

Overview of WTC Health Program  
&  
Victim Compensation Fund

**Presentation to Faculty Senate**  
**April 28, 2021**  
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# James Zadroga Act

The James Zadroga Act of 2010 created 2 separate federal programs:

- 1) The WTC Health Program (operated by NIOSH)
- 2) Re-opened the initial Victim Compensation Fund (operated by the Department of Justice)

**Both programs have separate applications and eligibility criteria which are similar but not identical. Both programs are now reauthorized for 70 years.**

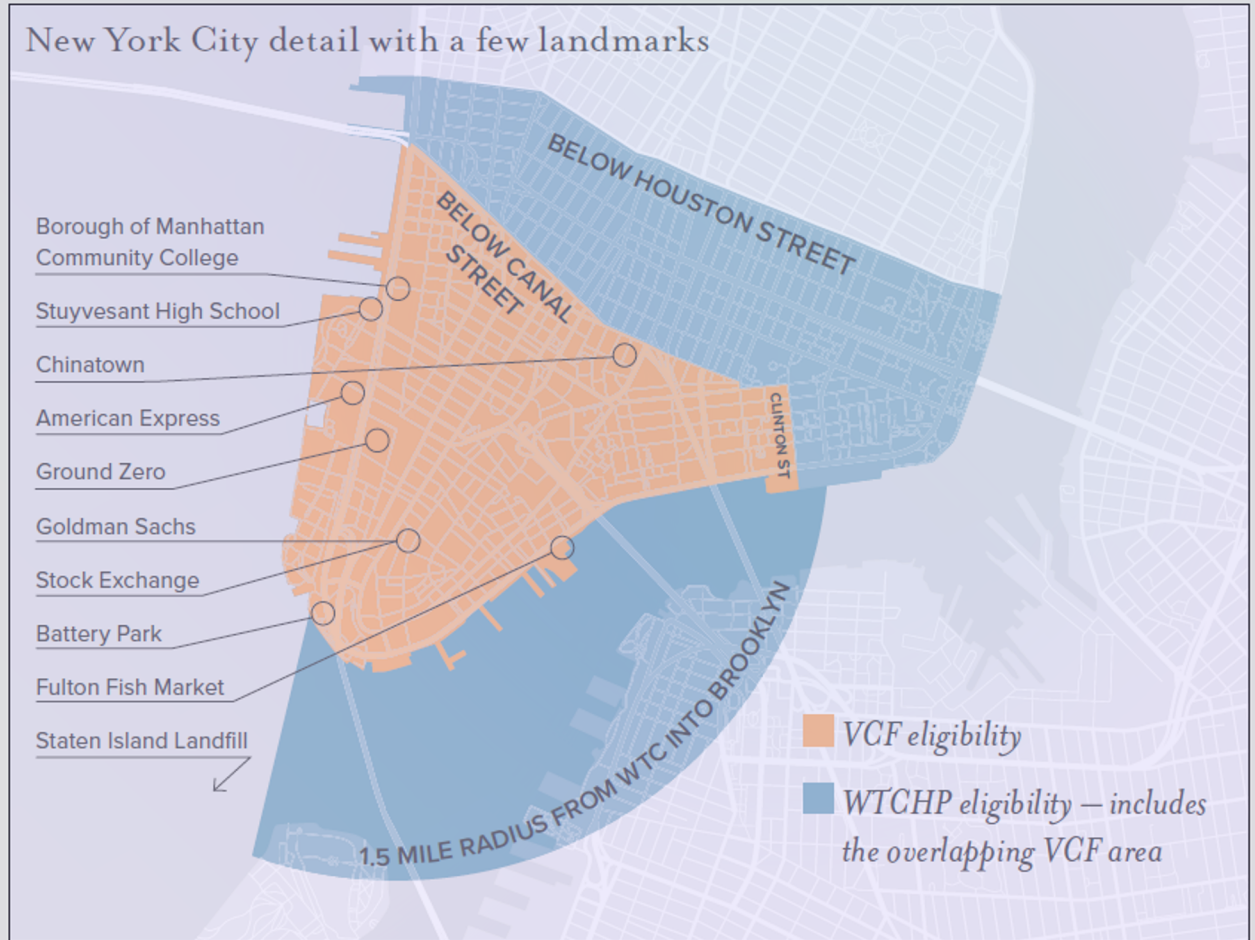
**You may be certified for treatment by the WTC Health Program but not be eligible for compensation by the Victim Compensation Fund (VCF).**

# Eligibility Criteria

	<b>VCF</b>	<b>WTC Health Program</b>
<b>Illnesses Covered:</b>	Physical only	Physical and psychological
<b>Presence/Exposure Zone:</b>	South of Canal Street (Manhattan only)	South of Houston Street and parts of Brooklyn
<b>Presence/Exposure Timeframe:</b>	September 11, 2001 to May 30, 2002	September 11, 2001 to July 31, 2002
<b>Presence/Exposure Duration:</b>	Minimum time requirements apply.	Minimum time requirements apply.

