims. This progress reflects both improvements at the VCF as well as ongoing outreach to the law firms representing claimants. Although claimants do not need an attorney in order to file a claim, approximately 90 percent of the Eligibility Forms submitted to date are from attorneys representing claimants. We continue to meet on a regular basis with claimants' attorneys to address specific questions regarding claims procedures and the mechanics of filing electronically. We convene regularly scheduled conference calls with attorneys from various law firms representing multiple claimants to solicit their feedback and incorporate their suggestions into our claims processing activities. The VCF staff has made on-site visits to law firms to help clarify processing issues and policies and to answer questions about specific claims, and our Director of Operations holds regularly scheduled "office hours" in our New York City office during which attorneys can meet with her to discuss their claims. We have implemented email updates to the law firms as new information is posted to the website and have followed each monthly conference call with summarized notes. Additionally, we generate monthly summary reports for each law firm showing individualized claim status information in order to help firms expedite and streamline submissions.

We also have increased our direct communication with claimants who are not represented by an attorney to request needed documents, discuss options for providing the information to the VCF, and provide claim status. These efforts have had immediate, tangible results. For example, through outreach to lawyers, community groups and others, claimants are now aware that the VCF cannot process claims without an original signed Exhibit A, and, as a result, there has been a decrease in the number of claims that are missing this crucial form. We also continue to have discussions with the WTC Health Program and the Clinical Centers of Excellence to identify ways to make it easier to locate the information needed in support of VCF claims.

With more complete claims under review at the VCF, we have focused on transferring resources to where they will be the most effective. We are receiving fewer claims filed in paper form and more claims filed through our website. With less paper coming in the door, VCF staff can spend less time sorting through paper and more time focused on the content of the claim.

A key challenge in our ability to render more compensation determinations continues to be that many of the submissions are missing the documentation required to support the claimed loss. Although these documents are requested as part of the claim form instructions and during our review of the claim, many claimants have not submitted the proof necessary to compensate for the losses requested in their claim form. We continue to work diligently to gather information from third party sources, but we are unable to calculate an award without some verification of the claimed expense or lost income. In an effort to move claims to completion in those instances where the claimant has not responded to multiple requests for supporting documents, my team is now rendering compensation decisions based on the information in the file and issuing the initial payment based on that calculation. As always, claimants have the opportunity to appeal the decision or amend their claim to provide information that was not previously available.



In the past year we have taken numerous steps to improve the process, including:

- Continued Enhancements to the Administrative Portal of the Online System:** The VCF uses a claims processing system to support all aspects of claim management and review. We continued our efforts this year to enhance the system, including the expanded ability to categorize and assign claims in ways that support claim review, improved functionality to make it easier to customize correspondence and include a detailed breakdown of the compensation components within loss calculation letters, expanded functionality to support payment processing, and improved tracking of compensable medical conditions.
- Expanded Staff in Key Areas of our Claims Processing Center (CPC):** The CPC is the hub of all claim intake, review, and file management activity. Our Helpline team is also located within the CPC in order to foster close communication with the claim reviewers, thereby providing callers with the most current information about their claim. The table below shows the change in CPC staff over the past three years.

**VCF Claims Processing and Review Team**

Team	Staff Count Oct 2013	Staff Count Sept 2014
<b>Office of the Special Master</b>		
Special Master Attorneys	11	13
<b>Claims Processing Center</b>		
Director of Operations	1	1
Claim Review Team	23	23
Document Intake Team	24	24
Helpline Team	11	10
Payment Team	0	6
Correspondence Team	1	5
Private Physician Team	0	5
Hearings Support Team	0	7
Program Support	3	9
<b>Totals</b>	<b>75</b>	<b>103</b>

- Established Hearings Process:** All claimants have the opportunity to appeal the VCF’s decision if their claim is denied or if they disagree with the compensation calculation. During the past year, a Deputy Special Master and I have presided over several eligibility and compensation hearings. Frances Gottfried, the Director of our New York office, has also recruited and trained a group of Hearing Officers to conduct hearings on my behalf. Hearings can be held in-person or by phone, and a court reporting service is used to transcribe the proceedings. These transcripts help us in rendering a final decision on the claim. From the beginning, my goal has been for these appeal hearings is to be fair, efficient, and non-adversarial. I am dedicated to ensuring that every claimant who appeals the decision on their claim and requests a hearing is able to schedule the hearing in a timely manner and is kept informed of the process. After a hearing, claimants are notified in writing of the final decision on their claim as quickly as possible.



