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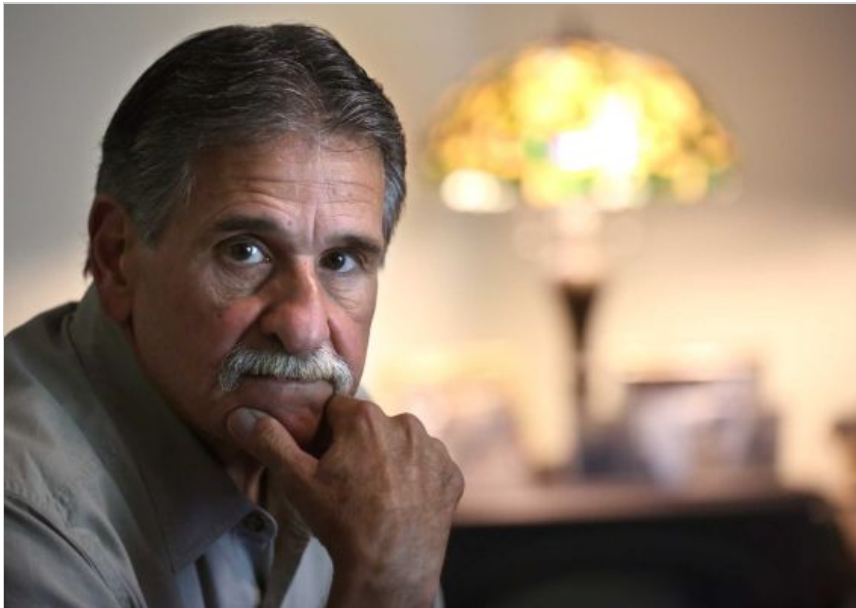
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Pace of Zadroga law 9/11 awards improving, officials say

Updated September 9, 2014 11:00 PM
By RIDGELY OCHS ridgely.ochs@newsday.com



Joseph Pironti worked three months of 12-hour days at the World Trade Center site after 9/11. Now he's suffering from chronic lymphocytic leukemia. He is shown in his East Moriches home Friday, Aug. 29, 2014. (Credit: Chuck Fadely)

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The pace of awards made from the \$2.775 billion September 11th Victim Compensation Fund has picked up, but with the 13th anniversary of the attacks Thursday, 44 percent of claims cannot be decided because of missing information, according to a report released Tuesday.

As of Monday, 16,449 responders and others had submitted eligibility forms with the federal fund, the report said.

The VCF said 1,843 awards have been made, for a total of \$493,768,674. That's up from 502 awards at the end of March and 1,145 at the end of June.

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Special Master Sheila Birnbaum said in a message published along with the report that the fund has made "great strides in the past year." But, she added, the anniversary of the World Trade Center attacks is a "reminder that we must increase our efforts."

Under the James Zadroga 9/11 Health and Compensation Act of 2010, \$875 million may be paid out in the first five years of the program. The remainder is to be paid in the sixth year, meaning that responders will get only a portion of their award initially.

Steady improvements

Lawyers representing responders said the claims process has improved in the past several months -- in part because Birnbaum and her staff have worked hard to stay in touch with attorneys and address their questions, and because reviewers are better at the process.

"The bar was set really low, but we're moving in the right direction," said Michael Barasch of Barasch McGarry Salzman & Penson in Manhattan, who with Noah Kushlefsky of Kreindler & Kreindler in Manhattan represent about 7,500 responders. Barasch said about 330 of their clients have gotten award letters and another 1,000 have been deemed eligible; the remainder are still submitting paperwork.

Benjamin Chevat, executive director of 9/11 Health Watch in Manhattan, a nonprofit formed by unions, agreed that progress is being made. "Although the September 11th Victim Compensation Fund got off to a slow start, we are definitely seeing continued real improvement in their processing of claims, and they are definitely still headed in the right direction," he said.

The fund said an additional 7,885 claims have been found eligible for compensation and 1,226 are under review. Once a responder is found eligible, the VCF begins a review of his or her compensation form to determine how much money the responder is entitled to.

The highest award so far has been \$4.1 million; the lowest \$10,000. The average is close to \$268,000. Of the 1,843 awards made, 85 percent have been to responders, according to the fund.

Close to 12 percent -- or 216 -- of awards so far have gone to people with cancer. That number is likely to increase and cancer patients are facing a deadline.

Those diagnosed with a 9/11-related eligible cancer other than prostate cancer before Oct. 12, 2012, must register with the fund by Oct. 12 of this year. Those diagnosed with cancer after Oct. 12, 2012, must register within two years of the day they were diagnosed. Anyone diagnosed with prostate cancer -- added later to the list of 9/11-associated cancers -- before Oct. 21, 2013, have until Oct. 21, 2015, to register.

A total of 7,314 claims -- or 44.5 percent -- cannot be decided now because of missing information or they don't contain authorization allowing the fund to process the claim, the fund said.

John P. Dearie of Manhattan said his law office has gotten about 75 awards for the 500 responders he represents. "There are really two things that have improved: one, the speed with which they are reviewing these claims . . . and two, they started opening a few lines of communication with law firms."



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Troy Rosasco of Turley Redmond Rosasco & Rosasco in Ronkonkoma agreed.

"Boy, has there been a vast improvement the last three or four months. We're really cruising now and getting regular award notices," he said. He said the firm had gotten more than 80 awards for their 500 clients.

'A heavy price to pay'

The FealGood Foundation, an advocacy group for responders, said in a statement that while the new numbers are "far from perfect, they are closer to achieving a streamlined process. . . . While we are far from happy, we are pleased to see more awards are going out at a faster rate and everyone is working that much harder, so those left destitute because of their heroic actions 13 years ago are compensated at a faster rate."

But for those responders waiting for an award, the wait can seem long -- especially around the anniversary of 9/11.

"Why is it taking so long?" asked Ronald King of Valley Stream. King, a construction supervisor who volunteered at Ground Zero for three months, has pulmonary fibrosis and hasn't been able to work since 2008. He said he and his wife and two children are living off Social Security and workers' compensation.

"I'm not going to survive with this disease," he said. "I have no regrets of going there [to Ground Zero]. I just wanted people to know it's a heavy price to pay."

Joseph Pironti, 59, of East Moriches had owned his own truck and auto repair business. He first went down to Ground Zero as a volunteer and then worked 12-hour shifts six days a week for three months maintaining generators used to power decontamination equipment.

In 2011, he was diagnosed with chronic lymphocytic leukemia and is no longer able to work. His wife has to stay home to care for him.

"We're broke," he said. "We sold all our heirlooms, we sold our house, we sold everything. We're living on credit cards right now."

Asked what the federal money would do for him, he said: "It would allow me to live again . . . I don't want anything fancy. It would be a godsend."

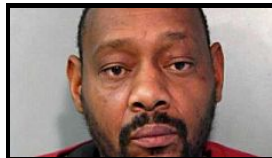
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