

This Document Checklist is a tool to help guide you in determining the documents required for Deceased claims. Use this checklist if you are filing a claim for an individual who is believed to have died as a result of a 9/11-related physical condition.

If the victim did not die as a direct result of an eligible 9/11-related condition, you must file a Personal Injury claim.

The VCF cannot begin review of the claim until the following documents are submitted and sufficiently complete. The documents must be completed, signed, and submitted by the individual who has been appointed as the Personal Representative of the decedent. These are the minimum documents needed in order to begin substantive review of the claim:

- Completed Claim Form
- Court Order or Letters of Administration showing appointment as the Personal Representative, the Executor of Will, or the Administrator of the Estate
- Death certificate showing the cause of death
- Claim Form Signature Page
- Exhibit A – Authorization for Release of Medical Records
- Documentation to support presence at a 9/11 site (for victims whose employer or other affiliated organization does not have an existing relationship with the VCF allowing for the exchange of this information)
- Information about life insurance
- Claim Form Appendix A (if filing a hard copy claim form)
- [VCF ACH Payment Information Form](#) if payment on your claim will be deposited to your bank account or a completed [VCF Client Authorization Form](#) (to be provided by your attorney) to deposit the payment on your claim to your attorney's bank account (if applicable)

This Document Checklist includes detailed information about each document listed above, and explains the documents the Personal Representative must provide based on the circumstances of the claim. Carefully review the information in each section and use this checklist to confirm all required documentation is ready to be submitted to the VCF. This list includes what is needed for processing most claims; however, based on the specific circumstances of the claim, the VCF may contact the Personal Representative for additional documentation once we begin review of the claim.

The VCF will accept copies of documents, and they can be uploaded directly to the online claim. **NOTE: If you provide a VCF ACH Payment Information Form, you must submit it by mail or fax only – do not upload the form to the online claim.**

If a specific document is listed in more than one section of the checklist, and it is applicable to your claim, you only need to provide the document one time in support of your claim. A notation of "N/A" means the corresponding documents are not required for that scenario.

You are permitted to amend your claim. **However**, amendments for claims filed on behalf of a deceased individual should be rare. This is because most losses and information should be known and available at the time the original claim is filed as they were incurred prior to the victim's death. 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.

NOTE: If the VCF increases the award on amendment and you have Letters of Administration, Letters Testamentary, or other Court Order that includes limitations, you may need to return to the court to have those limitations lifted.

The VCF keeps all documents. Please make copies of any documents you submit.

Important Note: If the court has appointed multiple individuals as co-Personal Representatives for the decedent, each Personal Representative must submit the proper documentation showing appointment as a Personal Representative for the deceased victim and sign all of the applicable signature sections of any required documentation. **See [Section 6.5](#) of the VCF "Policies and Procedures" for more information.**

For any questions or assistance with this checklist, please visit the VCF website at www.vcf.gov or call the toll-free Helpline at 1-855-885-1555. Foreign language interpreters are available.

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2. Proof of the victim's presence at a 9/11-related Site* or in the VCF NYC Exposure Zone beginning September 11, 2001, through May 30, 2002:	Documents Required
<p>If the victim was an active firefighter working for FDNY on September 11, 2001, the VCF will obtain verification of presence directly from the FDNY. You do not need to submit any documentation for proof of presence.</p>	N/A
<p>If the victim received an award through the original September 11th Victim Compensation Fund that operated from 2001-2004, you do not need to submit proof of presence.</p>	N/A
<p>For all others, you must submit at least two forms of written proof showing the victim was present at the site or in the NYC Exposure Zone during the time period beginning September 11, 2001 through May 30, 2002. Upload each document to the claim separately. Below are examples of types of documents that can be used to show proof of presence. The VCF also has agreements with certain employers to provide information about presence in support of VCF claims. See Section 1.6 of the VCF "Policies and Procedures" for details.</p> <ul style="list-style-type: none"> • Sworn Third Party Verification Form or Employer records confirming presence submitted to the VCF directly by the employer – such as a letter from the employer confirming work at the site*, an official personnel roster and site credentials confirming work location, a workers' injury report (documenting injury at the site), or a pay stub showing dates of work and location where work was performed. • Proof of residence in the area during the relevant time period – such as rent or mortgage receipts, utility bills, and proof that the victim was physically present at the residence between September 11, 2001 and May 30, 2002. Sworn statements from witnesses who can attest to the victim's presence at the residence may be sufficient. • School or day care records confirming the victim's enrollment or attendance during the relevant time period – the school transcript or report card, or day care records, should be certified or accompanied by a letter from an employee of the school or day care facility certifying the accuracy of the information contained in the transcript, report card, or other record. NOTE: If you submit certified school or day care records, or records with a certifying letter, you do <u>not</u> need to submit any additional proof of presence unless requested by the VCF. • Any contemporaneous document that shows the victim's location – such as orders, instructions, confirmation of tasks performed, medical records (documenting treatment as a result of injury that occurred at the site). • Witness Presence Statements completed by individuals who witnessed the victim at the site and can attest to the victim's presence during the relevant time period. This form should be used instead of affidavits if possible. • Sworn and notarized affidavits (or unsworn statements complying with 28 U.S.C. 1746) regarding the presence of the victim from persons who can attest to the victim's presence. Affidavits must meet all requirements outlined in Section 1.8 b of the VCF "Policies and Procedures." <p>*References to the "site" includes the three crash sites and the NYC Exposure Zone.</p>	<p>Two (2) Required</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p>
3. Physical Injury or Condition:	Documents Required
<p>If the victim's 9/11-related physical injuries or conditions were certified for treatment under the WTC Health Program after July 1, 2011, and the victim's death was due to a certified condition, you do not need to submit any proof of physical injury or condition.</p> <p>If one or more of the victim's 9/11-related physical injuries or conditions was <u>not</u> certified for treatment by the WTC Health Program, you must answer the Private Physician questions on the online claim form and submit the required supporting documentation. If you are submitting a hard copy Claim Form, or if you are completing the Private Physician forms after submitting your online claim, you must complete and submit Claim Form Appendix C or Appendix D depending on the site where the decedent was present. Follow the detailed instructions located under "Forms and Resources" on the VCF website.</p>	<p>N/A</p> <p><input type="checkbox"/> Yes</p>