- **Collaborated with NIOSH to speed the Process for Gathering Information from Claimant’s Physicians:** One of the unforeseen challenges my staff and I faced in the second year of operation was the high number of claimants who seek medical care outside the WTC Health Program. We noted this in last year’s annual report and explained that these types of claims take longer to process because the Fund must gather information from other sources, such as the claimant’s treating physicians, in order to provide the information to the WTC Health Program for validation. My staff and I continued to work closely with NIOSH over the past year to streamline the forms and provide more information about the process and WTC Health Program policies. As part of our efforts, we have now moved the review of the Private Physician materials in-house and are pleased that NIOSH nurses and physicians are on site working with our team to review these claims as quickly as possible once the information is received. We have also implemented changes to request the Private Physician information earlier in the process.

Moving forward, we will continue to look for ways to help claimants access and provide the information needed to support their claim. We will look for more efficiencies to move claims through the review process and expedite eligibility and compensation decisions.

## 7. Public Communications & Partnerships

### *Continued Expansion of Public Resources for Information and Support*

During our third year of operation, I continued to make it a top priority to communicate information about the Fund to members of those communities that had been affected by September 11th and to educate claimants on how the claims process works. Our toll-free Helpline and the website continue to serve as a resource to claimants, potential claimants, and the general public.

- **Website:** In response to feedback from claimants and others in the 9/11 community, we redesigned the VCF website ([www.vcf.gov](http://www.vcf.gov)) in January 2014 to make it more user-friendly. This included enhanced layout of the Frequently Asked Questions (“FAQs”) and new pages for “Forms and Resources” and “News and Reports” with easier to find information. In an effort to ensure the website contains the most current information, it is updated frequently. The website includes step-by-step guidance for filing a claim, video tutorials, tip sheets and instructions, and dedicated content for law firms representing claimants.
- **Languages:** Claim form instructions, FAQs, claimant resources, as well as other website content, are available in English, Spanish, Polish and Chinese. The Interim Registration forms provided for the October 12, 2014 deadline, as well as all deadline-related information, were also available in all four languages. We continue to offer foreign language support through skilled interpreters working with the Helpline and pro bono legal clinics.
- **Helpline:** We enhanced the main menu on our toll-free Helpline to include options and information in Spanish, Polish, and Chinese. The Helpline is open Monday to Friday from 8:30 a.m. to 5:00 p.m. ET, except Federal holidays. After hours, callers can choose to listen to recorded information or leave a message, which will be returned the next business day.





The table below shows the approximate number of visitors to the VCF website and callers served by our Helpline in our first three years.

	10/3/2011 – 9/30/2012	10/1/2012 – 10/31/2013	11/1/2013- 9/30/2014	Total
Website Visitors	73,000	282,500	245,749	601,249
Inbound calls to Helpline	5,600	32,900	33,439	71,939

### Community Outreach

In our third year, we continued to reach out to claimants and their representatives through direct contact and collaboration with the 9/11 community. We are grateful for the continued support and counsel we receive from a wide range of government, health, legal, and civic groups that touch this community as we fulfill the promise of the Fund. We look forward to continuing our work with these groups through the completion of the Fund.

