



The following topics were discussed during the June 17, 2015 conference call with law firms representing VCF claimants.

- **Update on WTC Health Program Disability Evaluation Process:** We continue to review candidates for the disability evaluation process, notify NIOSH of selected claimants, and then send letters to claimants to let them know they have been confirmed for the process. We have heard there was still some confusion about the program at the various centers and we have been reassured that every facility is aware of the program and should be ready to schedule appointments with claimants who have been confirmed for the process. All centers should have been briefed on the program so please let us know if you have any further issues when your client contacts the center after receiving our letter.

As a reminder, the physician performing the evaluation will send the report to the claimant, not to the VCF. You must then upload the document to the claim. There is no set timeframe for producing the report following the appointment but we have been told to expect it to take about two weeks.

To be considered a candidate for the process, the claimant must already have at least one certified eligible condition and must be a WTC Health Program member. A claimant is not eligible for the program if he/she has already been deemed 100% disabled. However, you should notify the VCF if the claimant does not have a disability evaluation from a third party. Claimants are also generally not eligible if they are continuing to work full-time. **Please see the [law firm call notes](#) from April and May 2015 for a more detailed explanation of the disability evaluation process.**

- **Changing an appeal to an amendment:** If you filed an appeal for a claim and now intend to withdraw the appeal and amend the claim instead, you will still be able to appeal any element of the claim once the decision is rendered on the amendment and any revised loss determination is issued. During that appeal, you can raise any relevant issues from any prior loss determinations, as well.
- **Filing a deceased claim after a PI claim:** We have received questions about filing a deceased claim for a PI claimant who has since passed away from his/her eligible condition after receiving the loss determination on the PI claim. We have prepared several illustrations for different scenarios and will post them to our website in the near future. The scenarios outline assumptions, salary ranges, and a chart showing the elements of the calculations. Once posted, we will notify you and welcome any feedback you may have regarding their usefulness. Our intent is to provide guidance and examples for you to use to decide appropriate next steps for your client.
- **Documents showing cause of death:** The VCF needs to know the claimant's cause of death in order to fully evaluate the claim and to determine whether the claim can be processed as a Deceased claim. If you are submitting a deceased claim and you notice the death certificate does not explain the cause of death, please submit information (medical records or a statement from the treating physician) that clarifies that the cause of death was an eligible condition. The earlier in the process we have this information, the more quickly we can process the claim.
- **Payments diverted by Treasury Department:** The issue discussed last month in which Treasury was inappropriately garnishing certain VCF payments has been fixed and should not happen again. Treasury has recouped all of the garnished payments and DOJ is starting to re-process them. You will start to see the missing payments coming through in the next four weeks. Please let us know if you do not see the corrected payment within that time period.
- **Claimant portal issues:** We have heard reports that the online system has been very slow recently and we have a team focused on this issue. We have also been doing periodic maintenance that requires the system to be offline. We try to do this in "off hours" and will notify you in advance of any known down time. We appreciate you reporting problems to our Helpline at 1-855-885-1555.
- **October 3, 2016 deadline planning:** Although it may seem far away, the filing deadline is rapidly approaching. We are starting to plan for the deadline and our internal processes once all claims are filed. **The October 3, 2016 deadline is the FINAL DEADLINE for ALL submissions. This means claim forms and all supporting documents.** After the deadline, the VCF will process all claims based on what is in the file – there will not be any additional missing information requests and no additional documents may be submitted on any claim. Please help yourselves and your clients by submitting claims well in advance of the deadline so we have an opportunity to review the claim and work with you



to get any missing documents and information. If you wait beyond the first quarter of 2016, you may not have that benefit. It is to your advantage to file early.

Please provide to the VCF by July 10 your best estimate of the number of claims you still expect to file. This should include the following:

1. Count of claimants you have Registered but for whom you have not yet submitted an Eligibility Form.
2. Count of potential claimants you have not yet registered but expect to register and submit a claim before the deadline.

You do not need to provide individual claim numbers or a list of claims – a count of claims is all that is needed at this time. Please send the information via email to Colleen King by July 10. These estimates will be extremely helpful as we plan for the approaching deadline and subsequent claims processing.

- **Schedule for upcoming calls:** The VCF will hold the next conference call in July (date to be determined). A call will not be held in August. Monthly calls will resume in September.