

# **VCF Program Statistics**

## (Represents activity through the end of the day on April 30, 2019)

As of April 30, 2019, the VCF has found 23,390 claimants eligible for compensation. The VCF has made initial award determinations on 22,204 of those claims, and has issued revised awards on 5,877 claims due to an amendment or appeal. The total amount awarded through April 30, 2019, is \$5,137,416,674.86.

## Eligibility Claims

As shown in Table 1 on page 2, the VCF has received 49,548 Eligibility claims. The VCF has found 23,390 claimants eligible for compensation review (83% of eligibility decisions made).

There are 16,850 claims that have not yet been decided and are either under substantive review by a claim reviewer or have been screened for completeness of the original submission and are now in queue awaiting assignment for substantive review. There are an additional 4,586 claims that cannot be processed. This includes 1,537 claims that have been identified as duplicate or superseded claims for the same victim or where the claim has been withdrawn, and 3,049 that have been deemed inactive. A claim is placed in inactive status for one of the following reasons: (1) there is a discrepancy in key data needed to process the claim, such as a discrepancy in the Social Security Number or date of birth, and the VCF is awaiting clarification from the claimant; (2) the claim appears to be a duplicate claim for the same victim and the VCF is attempting to determine which claim to move forward for review; (3) the claim does not include proof of an eligible 9/11-related condition and the VCF is waiting for the claimant to be certified for treatment by the World Trade Center ("WTC") Health Program; or (4) the claim is missing one or more minimum documents required for the VCF to begin substantive review (i.e., review to determine eligibility).<sup>1</sup>

The VCF has also rendered 9,685 revised eligibility decisions on 7,707 claims where eligibility was previously decided and the claimant either appealed a prior eligibility denial or filed an eligibility amendment seeking a revised determination based on new information or to add a new condition. Because a claimant can amend his or her claim multiple times, it is common for the VCF to review and render decisions on more than one amendment per claim. The VCF is also reviewing 2,632 claims with a pending eligibility amendment or appeal.

It is worth noting that the count of ineligible claims (those claims that have been denied) in Tables 1 and 2 may *decrease* from one report to the next. The count of denied claims includes those claims that have been found ineligible for failing to respond to requests for required information. These claimants are encouraged to amend their claim once they are ready to provide the missing information. If the information is sufficient to support the claimant's eligibility, the claim is approved and is removed from the count of denied claims and added to the count of claims with eligibility approved. We believe that this decrease continues to demonstrate the effectiveness of our increased efforts to educate claimants about the availability of our amendment process through which they can supplement and request re-

<sup>&</sup>lt;sup>1</sup> The minimum documents required in order for the VCF to begin substantive review of a claim are: the claim form, the Claim Form Signature Page (or the equivalent sections from Part IV of the original VCF 2 claim form), Exhibit A – Authorization to Release Medical Information, Exhibit C (if represented by an attorney and the law firm does not already have an Exhibit C on file with the VCF), documentation to support presence at a 9/11 site (for those whose employer or other affiliated organization does not have an existing relationship with the VCF allowing for the exchange of this information); and for deceased claims, Exhibit F or Appendix A, and Letters of Administration and original or certified death certificate. These documents must be submitted and sufficiently complete for the VCF to begin substantive review of a claim.



evaluation of a previously denied claim.

Comparison data for the period ending April 30, 2019, is taken from the <u>VCF Program</u> <u>Statistics Report</u> published on May 10, 2018, which included data through April 30, 2018, and is provided for those statistics where comparison data is available.

	As of April 30, 2019	As of April 30, 2018	Year-to-Year Change
Total Eligibility Claims	49,548	35,477	14,071
Eligibility Decisions			
Eligibility Decisions – Approved	23,390	19,019	4,371
Personal Injury Claims	22,362	18,440	3,922
Deceased Claims*	1,028	579	449
Eligibility Decisions – Not Eligible	4,722	4,004	718
Denied	1,291	1,098	193
Ineligible due to failure to respond to requests for required information	3,431	2,906	525
Eligibility Claims Processing	16,850	7,693	9,157
Eligibility Claims not yet in Substantive Review	15,867	6,594	9,273
Eligibility Claims in Substantive Review	983	1,099	(116)
Eligibility Claims – Unable to Process	4,586	4,761	(175)
Duplicate, Superseded, or Withdrawn Claims	1,537	841	696
Inactive Claims	3,049	3,920	(871)
Revised Eligibility Decisions due to Amendment	or Appeal		
Count of Claims with at least one Eligibility Amendment or Appeal Submitted	10,339	8,255	2,084
Count of unique Claims with at least one Revised Eligibility Decision rendered (due to amendment or appeal)	7,707	6,391	1,316
Unique Claims pending review for a Revised Decision	2,632	1,864	768
Total number of Revised Eligibility Decisions Rendered (may be more than one revised decision per claim)	9,685	7,206	2,479

### Table 1: Status of Eligibility Forms Received

\* The count of deceased claims includes only those claims filed for a victim who died of causes related to an eligible 9/11 condition. The claim type is initially determined based on answers to claim form questions and may change once the claim begins substantive review.

