

Fact Sheet on HR. 1786/ S.928
Secondary Insurance Payments under the WTCHP

Under the James Zadroga 9/11 Health and Compensation Act of 2010, the World Trade Center (WTC) Health Program is mandated to recover costs/coordinate benefits with other insurers in two ways.

For Responder Program:

Under the law, the WTC Health Program must attempt reimbursement for medical treatment provided to injured and ill 9/11 responders who have received workers' compensation determinations. This provision excludes workers' compensation and pension disability determinations for New York City Employees since the City of New York already provides 10% of the total costs of the WTC Health Program.

Because of the complexities of the Workers' Compensation system, including long delays in establishing cases for occupational diseases, the effort to recover this funding has been a challenge for the program even with cooperation from the New York State (NYS) Workers' Compensation Board and the major insurance carriers. Often the compensation cases are not established (and reimbursement authorized) until long after the services have been provided.

Last year in an attempt to ease the administrative challenges, the WTC Health Program contracted with a vendor experienced with the workers' compensation system and enlisted the assistance of the NYS Workers' Compensation Board. Recently, the WTC Health Program implemented a process to collect these funds through a claims matching program available for health insurance carriers in NYS. This approach should be administratively more efficient and less costly than direct billing at the time of provisions of healthcare services.

For Survivors Program:

Under the law, the World Trade Center Health program must attempt to collect reimbursement from survivor health insurance. An administrative program to do this has been implemented by the Health and Hospitals Corporation (HHC) which runs the survivor program. HHC is only reimbursed for healthcare costs not covered by the survivor's health insurance.