



The following topics were discussed in the September 15, 2014 meeting with law firms representing VCF claimants.

- **Fee disputes between attorneys and clients or between law firms:** Several law firms have raised this issue to the Special Master's office. In some instances, claimants are receiving their Loss Calculation letter and then removing the law firm from their claim and in others, the claimant is switching law firms and creating a dispute between the firms regarding fees. The Special Master is aware of the issue and is evaluating potential options. We hope to be able to provide an update soon.
- **Inactive claims:** The Special Master will soon begin denying claims that have been deemed Inactive. These are claims for which the VCF has requested information from claimants multiple times and is still waiting to receive the needed information. By denying the claim, we can move it forward in the process. The claimant will still have the right to appeal the denial. You would have been notified in writing if any of your claims have been deemed Inactive. We are also updating the law firm status reports to include the Inactive status where applicable.
- **Reimbursable expenses:** [FAQ #11.11](#) on the VCF website has the list of types of expenses that are considered reimbursable. You do not need to submit a listing of expenses for reimbursement with your claims. The Special Master will not "approve" these expenses at the individual claim level because the approval is inherent in the FAQ. You are entitled to charge the expenses identified in the FAQ and you do not need to get pre-approval from the Special Master for those expenses. You only need to seek approval if the expense is not specifically listed in the FAQ.
- **Presence Hearings:** These hearings were originally intended to help those claimants who did not have any documents to establish presence. After conducting several of these hearings, we have concluded that the process creates some inefficiencies in our system and can slow down the processing of the claim. When we have claims that have not been able to produce sufficient support for presence, we will issue a denial letter and the claimant can trigger a hearing by filing an appeal. This is a much cleaner way to move the claim forward so it does not linger. For those who have already requested presence hearings, we will contact you to schedule the hearing but are otherwise transitioning to this new approach. There may be some logistical issues with claimants who do not have certified or verified conditions and also do not have proof of presence. In such cases, the claim would be denied for both reasons and the appeal would address both issues. The Special Master prefers to address presence only if we have an eligible condition.
- **Tax returns:** As noted on earlier calls, we can accept tax transcripts - please see new [FAQ #6.42](#). We do not need the tax returns or transcript in order to process the claim and make the initial payment. However, we will need the tax returns or transcript in order to make the final payment on the claim. If we need the tax return or transcript in order to process the claim, we will contact you to request it.
- **Claims that assert economic loss but that are really only seeking non-economic loss:** If you indicate on the claim form that the claimant is claiming economic loss, we will obtain SSA records and we will not review the claim until those records are provided. That means that a claim that really only seeks non-economic loss will be placed on hold awaiting the SSA report. And, if it turns out that the claim really only seeks non-economic loss, then the process of waiting for the SSA report creates a delay. It saves time and will allow claims to move faster if you make sure that the claim form does not incorrectly assert a claim for economic loss when the claim is a non-economic only claim.
- **Expedited claims:** We are getting requests to expedite claims based on severe financial hardship or for claimants who are terminally ill. We appreciate your efforts to reserve the expedited process only for claims that truly warrant this treatment. Thank you for your continued cooperation in making sure we are only asked to expedite a claim if truly necessary.
- **Breakdown of loss calculation:** We are almost ready to begin including the detailed breakdown of the loss calculation in the loss calculation letters. In the meantime, we are providing the breakdowns upon request.



- **Claims with SSA disability decisions:** If it is available to us, the Special Master will review the decision of the Administrative Law Judge to understand the impact of the eligible condition on the claimant even if that condition was not identified by SSA as a primary or secondary “code”. It is very helpful to have the written decision so please submit them when possible. We are often able to grant partial disability for the eligible condition based on the analysis in the decision.
- **October 12, 2014 cancer filing deadline:** We have once again made available the Interim Registration form for those who have trouble registering with the VCF by the deadline. These forms should *not* be used by the law firms – please use the online system to register your claimants. Please note that since October 12, 2014 is a Sunday and October 13, 2014 is a federal government holiday, all registrations must be submitted or postmarked by October 14, 2014 in order to be filed by the deadline.