Table 2 on the following page provides information on the categories of conditions associated with the eligibility decisions. The breakdowns are based on conditions certified or verified by the WTC Health Program.



ELIGIBILITY FORMS	TOTAL	Claims with Cancer as the only Condition		Claims with both Cancer and Non-Cancer Conditions
Eligibility Decisions – Approved	23,390	4,426	14,656	4,308
Eligibility Decisions – Not Eligible*	1,052	201	767	84

## Table 2: Eligibility Claims by Category of Condition (as of April 30, 2019)

\* This table does not include the 3,670 claims found not eligible where the VCF was unable to make a determination as to whether the claimant suffered from a 9/11-related condition, including those claims where eligibility was denied for failure to respond to a request for information.

## **Compensation Claims**

Once a claimant has been deemed eligible, the VCF begins review of the claimant's compensation claim to determine how much compensation the claimant may receive from the Fund. As of April 30, 2019, the VCF has received 46,648 compensation claims, of which 23,126 (50%) are from claimants who have been deemed eligible. Of those with eligibility approved, the VCF has rendered initial decisions on 22,204 claims (95%).

An additional 16,835 individuals whose eligibility review is still in process have also submitted compensation claims. If the claimant is deemed eligible, the compensation claim will be prioritized for review based on the date the compensation form was first submitted.

The VCF has also rendered 8,715 revised decisions on 5,877 claims for which the claimant appealed the award decision or submitted an amendment to seek additional loss once the initial award determination had been rendered. Claimants may submit more than one amendment for review once the initial award has been issued. In addition, there are 2,492 claims with a previously-issued award decision that are now pending review of a compensation amendment or appeal, and 510 claims where an amendment was dispositioned without substantive review.

The statistics in Tables 3 through 6 represent activity through the end of the day on April 30, 2019. Comparison data is shown where available from the same period last year. It should be noted that as of February 25, 2019, the VCF began applying reductions to awards due to the Special Master's determination of funding insufficiency. Award values in Tables 4 through 7 include claims with reduced awards. For more information on the determination of funding insufficiency page on the www.vcf.gov website.



COMPENSATION CLAIMS	As of April 30, 2019	As of April 30, 2018	Year-to-Year Change
TOTAL Compensation Claims (claims for which an Eligibility Form was also submitted)	46,648	31,660	14,988
Claims with In-Process Eligibility Review	16,835	7,628	9,207
Claims deemed Denied, Duplicate, Superseded or otherwise halted Eligibility review	6,687	5,425	1,262
TOTAL Compensation Forms from claimants who have been deemed Eligible	23,126	18,607	4,519
Compensation Decisions Rendered – Initial Award Decisions	22,204	16,769	5,435
Personal Injury Claims	21,391	16,473	4,918
Deceased Claims*	813	296	517
Compensation Claims Processing	904	1,826	(922)
Compensation Claims not yet in Substantive Review	502	896	(394)
Compensation Claims in Substantive Review	402	930	(528)
Compensation Claims – Unable to Process**	18	12	6
Revised Compensation Decisions due to Amendment o	r Appeal		
Count of Claims with at least one Compensation Amendment or Appeal Submitted	8,879	7,032	1,847
Count of unique Claims with at least one Revised Compensation Decision rendered (due to amendment or appeal)	5,877	4,913	964
Count of unique claims for which an amendment was dispositioned without Substantive Review***	510		
Unique Claims pending review for a Revised Decision	2,492	2,119	373
Total number of Revised Compensation Decisions Rendered or Amendments Dispositioned (may be more than one revised decision per claim)	8,715	5,724	2,991

### **Table 3: Status of Compensation Claims**

\* The count of Deceased claims includes only those claims filed for a victim who died of causes related to an eligible 9/11 condition. The claim type is initially determined based on answers to claim form questions and may change once the claim begins substantive review.

- \*\* Includes claims for deceased victims for which Eligibility has been approved, but the compensation claim has been deactivated because the claim is missing information regarding proof of cause of death or life insurance (a statutorily required collateral offset). Effective December 2017, the VCF changed its policy regarding proof of cause of death and now requires the submission of cause of death documentation prior to rendering an eligibility determination.
- \*\*\* This occurs when an amendment is filed without any supporting information, or in cases where the claimant has already received a non-economic award at the statutory cap and the newly claimed condition does not change that award.

