



## Instructions for Amending a Claim

### Personal Injury Claims

You may amend your personal injury claim if you have already filed a claim and meet one of the following circumstances:

- 1) The WTC Health Program certifies you for a condition not previously certified, or you are diagnosed with a new 9/11-related injury or condition that qualifies for verification through the VCF [Private Physician process](#).
- 2) Your claim was denied or deemed inactive because you did not respond to the VCF's request for missing information and you are now ready to provide the requested documents.
- 3) You need to add, change, or remove the Personal Representative or parent/guardian on an existing claim.
- 4) Your injury or condition substantially worsens, resulting in loss that was not previously compensated, or you have incurred new or additional economic losses due to your eligible injury or condition.
- 5) You have new information in support of your claim that was not submitted to the VCF when your award was determined and that you believe would affect the amount of your calculated loss.
- 6) You have received the initial award determination on your claim and are seeking reimbursement for out-of-pocket medical expenses that total more than \$5,000.
- 7) You previously submitted a claim for one or more components of economic loss and now want to withdraw that portion of your claim.
- 8) You meet the criteria for the [WTC Health Program Disability Evaluation Process](#) and want to request consideration for that process, or you have received your WTC Health Program disability evaluation report and need to submit it for VCF review.
- 9) You responded to a "Missing Information" request from the VCF after the time period stated in the letter and the information you submitted was not considered by the VCF when calculating your award. Or, your online claim status is "Determination Made: Processing" and you have new documents you would like the VCF to review. After you receive the letter notifying you of your award, you will need to file an amendment to have the new documents reviewed. Note: If you submit documents after the VCF finalizes substantive review of your compensation claim, but before your award letter is issued, we will notify you in the award letter that the documents have not been reviewed and will instruct you to submit an amendment if you still want the VCF to review the documents.

### Deceased Claims

In a deceased claim (i.e., claims filed on behalf of a victim who died as a result of his or her 9/11-related eligible condition), you will not be permitted to amend your claim after the VCF finalizes substantive review of the compensation claim (with limited exceptions, as explained in the "Exceptions" section below). A claim has reached the final stages of "substantive review" when the status in the online system moves to "Determination Made: Processing." **This means that when filing a new deceased claim, you must claim all losses and submit all supporting documentation before the VCF finalizes substantive review of the compensation claim.** You can amend your claim at any time before the VCF finalizes substantive review of the compensation claim, but the best way to ensure complete review of a claim filed on behalf of a deceased victim is to claim all losses and submit all supporting documentation when you file your claim form.

#### **Exceptions:**

The VCF will permit amendments on deceased claims after the VCF has finalized substantive review of the compensation claim in the following limited circumstances:



- 1) You received an award on a deceased claim and then filed an amendment **before December 9, 2019**. The VCF will review your amendment in the ordinary course. If you previously received an award on a deceased claim but failed to seek all compensable losses prior to payment of your award, you may file an amendment to your claim on or before **March 9, 2020**. After that date, you will not be able to amend your deceased claim, except in the limited circumstances listed below.
- 2) You previously claimed wrongful death losses but the VCF found that there was not enough evidence to show that the victim's death was related to an eligible condition. In this situation, you may file an amendment to submit additional information showing that the victim's death was related to an eligible condition;
- 3) The victim had a 9/11-related physical health condition that was not on the list of presumptively covered conditions when the VCF finalized substantive review of the claim, the VCF therefore did not award compensation relating to that condition, and that condition has since been added by the WTC Health Program to the list of presumptively covered conditions. In this situation, you may file an amendment to seek compensation for losses relating to the newly added condition;
- 4) You want to request reimbursement for past out-of-pocket medical expenses the victim paid as a result of eligible conditions. Please see Section 2.4(a) of the VCF [Policies and Procedures](#) for more information about filing a medical expenses claim;
- 5) You need to add, change, or remove the Personal Representative on your claim, including to add a Personal Representative when a victim passes away after filing a personal injury claim and the death is not due to an eligible 9/11-related condition; or
- 6) The Special Master determines that not permitting the amendment would result in substantial injustice.

Follow the instructions below to amend your claim. Be sure to carefully review the instructions so you are prepared to complete your amendment in full, including submitting any required supporting documents.

**If you submitted your claim form Online:**

Log in to your claim. Go to the Summary Table to check the current status of the specific section of your claim form (Eligibility or Compensation) that you need to amend. You will only be able to amend your claim if you have previously submitted the applicable section of the form. If the status shows as "Incomplete," you will not be able to amend your claim but can edit the information directly into the form before submitting it.