# 9/11 Exposure Area Boundaries

## SEPTEMBER 11 EXPOSURE ZONES



# Most Common 9/11 Illnesses

## MOST COMMON 9/11 ILLNESSES

### 68 Cancers Including:

1. Skin Cancer (Basal Cell, Squamous Cell, and Melanoma)
2. Prostate Cancer
3. Thyroid Cancer
4. Breast Cancer
5. Blood Cancers, including Multiple Myeloma, Lymphoma, and Leukemia
6. Lung Cancer
7. Kidney Cancer
8. Colon Cancer
9. Bladder Cancer
10. Rare Cancers and Childhood Cancers

### Non-Cancers:

1. Interstitial Lung Diseases, including Pulmonary Fibrosis, Sarcoidosis, Emphysema
2. Chronic Rhinosinusitis
3. Gastroesophageal Reflux Disease (GERD)
4. Asthma
5. Sleep Apnea
6. Chronic Respiratory Disorder - Fumes / Vapors
7. Chronic Obstructive Pulmonary Disease (COPD)

**Note: You may still be eligible even if you have been diagnosed with a cancer that is not on this list.**

For more information, visit <https://www.cdc.gov/wtc/conditions.html>

# Exposure Time Requirement

The WTC Health Program and the VCF require proof that both responders and survivors were:

- exposed either on 9/11/01; or,
- more than 4 hours between 9/11/01 and 9/14/01; or,
- more than 24 hours during September, 2001; or,
- more than 80 hours during part of the 8 months that followed.

# Proof of Presence

The WTCHP and VCF are operated by different federal agencies and have slightly different proof of presence in the exposure zone requirements.

**WTC Health Program** : a school transcript, utility bill, or paystub is often enough to prove presence.

**Victim Compensation Fund (VCF)**: VCF requirements are stricter - require two affidavits from witnesses.

**Note:** Get your VCF affidavits filled out now, even if you are not yet sick. With each passing year it can get harder to find witnesses who saw you in the exposure zone nearly 20 years ago.

# World Trade Center Health Program

Once an individual is certified for one or more approved illnesses, the WTC Health Program provides:

- free lifetime health care for physical and psychologically certified illnesses resulting from exposure to 9/11 toxins.
- annual monitoring exam after certification of a 9/11-related illness.
- for medications necessary for treatment of disease.



# Victim Compensation Fund

The Victim Compensation Fund provides compensation to victims of 9/11 for:

- physical injury claims (not psychological)
- wrongful death claims
- economic loss if disabled by a 9/11-related illness
- reimbursement for medical expenses once \$5,000 threshold met

# VCF Deadlines

The Victim Compensation Fund has 2 deadlines:

## **1) Deadline to register**

You do not need to be sick or be certified with a 9/11-related illness to register. Registering with the VCF protect your right to file a future claim only.

## **2) Deadline to file a claim.**

If you fail to register within the required deadline, your claim will be time barred.

# VCF Deadlines

**The normal deadline to register a claim with the Victim Compensation Fund is:**

- within 2 years of WTC Health Program certification, or
- within 2 years of date of death

If you were certified with a 9/11 related illness or you are registering a claim for an individual who died of a 9/11-related illness before July 29, 2019, **you are required to register by JULY 29, 2021.**

# Deadline to File a Claim with VCF

**Deadline to file a claim is October 1, 2090.**

To file a claim:

- Claimants must be certified for one of the 68 illnesses approved by the WTC Health Program.
- Must provide 2 proof of presence. Without adequate proof of presence, claims will be denied.
- Must meet minimum exposure time of 80 hours from 9/11/2001 to 5/30/2002.
- Awards are tax free to recipients.

# Proof of Presence - Faculty

## Documentation Required:

- 1) Letter of employment from HR specifying dates of employment, location of employment, job function (full-time or part-time).
- 2) Two affidavits from a colleague or a Chairperson who witnessed your presence at the College during the exposure period.
- 3) To document the minimum exposure time of 80 hours, best documentation is the Fall 2001 and Spring 2002 Schedule of Classes. For adjuncts, to substantiate their presence in the exposure zone for the required exposure time, need to identify the class(es) taught, days and time, and location.

# Proof of Presence - Staff

## Documentation Required:

- 1) Letter of employment from HR specifying dates of employment, location of employment, job function, full-time or if part-time, hours worked.
- 2) Two affidavits from a colleague or a supervisor who witnessed your presence at the College during the exposure period (9/11/01 to 5/30/02).
- 3) To document the minimum exposure time of 80 hours, best documentation is time record, leave record or other documentation indicating time spent on the job.

# Proof of Presence - Students

## Documentation required:

- 1) Official transcript showing classes attended during academic year, 2001-2002. Attestation from the College that transcript is accurate.
- 2) Two affidavits from witnesses who saw the student in the exposure zone (a professor and/or a classmate).
- 3) Documentation that classes were held in the exposure zone (i.e., below Canal Street).
- 4) Documentation of amount of time student was exposed to toxins from 9/11/2001 to 5/30/2002.

# VCF Awards

The VCF reviews each application on a case-case basis:

- Awards range from \$20,000 - \$90,000 for non-cancers certified illnesses.
- Awards range from \$125,000 - \$340,000 for certified cancers based on the severity of the illness, not based on number of cancers.
- If an illnesses is terminal, a claim can be accelerated. All VCF awards are tax free.



## Notice in BMCC News, April 22, 2021



### **911 Victims Compensation Fund: Are You Eligible?**

If you were employed or a student at BMCC between September 11, 2001 and May 30, 2002, you might be interested in the 911 Victims Compensation Fund. Several firms specialize in World Trade Center Victim's Compensation Fund claims, and can be viewed in the [911 Victims Fund PDF](#). BMCC/CUNY does not endorse any of these firms, and they are listed solely for informational purposes. You may find additional resources by doing a World Trade Center Victim's Compensation Fund Google search. Information to register for the fund is available at [vcf.gov/deadlines](https://vcf.gov/deadlines).

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<https://www.bmcc.cuny.edu/wp-content/uploads/2021/04/04222021.html>