4. Non-Economic Loss (i.e. pain and suffering):	Documents Required
<p>The VCF regulations set a presumed award for non-economic losses in deceased claims: \$250,000 for the decedent, plus an additional \$100,000 for the spouse and each of the decedent's dependents. You do not need to submit any documentation for dependents who were under the age of 18 at the time of the victim's death.</p> <p>If you are claiming non-economic loss for a dependent who was over the age of 18 at the time of the victim's death, you must submit the decedent's federal tax return for the year prior to the year of the victim's death.</p>	<p>N/A</p> <p><input type="checkbox"/> Yes</p>
5. Information on Life Insurance:	Documents Required
<p>The VCF cannot award compensation without complete information about any payments received or due to be paid on any life insurance policies held by the victim.</p> <ul style="list-style-type: none">• If the victim did not have life insurance: you must provide a written statement confirming that you have investigated and confirmed that there is no life insurance. The VCF cannot award any compensation without this information.• If the victim had life insurance: you must submit documentation of any payments received or due to be paid on any life insurance policies held by the victim. The VCF must be able to identify the amount of the compensation and the time period during which it was received or is expected to be received (if not paid in a lump sum). This information is required regardless of beneficiary; any compensation received by anyone in connection with the victim's death may be offset from the VCF award. If you provide evidence that clearly shows the amount of premiums paid for a life insurance policy, the VCF will exclude that amount from the offset.	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p>

- The checklist continues on the following page. -

DOCUMENTS REQUIRED <u>ONLY IF APPLICABLE</u> TO THE DECEASED CLAIM	
1. Lawsuits related to September 11, 2001 (if applicable):	Documents Required
The victim, a representative of the victim, a dependent, spouse, or beneficiary did <u>not</u> have a lawsuit related to September 11, 2001.	N/A
<p>If the victim, a representative of the victim, a dependent, spouse, or beneficiary participated in a September 11th-related lawsuit, you must provide documents showing the lawsuit was withdrawn, settled, or dismissed.</p> <p>Note: In many cases, the VCF can obtain this information from third parties. For example, if the victim was represented by Napoli, Bern, Ripka, Shkolnik ("Napoli Bern") in the lawsuit, you do not need to submit any documents related to the settlement because the VCF may be able to get all of the necessary information from Napoli Bern. The VCF will notify you if you need to submit any additional documents.</p> <p>For all others, you must submit:</p> <ul style="list-style-type: none"> • A copy of the notice of withdrawal, or dismissal, or court order of dismissal filed by the victim (or on behalf of the victim). The VCF requires proof that claims against all defendants were dismissed. This may require the submission of several dismissal documents. • If the lawsuit was settled with some or all parties, the VCF requires documentation showing the amount of the settlement and the signed and dated release of the lawsuit. <p>If the victim received coverage for certain cancers under a Critical Injury Insurance policy through Metropolitan Life Insurance Company (MetLife) as part of a 9/11-related lawsuit settlement, you must provide the VCF with a copy of the policy document and the amount of any payment received under the policy.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes</p>