Examples of successful strategic partnerships include:

- Pro Bono Legal Clinics:** We continued to work over the past year with the New York City Bar Association Justice Center and local law schools to offer pro bono clinics with the generous assistance of volunteer attorneys and law students in the New York metropolitan area. The attorneys at these clinics help claimants fill out their Eligibility and Compensation Forms. The Fund held four pro bono clinics over this past year.
- Working With Government Agencies and 9/11 Interest Groups:** My staff and I continue to be in close contact with key personnel at the New York City agencies most affected by the 9/11 attacks, including the Fire Department of New York and the New York Police Department, as well as various state and federal agencies, including the New York State Workers’ Compensation Board and the Social Security Administration. Our contact with these groups provides an opportunity to communicate information about the Fund, as well as receive feedback about the claims process from these constituencies.
- Posting more Detailed Program Statistics on a more Frequent Basis:** Over the past year, we have expanded the type of information that is included in the quarterly reports posted to our website. Our most recent report included information by claim type and statistics on claims that include cancer as a certified condition. I am pleased to announce that we will soon begin posting weekly updates to our website with statistics on decided claims.
- Activities Related to the October 12, 2014 Filing Deadline:** The October 12, 2014 deadline applies to individuals who were diagnosed with a 9/11-related eligible cancer other than prostate cancer on or before October 12, 2012 and who have not already registered or filed a VCF claim. As was done with the October 3, 2013 deadline, we posted detailed information and an Interim Registration form to the VCF website and created a resource kit of outreach materials that included specific information on the filing deadlines, talking points, FAQs, and a poster. The kit was sent to leaders and representatives of community groups and various VCF constituencies as well as elected officials along with an email from the Special Master requesting help with community outreach. We also worked with the WTC Health Program to send a letter about the deadline to their patients diagnosed with cancer.



## **8. Administrative Costs**

Administrative funding for the VCF became available in Fiscal Year 2012. Administrative funding comes from the VCF's total appropriation. The total appropriation is the same capped pool of funds available for awards. As such, I am making every effort to keep administrative costs to a minimum while maintaining an effective and efficient operation.

There are three categories of administrative costs for the Fund:

1. Recurring costs associated with VCF operations
2. System development and maintenance costs
3. Labor and contractor support costs

As of September 30, 2014, the first category, recurring costs associated with operations, totaled approximately \$4.4 million, or about 11 percent of total costs. These costs include rent for office space in Washington, D.C., where the CPC is located, and in New York City, where the Special Master's office is located and where hearings are held. Costs also include equipment and services such as phone lines and internet access.

The second category, system development and maintenance, includes the ongoing development of and enhancements to the system used to process claims. As of September 30, 2014, costs associated with creating the VCF's Claims Management System totaled approximately \$13 million, or about 33 percent of total costs.

The third category, labor and contractor support costs, is ongoing and directly relates to the number of claims received and processed. As of September 30, 2014, labor and contractor support costs associated with the VCF operation totaled approximately \$22 million, or about 56 percent of total costs. These costs include the staff necessary to run the CPC, answer calls to the Helpline, and work with claimants to complete unfinished and inactive claims. This category also includes attorneys in my office who make eligibility and compensation determinations. Deputy Special Master Deborah Greenspan and I have elected to be uncompensated for our services to the Fund.

## **9. Report Summary**

As I have communicated since the reopening of the Fund, my goal has been to make the VCF process transparent and easy to navigate. During our third year, we dedicated significant time to increasing throughput in our claims processing, reducing the timeframe between receipt of a claim and rendering a decision, making initial payments to claimants, implementing the hearings process, and enhancing the claims processing systems in order to increase the Fund's efficiency.

I would like to take this opportunity to again thank so many in the community who have helped us ensure that all individuals and families affected by the tragic events of September 11<sup>th</sup> are aware of the Fund. I am grateful to those in the community, 9/11 support organizations, elected officials, the media, and others who supported our outreach efforts related to the October 12, 2014 deadline. In the year ahead, I look forward to continuing our work in collaboration with this community to ensure we can provide compensation to those who suffered from physical and economic loss as a result of the 9/11 crashes or debris removal.