

DOCUMENTATION CHECKLIST

FOR SUBMISSION OF CLAIMS ON BEHALF OF DECEASED INDIVIDUALS

Documentation Demonstrating that the Personal Representative has Authority to Act on Behalf of the Decedent

- Original Court Order or Letter of Administration showing your appointment as (1) Personal Representative, (2) Executor of Will, or (3) Administrator of Estate. (If you are unable to obtain this, you will need to submit documentation demonstrating why you were unable).
- A certified copy of the Decedent's will.

Note: If you are unable to obtain the original Court Order/Letter of Administration showing your appointment and if there is no will, you will need to submit proof of your relationship to the Decedent (such as birth certificate(s) and/or marriage certificate) and proof that you are the first person in line of succession under the laws of intestacy in the Decedent's domicile.

Documentation Confirming Presence at a 9/11 Crash Site Between September 11, 2001 and May 30, 2002, which can include the following examples of acceptable proof:

- *For Responders:* Employer records confirming employment with an organization or entity that was responsible for rescue and recovery, clean up, transportation of debris, and confirming that the Decedent was present at the site, including an official personnel roster, site credentials or a pay stub; OR contemporaneous documentation of presence – such as orders, instructions, confirmation of tasks performed, contemporaneous medical records, or contemporaneous records of federal, state, city or local government.
- *For Residents:* Proof of residence in the area during the relevant time period such as (i) rent receipts, mortgage receipts, or utility bills and (ii) proof that the Decedent was physically present at the residence at some point between September 11, 2001 and May 30, 2002, which could include at least two sworn and notarized affidavits (or unsworn statements complying with 28 U.S.C. 1746) from co-habitants, landlords, doormen, or neighbors.
- *For Non-Responder Workers in NYC Exposure Zone or at the Pentagon:* Employment records documenting employment and presence in the NYC Exposure Zone or at the Pentagon; OR contemporaneous documentation of presence – such as contemporaneous medical records or contemporaneous records of federal, state, city or local government.
- *For School or Child/Adult Care Facility Attendees:* School or day care records confirming enrollment/attendance during the period.
- *For Presence in NYC Exposure Zone in some other capacity (e.g., a visitor):* Contemporaneous documentation of presence – such as contemporaneous medical records or contemporaneous records of federal, state, city or local government.

Note: At least two (2) sworn and notarized affidavits (or unsworn statements complying with 28 U.S.C. 1746) regarding the presence of the Decedent from persons who can attest to the Decedent's presence at a 9/11 crash site will serve as acceptable proof only if other official or "primary" forms of proof (such as those listed above) are not available and the Fund determines that such affidavits are sufficiently reliable.

Documentation About the Decedent's Death

- Proof of death (e.g. original or certified copy of death certificate) and any other documents showing Decedent's cause of death
- *If the Decedent had been treated under the WTC Health Program that commenced on July 1, 2011 for every eligible injury or condition that was the cause of death:*

- The VCF will advise if further documents are needed. But note that if Decedent was also treated outside of the WTC Health Program, you will need to submit those certified medical records.
- *If the Decedent was treated by another program or another private doctor for any injury or condition that was the cause of death:*
 - You will need to provide *certified* contemporaneous medical records and documents created by or at the direction of the medical professional(s) who provided the medical care showing the diagnosis of an injury or condition that is presumptively eligible under the VCF.
 - Decedent's private physician(s) will need to complete certain medical history forms that will be available on the website along with claim forms.

Note: The documentation should include proof of when each injury or condition was discovered and when each injury or condition was first treated by a medical professional.

