



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 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 condition affected your ability to work.
- 5. Your 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 are submitting a new claim:** When submitting your claim, answer the question in the compensation portion of the claim form. This can be found by selecting the "Loss of Earnings" checkbox on the first tab of that section. Select "Loss of Future Earnings." On that tab, you will see a question asking if you are interested in seeking a disability evaluation through the WTC Health Program. Selecting "Yes" will indicate to the VCF that you are interested in having the VCF evaluate you as a candidate for the disability evaluation program.
- **If you have already submitted your claim:** You will need to amend your claim through the online system. In the text field, enter a note requesting that the VCF evaluate you as a candidate for the disability evaluation program. You may also upload a letter or other document in support of the request.

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 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 so we can remove your claim from “On Hold” status and continue processing it to render a decision.
- 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 **amend your claim** using the online system and 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” to continue review and notify you of the decision on your claim.

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.