

From: [Communications, VCF \(CIV\)](#)
To: [Communications, VCF \(CIV\)](#)
Subject: VCF Policy and Process Updates
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Attachments: [image001.png](#)

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Good Morning,

The VCF has updated policies with respect to Amendments, the submission of Exhibit B1 forms, and Replacement Services. These updates are each summarized below and are effective today, December 9, 2024.

1. **Update 1: Amendments for Deceased Claims**

The VCF has updated its Amendments Policy.

Effective today, December 9, 2024, the VCF will permit amendments on deceased claims (i.e., claims filed on behalf of a victim who is believed to have died as a result of their 9/11-related eligible condition).

When is it appropriate to submit an amendment on a deceased claim? You should continue to follow the current VCF Amendments Policy. Generally, you should only submit an amendment when there is new information and/or a new claimed loss, as detailed in [Section 5](#) of our Policies and Procedures.

The best way to ensure the 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. Unlike in a personal injury claim, the circumstances of a deceased claim usually do not change, and **all losses in a deceased claim should be known to the claimant at the time the initial claim is filed**. It is far more efficient for the VCF and increases the pace at which the VCF can issue awards to all victims if we only have to review these claims one time.

Will the VCF process an amendment after a Missing Information Loss Calculation Letter (“MILC”) has been issued? No. You will be required to resolve the MILC before the amendment will be processed. Please consider how limitations in the Letters of Administration, Letters Testamentary, or other Court Orders with limitations may affect amendments. **If you submit an amendment and the VCF changes the award, the claimant may have to return to the court another time to have limitations lifted.**

Will my client be permitted to amend their claim to request reconsideration of their previous award under any new policies or policy updates instituted since the award was issued? No. The VCF reviews claims based on the policy at the time of review and generally will not allow amendments based solely on an update.

2. **Update 2: Submission of Exhibit B1s for NYSLRS Claims**

The VCF has an update related to the information sharing arrangement with the New York State and Local Retirement System (NYSLRS) for deceased claims.

NYSLRS now requires an Exhibit B1 – “Authorization for Release of Pension and Health Information from HIPAA and non-HIPAA Entities” Form for spouses and beneficiaries. This means that if the victim’s spouse and/or other beneficiaries received survivor and/or death benefits from NYSLRS, you must submit an Exhibit B1 for the spouse and each beneficiary. The VCF will use this to obtain a complete record of the NYSLRS survivor and/or death benefits.

Additionally, as a reminder, the term “Medical Records” was previously added to Question 9(a) on page 3 of the Exhibit B1 form. NYSLRS requested this addition to the form in order to release information about a victim or claimant, as the pension file often includes medical records and

medical information.

Is there a separate version of the Exhibit B1 form for beneficiaries? No. The same Exhibit B1 form can be used for the beneficiaries. The instructions for completing the form are the same as the Exhibit B1 for the victim and are listed in the form. The form can be found on the VCF website under "[Forms and Resources](#)". As a reminder, **please remember to always use the forms from our website as those are the most up-to-date versions of the forms.**

Should I ever contact NYSLRS directly to get the documentation for my VCF claim? No. As a reminder, please **do not** contact NYSLRS directly about documentation for VCF claims, as this burdens their limited resources and delays the process.

3. Update 3: Replacement Services

As explained in our Policies and Procedures, [Section 2.4b](#) "Replacement Services Loss", we have edited the criteria we will use when evaluating whether or not the victim took care of a household member with special needs. In particular, we removed the different special needs standards for a child under 18 and an adult, and we now define "special needs" as a physical or mental health condition that causes the household member to need help with daily household activities. We will review all of the documents you submit (e.g. medical records or other documentation) and the information we get from the SSA and decide whether there is enough evidence that the victim took care of a household member with special needs, warranting a higher award.

Please direct all questions to our law firm liaisons at VCF.AttorneyInfo@usdoj.gov.

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