Documentation Demonstrating Any Applicable Economic Loss

- For any claim of *unreimbursed medical or other expenses*, proof such as invoices or receipts for prescription drugs, rehabilitation treatment, or from the Decedent's health provider showing payments received, and documentation of any health insurance coverage during any period of claimed medical expense loss.
- For any claim of *burial and memorial service expenses*, proof of any claimed burial or memorial service expenses that were not reimbursed.
- For any claim of *loss of earnings prior to death*, documentation to demonstrate how many days of work were missed and the corresponding loss of compensation and/or benefits, such as pay stubs, salary letters, end of year pay statements, or sworn and notarized affidavit (or unsworn statement complying with 28 U.S.C. 1746) from Decedent's employer describing the work missed and loss of earnings.
- For any claim of *replacement services*, documentation of type and costs of replacement services incurred to date and expected to be incurred in the future (e.g., invoices or receipts showing services rendered and payments received and estimates or price quotes for future services).
- For claims of *loss of future earnings*:
 - Copies of all tax return information (including W-2 forms and other attachments) for the period beginning three years prior to any claimed decrease in the Decedent's earnings capacity as a result of the Decedent's injury or condition or if no such decrease is claimed, three years prior to the year of Decedent's death, including returns for non-U.S. taxing authorities.
 - Documentation of Decedent's compensation history for the period beginning three calendar years prior to any claimed decrease in the Decedent's earnings capacity as a result of the Decedent's injury or condition or if no such decrease is claimed, three years prior to the year of Decedent's death. Examples of the types of proof include:
 - Documentation to establish *base salary and wages*, such as pay stubs, salary letters, or end of year pay statements.
 - Documentation to establish any *other compensation, including incentive pay, bonuses, overtime, tips, commissions, shift differentials, longevity and honoraria, deferred compensation, stock options, profit sharing programs* such as pay stubs, salary letters, end of year pay statement, bonus letters, or commission letters.

Note: For Decedents who were in the armed forces – Include information on housing, subsistence, TAD, re-enlistment, and other compensation by each category. However, if you want the Special Master to rely on published compensation and benefit scales, there is no need to provide information on this additional compensation, but you will need to submit a copy of the Decedent's Military Leave and Earnings Statement indicating the pay level and benefit information.

- Documentation on any *pension, health or other benefits*:
 - Pension plan or pension section from employee handbook if Decedent received pension benefits.
 - Documentation to establish payroll deduction and cost of employer-provided health benefits to employee and any other covered person if Decedent received health benefits.
 - 401(k)/403(b) statements if employer made matching contributions.
 - Documentation to establish any other benefits, such as employer-provided transportation subsidy or company car, employer provided club dues/memberships, or non-military housing allowance.

Note: The Special Master recognizes that collecting this information may be a difficult task and will seek to work with the Decedent's employer(s) to obtain and confirm compensation and benefits and make sure they have been calculated correctly.

Documentation of any Collateral Sources of Compensation
that the Decedent has received or is entitled to receive, including:

- Life insurance (including accidental death and mortgage insurance)
- Death benefits program
- Pensions
- Social Security application or determination or related correspondence
- Workers' Compensation application or determination or related correspondence
- Medical payments
- Short-term disability insurance
- Long-term disability insurance
- Other Collateral Source Compensation

Other Required Documentation That May Be Applicable

- If Decedent was involved in a lawsuit related to September 11, 2001, provide a copy of either:
 - the order of withdrawal or the order of dismissal, or
 - the settlement agreement and release (the documents you submit must show the date of the settlement and release, the total settlement amount, and the medical condition that was approved for payment under the settlement. If the attorney of the Decedent or the Decedent's dependent, spouse or beneficiary signed and submitted the release, you must also provide a copy of the retainer agreement with the attorney in the settled lawsuit as proof that the attorney was authorized to sign the release.)
- If the Decedent (or anyone on the Decedent's behalf) filed a lawsuit or claim for compensation for the claimed condition(s) with any court or bankruptcy trust for any respiratory injury or disease due to exposure unrelated to September 11, 2001 (e.g., asbestos), you will need to submit information on the action or claim, such as the complaint or claim filing, and documentation of any judgment, settlement or trust compensation.
- If Decedent had any dependents that are not listed on the Decedent's most recent tax return (such as children born or adopted on or after January 1 of the year of the Decedent's death or children listed on the spouse's separately-filed return), you will need to submit documents proving the existence of such dependents – such as birth certificates or adoption records.

Source: September 11th Victim Compensation Fund at <http://www.vcf.gov/deceasedIndiv.html>