



What is the WTC Health Program Disability Evaluation Process?

The VCF has worked with the WTC Health Program to implement a disability evaluation process for claimants who are disabled due to an eligible condition, but who do not have a determination of a total and permanent disability from some other source, such as the Social Security Administration, a state Workers' Compensation program, or a private doctor or insurance company. This program provides a way for you to have a disability evaluation for purposes of your VCF claim.

This program is not for everyone. It is intended for claimants who have partial or full disability *due to an eligible condition* but do not have, or cannot get, a disability determination from one of the standard third party entities. Claimants who have a disability decision based on an ineligible condition may be candidates for the program if their eligible condition has become disabling.

Who is eligible for this process?

You must meet the following criteria to be eligible for a WTC Health Program disability evaluation:

- 1. You are a member of the WTC Health Program.**
- 2. The VCF has deemed you eligible for at least one physical condition** that is certified by the WTC Health Program.
- 3. You do not already have a full disability determination based on an eligible physical condition from a third-party entity**, such as Social Security or a workers' compensation program.
- 4. You are not currently working or you are earning materially less income** than what you earned before your 9/11-related physical condition affected your ability to work.
- 5. Your physical condition certified by the WTC Health Program could reasonably be found to be disabling.**

What do I have to do to be considered for the process?

As part of our routine claim review, the VCF identifies claimants who are prospective candidates for a WTC Health Program disability evaluation. If you think you are a suitable candidate and have confirmed you meet the criteria to be eligible for the disability evaluation, you may request the VCF consider you as a candidate for the process by doing one of the following:

- If you previously submitted a request for a disability evaluation prior to the VCF deeming your claim eligible for at least one physical condition certified by the WTC Health Program:** You must resubmit your request once the VCF has rendered an eligibility decision on your claim and found you eligible for at least one certified condition.
- If you have already received a loss determination:** You will need to upload a document to your claim requesting that the VCF evaluate you as a candidate for the disability evaluation program. If you subsequently undergo the evaluation and are determined to be disabled, you will need to amend your claim in the future once the VCF begins accepting new claims. **Although the VCF may review your request for a disability evaluation, we will not review any new compensation information or calculate any additional loss until the new regulations and procedures are finalized.**

In addition to requesting consideration for the program, you also must submit the following information:

- A statement confirming that you have not received a full disability determination that is based on a condition deemed eligible in the VCF.** In addition, if you have not already



done so, you must submit the Social Security Administration Consent Form (Exhibit 1 to Compensation Form).

- Documentation showing your work and/or earnings history to show that you are not currently earning an income that approximately equals or exceeds the income you earned prior to your alleged disability. You can satisfy this requirement by submitting the Social Security Administration Consent Form (Exhibit 1 to Compensation Form), tax returns or W2s, a document showing your work history year-by-year including, for example, the social security work history that you can get online from the SSA, or an affirmative statement discussing your past and current work and/or earnings history.
- Documents that show the physical condition certified by the WTC Health Program supports a good faith assertion of disability. This can be based on the nature of your certified condition (e.g., cancer in active treatment) or medical records showing the severity of the certified condition (e.g., test results; personal statement).

How does the process work?

Outlined below are the high level steps in the process:

- Step 1.** Once the VCF has confirmed you are a candidate for the evaluation process, we notify the WTC Health program and we place your claim “On Hold” pending the outcome of the disability evaluation. We also send you a letter explaining the process and inviting you to make an appointment for an evaluation.
- Step 2.** You decide whether or not to proceed with the evaluation. If you want the evaluation, you contact the center to make an appointment and they will follow up with you directly regarding their procedures. If you decide you do not want the evaluation, you must notify the VCF.
- Step 3.** You go to the WTC Health Program for your appointment and have the evaluation.
- Step 4.** The clinic produces the disability evaluation report, including the physician’s summary, and they send the report directly to you.
- Step 5.** You must upload the report to your claim. This notifies us that the evaluation has been completed. When uploading the report, select the document type “WTCHP Disability Evaluation.” If needed, you can mail the report to the VCF instead.
- Step 6.** We remove your claim from “On Hold” and will continue review once the new regulations and procedures are finalized for Group B claims.

How long does the process take?

This is not expected to be a lengthy process once the appointment with the WTC Health Program physician is held. However, the clinics are solely responsible for the appointment schedule. Once your appointment is held, it takes about two weeks for the center to produce the report and send it to you. If you schedule an appointment and do not show up without notifying the clinic in advance, the clinic will notify the VCF and we will render a decision on your claim without the disability evaluation.