INITIAL COMPENSATION DECISIONS	TOTAL	Claims with Cancer as the only Condition	Claims that do not include Cancer as a Condition	Claims with both Cancer and Non- Cancer Conditions
Compensation Decisions Rendered	22,204	4,155	14,625	3,424
Total Dollar Value	\$4,577,957,637.12	\$1,439,969,322.02	\$2,065,635,256.82	\$1,072,353,048.28

#### Table 4: Initial Compensation Decisions by Categories of Conditions



## Table 5: Revised Compensation Decisions by Categories of Conditions\*

REVISED COMPENSATION DECISIONS	TOTAL	Claims with Cancer as the only Condition	Claims that do not include Cancer as a Condition	Claims with both Cancer and Non- Cancer Conditions
Claims with a Revised Compensation Decision – due to Amendment or Appeal	5,877	458	3,969	1,450
Dollar Value of Revised Decisions	\$559,459,037.74	\$92,332,558.09	\$276,643,715.97	\$190,482,763.68

(count of unique claims with revised compensation decisions)

\* The table does not include 510 claims for which an amendment was received but was dispositioned without substantive review.

COMPENSATION DECISIONS RENDERED	Dollar Value	
Total Decisions Rendered	\$5,137,416,674.86	
Personal Injury Claims	\$4,619,054,645.90	
Deceased Claims	\$518,362,028.96	
Highest Amount	\$4,133,466.00	
Personal Injury Claims	\$4,133,466.00	
Claims for Deceased Individuals	\$3,676,922.65	
Lowest Amount*	\$403.97	
Personal Injury Claims	\$403.97	
Claims for Deceased Individuals	\$4,121.70	
Mean Dollar Value	\$243,041.76	
Personal Injury Claims	\$226,713.20	
Claims for Deceased Individuals	\$678,484.33	

#### **Table 6: Compensation Decisions Rendered**

\* The \$403.97 in the table represents the lowest amount for any claim for which the calculated award was greater than \$0. Note that there are also claims submitted by claimants who were fully compensated in VCF1 (the original VCF that operated between 2001 and 2004) and do not have any new conditions. These claimants do not receive any compensation and the associated dollar value for these claims is therefore \$0. There are also a number of claimants whose offsets exceed the total amount of their combined economic and non-economic loss, resulting in a \$0 award as required by the reauthorization statute.

## Information by Claimant Categories

The information in Table 7 on the following page is based on the category identified by the claimant at the time the Eligibility Form was submitted. The number of claims with award decisions reflects only those claims for which an award has been rendered. The remaining claims are either pending review, inactive, or were determined to be ineligible. The associated dollar value reflects the current total award (initial award and any subsequent revised amounts due to an amendment or an appeal) associated with all compensation decisions made on the claims. The data in the table is current as of April 30, 2019.



CLAIMANT CATEGORY	Number of Claims Submitted	Number of Claims Deemed Eligible	Number of Claims with Award Decision	Dollar Value
Responder – NYC	30,416	18,047	17,241	\$4,041,777,020.87
Responder – Pentagon	152	36	32	\$10,434,899.58
Responder – Shanksville	34	12	9	\$1,471,017.56
Non-Responder NYC – cleaning or maintenance work	1,133	747	712	\$85,204,513.43
Non-Responder NYC – other capacity	12,862	3,246	3,042	\$747,405,441.18
Resident within NYC Exposure Zone*	2,388	580	539	\$118,832,391.12
Attend school/childcare/adult care facility	61	37	35	\$10,754,643.81
NYC – Other Capacity	1,242	200	187	\$47,268,146.74
Non-Responder – Pentagon	69	16	16	\$3,823,901.41
No Response	1,191	469	391	\$70,444,699.16

## Table 7: Claim Information by Self-Reported Claimant Category

\* The "NYC Exposure Zone" is defined as "the area in Manhattan south of the line that runs along Canal Street from the Hudson River to the intersection of Canal Street and East Broadway, north on East Broadway to Clinton Street, and east on Clinton Street to the East River; and any area related to or along the routes of debris removal, such as barges and Fresh Kills landfill. <u>https://www.vcf.gov/nycExposureMap.html</u>

Listed below are the definitions for those claimant categories that benefit from additional clarification:

- <u>Responder</u>: an individual who performed rescue, recovery, demolition, debris cleanup, or other related services at one of the sites in response to the September 11, 2001, terrorist attacks, regardless of whether the individual was a state or federal employee or member of the National Guard or performed the services in some other capacity. Therefore, the victim may be considered a Responder even if he or she performed the listed services through a private employer or on a volunteer basis.
- <u>Non-Responder NYC other capacity</u>: an individual who, through ordinary employment, was in the exposure zone during the period from September 11, 2001, through May 30, 2002.
- <u>NYC Other Capacity</u>: a visitor, tourist, and any other individual who was in the exposure zone during the relevant time period and is not included in another category.

### **Registration Information**

An individual must timely register his or her claim based on deadlines set forth in the Zadroga Act and implementing regulations. By registering, an individual preserves his or her right to file a claim any time before the VCF closes for submissions on December 18, 2020.

Registration does not create an obligation or commitment to file a claim, and the Special Master expects that a large percentage of registrations will not result in claims being filed as they are either duplicates or were created by individuals who will eventually decide not to file a claim. As of this report, 85,702 unique registrations (based on the victim's Social Security Number) have been submitted with the VCF. This number does not include incomplete registrations.