- **NOTE:** If the claim status shows as "On Hold – Claimant Passed Away," you will not be able to submit an eligibility or compensation amendment without first submitting an amendment to add a Personal Representative to the claim. You should only amend the personal injury claim if the claimant's death is **not** believed to have been caused by an eligible 9/11-related condition. Please see the VCF website for important [instructions](#) regarding steps to take if a claimant passes away after filing a personal injury claim.

Additionally, if the claim status shows as "Denied," you will not be able to submit either a registration or a compensation amendment without first submitting an eligibility amendment to add a new 9/11-related condition and/or to add other eligibility information. Once you have submitted your eligibility amendment(s), you **MUST** refresh the page, and you will then be able to submit any registration and/or compensation amendment(s).

***When submitting an amendment online, please be sure to submit the amendment(s) before uploading any supporting documents to the online system.*** Submitting the amendment first ensures your claim will be properly prioritized for VCF review.



1. Click on your VCF number to get to the “Claim Details” page.
2. Click on the “Amendments” tab where you can view previously submitted amendments or submit a new amendment. Previously submitted amendments can be viewed by clicking on the amendment number, but they cannot be edited.

### **Registration Amendments**

- **To Add or Change the Personal Representative or Guardian:**

**NOTE:** If you are adding a Personal Representative to a previously-filed personal injury claim because the claimant has passed away, you will only be able to submit the amendment if you believe the victim did not die of an eligible 9/11-related condition. If the victim’s death is believed to be the result of an eligible condition, or if you are unsure if the death is related to an eligible condition, you should not amend the personal injury claim but should instead submit a new wrongful death claim. Please carefully review the [instructions](#) on the VCF website for the steps to take if a claimant dies after filing a personal injury claim.

1. Click on “Add or Modify a PR or Guardian.”
2. Complete all required fields shown with a red asterisk. In addition to completing this information, **you must also submit the [required documents](#) that are needed in order for the VCF to validate the representative’s authority** to act on the victim’s behalf. If the supporting documents are not submitted, the claim will be deactivated and will not be reviewed until the necessary documents are submitted and determined to be sufficient.
3. In the text box, enter information explaining the reason you are changing the authorized representative for the claim.
4. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.

- **To Remove the Personal Representative or Guardian:**

**NOTE:** You should only select the “Remove PR or Guardian” option if the victim no longer requires a Personal Representative or Guardian. If you need to identify a new individual to replace the current Personal Representative or Guardian, you should instead submit an amendment to “Add or Modify a PR or Guardian.”

1. Click on “Remove PR or Guardian.”
2. Select the individual you would like removed from the list of names displayed. Describe why you are requesting to remove the individual in the text box.
3. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.

### **Eligibility Amendments**

- **To add a new 9/11-related condition:**

1. Click on “Add New Condition.”
2. Select the new condition(s) from the drop down list and click “Add Condition.” Enter additional details or information about your amendment in the text field provided.
3. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.

**NOTE:** If you are not being treated by the WTC Health Program for your new condition(s), you must seek certification for your condition(s) through the WTC Health Program in order for the VCF to



evaluate the condition(s) as eligible for compensation. **Please do not amend your claim until the new condition has been certified for treatment by the WTC Health Program.** The VCF cannot review your newly claimed condition until you submit your WTC Health Program certification letter showing the condition has been certified for treatment, or you call the VCF Helpline to notify the VCF that your condition has been certified. In certain very limited circumstances, you may be able to seek verification of the condition through the VCF Private Physician process. Information about the criteria to be a candidate for the Private Physician process can be found on the VCF website under “Forms and Resources.”

- **To add other eligibility information:**

You should use this option if you are submitting new information related to your presence at the site, your participation in a 9/11-related lawsuit, or if your claim was previously denied and you are submitting new information for the VCF to review.

1. Click on “Other Eligibility Amendment.”
2. Enter details about your amendment in the text box. It is also helpful if you list the filenames of any documents you are uploading in support of your amendment.
3. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.

### Compensation Amendments

**Note: In deceased claims, the VCF will not accept any amendments that are filed after the VCF has finalized substantive review of your compensation claim. See Section 5 of the VCF [Policies and Procedures](#) for details.**

- **To add new compensation information, claim additional losses, seek reimbursement for out-of-pocket medical expenses, withdraw a prior claim for lost earnings, request review of compensation information that was previously submitted but not reviewed by the VCF as noted in your award letter, or to request or provide information regarding the WTC Health Program Disability Evaluation Process:**

1. Click on “Compensation Change.”
2. Use the check boxes to indicate the specific change(s) you would like the Special Master to consider:
  - a. Reimbursement for Out-of-Pocket Medical Expenses
  - b. Withdraw prior claim for Lost Earnings
  - c. Loss of Earnings – **Note: if you are amending a prior non-economic loss only claim to now seek lost earnings, you must complete and submit Part III of the VCF claim form or the VCF will not have the information needed to review your amendment.**
  - d. Request for consideration for the WTC Health Program Disability Evaluation Process
  - e. Submit WTC Health Program Disability Evaluation Report
  - f. Replacement Services
  - g. Non-Reimbursed Burial and Memorial Services Costs (for deceased claims only)
  - h. Collateral Offsets
  - i. Non-Economic Loss
3. In the text box, provide details of the amendment and the changes you are requesting. Specific instructions are provided for each type of compensation amendment. **Be sure to follow the instructions and include all appropriate documentation when submitting your amendment.** It is helpful if you also list the filenames of any documents you are uploading in support of your amendment in the text box.



4. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.
- **To convert a prior claim for wrongful death losses to a claim for personal injury losses prior to death:**
  1. Click on “Compensation Change.”
  2. Use the check boxes to indicate the type(s) of loss you are claiming specific to the **personal injury** claim for the decedent:
    - a. Reimbursement for Out-of-Pocket Medical Expenses
    - b. Loss of Earnings
    - c. Submit WTC Health Program Disability Evaluation Report
    - d. Replacement Services
    - e. Collateral Offsets
    - f. Non-Economic Loss
  3. In the text box, explain that you are requesting to convert the prior claim for wrongful death losses to one for personal injury losses only. Specific instructions are provided for each type of compensation you are seeking. ***Be sure to follow the instructions and include all appropriate documentation when submitting your amendment.*** It is helpful if you also list the filenames of any documents you are uploading in support of your amendment in the text box.
  4. Click “Submit Amendment” to submit your amendment. You will return to the “Amendments” screen where you can start a new amendment (if applicable) and view the submitted amendment.

### **Uploading Documents in support of the Amendment**

All amendments require some type of supporting documents or information. The Amendment screen lists the documents you need to submit based on your amendment type. You may also review the Document Checklist ([Personal Injury](#) or [Deceased Claim](#)) to identify the applicable documents. Although the checklist is intended for first-time claim submission, the documents listed are generally the same when submitting an amendment.

***When submitting an amendment online, please be sure to submit the amendment(s) before uploading any supporting documents to the online system.*** Submitting the amendment first ensures your claim will be properly prioritized for VCF review.

From the “Amendments” tab:

1. Click on “Upload File(s)” on the top right tool bar.
2. Select “Add Files” and then choose the file(s) from your computer that you would like to upload.
3. You will need to select the appropriate document type for each file based on the type of amendment you are submitting. Document types are listed in alphabetical order. Once you have selected the document type(s), click on “Start Upload” to begin the file upload process. You will see a green confirmation check mark for each file that was successfully added to your claim.
4. Once you have completed uploading the documents, you can view all documents submitted on the claim by clicking the “View Documents” button next to “Upload Files.” You can also view supporting documents under the “View Documents” tab in the Claim Details view.



**If you submitted a Hard Copy Claim Form or need to submit your Amendment in Hard Copy:**

- **To add a new 9/11-related condition:** Submit a cover letter requesting to amend your claim to add the new condition(s). If you are being treated by the WTC Health Program for the condition, submit your WTC Health Program certification letter or call the VCF Helpline to notify the VCF that your condition has been certified.

**NOTE:** If you are not being treated by the WTC Health Program for your new condition(s), you must seek certification for your condition(s) through the WTC Health Program in order for the VCF to evaluate the condition(s) as eligible for compensation. **Please do not amend your claim until the new condition has been certified for treatment by the WTC Health Program.** The VCF cannot review your newly claimed condition until you submit your WTC Health Program certification letter showing the condition has been certified for treatment, or you can call the VCF Helpline to notify the VCF that your condition has been certified. In certain very limited circumstances, you may be able to seek verification of the condition through the VCF Private Physician process. Information about the criteria to be a candidate for the Private Physician process can be found on the VCF website under “Forms and Resources.”

- **To add other eligibility information:** Submit a cover letter requesting to amend your claim and provide details about the new information you are submitting. Mail the letter with the required supporting documents based on the type of amendment.
- **To add, change, or remove the Personal Representative or Parent/Guardian:** Complete and submit Part I of the VCF Claim Form. In addition to completing this information, **you must also submit the [required documents](#) that are needed in order for the VCF to validate the representative’s authority to act on the victim’s behalf.** If the supporting documents are not submitted, the claim will be deactivated and will not be reviewed until the necessary documents are submitted and determined to be sufficient. A detailed explanation of the [documents required](#) by the VCF when a claimant files a claim on the victim’s behalf can be found on the VCF website under “Forms and Resources.”
- **For all other amendments to your claim:** Call the VCF Helpline at 1-855-885-1555 for instructions.