2. Replacement Services (if applicable):	Documents Required
<p>If you are seeking compensation for replacement services and the victim did not have any children, you do not need to submit anything other than your completed claim form. If the victim had children, you must provide a list of the birthdates of any of the victim's children who were under 18 when the victim died.</p> <p>If the victim took care of a household member with special needs, you will also need to provide the following:</p> <ul style="list-style-type: none"> • A statement describing: (a) the types of tasks the victim performed for the household member before the victim died; and (b) the amount of time the victim spent on those tasks (per week or month); • Proof of the household member's special needs, as follows. <ul style="list-style-type: none"> • If the household member is the victim's child and was under 18 when the victim died: You must submit documents that show that the victim's child had a physical or mental condition(s) that very seriously limited their daily activities and was expected to continue past age 18. The proof can be medical records, a disability determination from a government agency, or any other documents that explain the child's condition(s) and limitations. An Individualized Education Plan (IEP) alone will <u>not</u> be enough to demonstrate special needs for the purposes of a replacement services award. • If the household member is an adult (including if they are the victim's child and were 18 or older when the victim died): You must submit documents that show that the household member needs help with basic activities of daily living, such as eating and bathing. You can submit medical records or any other documents that show that the household member requires this level of care. • A Social Security Administration Consent Form (Exhibit 1 of the Claim Form) for the household member. We will use this form to get information from the SSA about any SSA disability determination the household member might have. <ul style="list-style-type: none"> • A complete Exhibit 1 – "Social Security Administration Consent Form" 	<div data-bbox="1328 611 1421 642"><input type="checkbox"/> Yes</div> <div data-bbox="1328 810 1421 842"><input type="checkbox"/> Yes</div> <div data-bbox="1328 968 1421 999"><input type="checkbox"/> Yes</div>

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4. Collateral Source Payments (as applicable):	Documents Required
<p>The VCF cannot award compensation without complete information about any benefits the victim or the victim's beneficiaries have received, or are entitled to receive, from other sources as a result of the victim's death. Some types of compensation may not be offset under VCF policies (e.g., charitable gifts and deferred compensation such as after-death distribution of a 401k), but you should submit documentation of all payments related to the victim's death so that the VCF can assess whether they must be offset.</p> <p>The VCF must be able to identify the amount of the benefit and the time period during which the compensation was received or is expected to be received (if not paid in a lump sum). This information is required regardless of beneficiary; any compensation received by anyone in connection with the victim's death may be offset from the VCF award. Submit all of the following documents, as applicable:</p>	
<ul style="list-style-type: none"> • SSA: If the victim's spouse or dependents received survivor benefits from the Social Security Administration, you must submit an Exhibit 1 - "Social Security Administration Consent Form" for each beneficiary. The VCF will use this to obtain a complete history of SSA survivor benefits. If the victim had minor children, you must submit an Exhibit 1 for each child so that the VCF can confirm whether or not they are receiving survivor benefits. An Exhibit 1 submitted for a minor must be signed by someone authorized to act for the minor, and you must also submit evidence of that authority, such as a birth certificate or guardianship document. You do not need to submit documentation of SSA's \$255 lump sum death benefit, as the VCF will assume it was paid whenever a victim was married or had minor or dependent children at the time of death. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Workers' Compensation: If the victim's spouse or dependents applied for death benefits or reimbursement of burial expenses from the New York State Workers' Compensation Board, you must provide the Workers' Compensation claim number. The VCF will use this to obtain information about any benefits or settlements paid. If you have filed a claim for workers' compensation death or survivor benefits or burial expense reimbursement with another state agency, with the U.S. Department of Labor, or in another country, you must provide a copy of any decisions that were made on the claim and documentation of all benefits or settlements awarded. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Disability Pension: If the victim participated in a pension program other than FDNY, NYPD, NYSLRS, or NYCERS – for example, FERS, Department of Defense, or a union pension plan – you must provide complete documentation of any death benefits and/or survivor pension available to the victim's beneficiaries. As each pension plan is unique, please see Section 2.2 of the VCF "Policies and Procedures" for more information. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Survivor and/or Death Benefits from NYSLRS: If the victim's spouse and/or other beneficiaries received survivor benefits and/or death benefits from NYSLRS, you must submit an Exhibit B1 – "Authorization for Release of Pension and Health Information from HIPAA and non-HIPAA entities Form" for each beneficiary. The VCF will use this to obtain a complete record of any survivor and/or death benefits directly from NYSLRS. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Private Disability Insurance: If the victim received short-term or long-term disability benefits, and the insurer then paid survivor and/or death benefits to the victim's beneficiaries, you must provide complete documentation of all payments. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Department of Veterans Affairs: If the victim or any of the victim's beneficiaries received, or are receiving or have applied to receive, disability benefits, death benefits, or a death or survivor pension from the VA, you must notify the VCF. We will obtain the information needed directly from the VA. If you have a copy of the victim's rating decision, it may speed up the process if you submit it. 	<input type="checkbox"/> Yes
<ul style="list-style-type: none"> • Public Safety Officers' Benefits Program ("PSOB"): If the victim or any of the victim's beneficiaries applied to receive a disability or death benefit from PSOB, you must notify the VCF. We will obtain the information needed directly from PSOB. If you have a copy of the decision and amount awarded, it may speed up the process if you submit it. 	<input type="checkbox"/> Yes

- **Other Benefits Programs:** If the victim or any of the victim's beneficiaries received, or applied to receive, compensation from any other source for compensation in connection with the victim's death, you must submit documentation sufficient to identify the amount of the compensation and the time period during which it was received or is expected to be received (if not paid in a lump sum). For example, submit documentation of any death benefit or burial expense reimbursement from the victim's union, professional or social organization, or mutual benefit society.

☐ Yes