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9/11 survivors from New York to be notified they're likely eligible to collect from U.S. compensation funds



Under a recently signed New York State law known as the 9/11 Notice Act, victims of the 2001 terror attack on the World Trade Center in lower Manhattan will start receiving notifications from employers next year that they may be eligible to collect from federal compensation funds designed to help pay for medical problems arising from the disaster.

Todd Malsel for New York Daily News



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Long after hijacked airliners piloted by terrorists took down the World Trade Center towers in New York more than 22 years ago, fires burned below the fallen buildings' rubble, emitting lethal toxins that posed long-term health problems for thousands of people.

Despite the creation of federally financed compensation funds designed to help not only first responders, but also residents and locally employed workers, many still do not know they are likely eligible to receive financial assistance to help cope with cancers and other health problems that have emerged in the years after the [Sept. 11, 2001 attacks](#).

Those eligible include untold numbers of transplanted New Yorkers who now live in Florida as a result of retirements or relocations for business or other reasons.

In less than year, through a recently signed "9/11 Notice Act" passed by the New York State Legislature, many lower Manhattan employers will be required to start providing outreach to past and present employees across 50 states.

At some point in the second half of 2024, individuals across the country will start receiving letters about how to register and apply for financial help from the [9/11 Victims Compensation Fund](#) and the [World Trade Center Health Program](#).

The 9/11 fund, which is administered by the U.S. Department of Justice, provides money for injured individuals or relatives of the deceased.

The WTC program is administered by the National Institute for Occupational Safety and Health, a part of the Centers for Disease Control and Prevention. Established in 2010 and extended in 2015, it now runs through the year 2090. It provides “no-cost treatments” for certified World Trade Center-related health conditions, according to the program website.

People with qualifying medical conditions can apply now; they do not have to wait for the outreach.

An outreach reboot

The new state notification act requires businesses and trade associations with more than 50 employees that were in operation below Canal Street in lower Manhattan on Sept. 11, 2001, to notify eligible current and former employees of their right to receive money from the two funds.

“These programs work best when there is the broadest possible awareness,” State Sen. Brian Kavanagh, a Democrat, said in a phone interview. “We think businesses will have a substantial capacity to get the word out.”

The act was unanimously passed last summer by the New York State Assembly (146-0) and by the Senate (62-0), according to a statement from Kavanagh’s office.



ANTHONY BEHAR/POOL/AFP via Getty Images
A memorial participant wears a shirt that reads “We Will Never Forget” during a Ground Zero commemoration in New York in 2021. The state is now renewing efforts to notify survivors that they may be eligible for federal compensation for medical bills and other losses caused by the Sept. 11, 2001 terrorist attack on the World Trade Center.

New York Gov. Kathy Hochul signed the measure into law on Sept. 11, the 22nd anniversary of the terror attacks orchestrated by suicidal hijackers who commandeered four commercial jetliners. Two of the planes were flown into the super tall twin towers in New York. A third crashed into the Pentagon. A fourth crashed into a field in Somerset County, Pennsylvania, after passengers sought to retake their plane from the hijackers.

All told, authorities estimated the attacks killed 2,977 people and injured thousands more at the disaster sites. In the aftermath, there are thousands who still suffer from [a wide array of lingering health problems](#), law and healthcare professionals say.

Kavanagh, whose district covers lower Manhattan and parts of Brooklyn, said in his statement that the law is designed “to ensure that individuals who were in the Lower Manhattan and northern Brooklyn exposure zones between September 2001 and the end of May 2002 are made aware by employers of their rights to register for the 9/11 Victim Compensation Fund and the World Trade Center Health Program.”

Both funds provide monitoring and treatment for eligible individuals with WTC-related illnesses.

State assemblyman Nader Sayegh, a Democrat from Yonkers, N.Y., drafted the legislation “after hearing that of the 400,000 civilians exposed to 9/11 toxins only a small percentage with qualifying medical conditions have registered,” Kavanagh’s statement said. “Yet, more than 80% of first responders have registered with the federal health and compensation programs.”

An awareness deficit

Lawyers specializing in mass torts, wrongful death and personal injury claims have for years sought to help victims navigate their way through the compensation process. Despite the publicity surrounding the programs, the message that many people are even eligible to apply for help has not reached all of those who may qualify, lawyers and lawmakers say.

“The reason for this law is that here we are 22 years past 9/11 and the World Trade Center Health Program currently has only 127,000 people who are enrolled,” Troy Rosasco, of the firm of Hansen & Rosasco LP in New York, said in an interview. “If you look at the numbers, that technically means there are hundreds of thousands of people who are still not aware they are eligible for compensation and free medical care for the rest of their lives. And that’s despite tremendous outreach by the federal government.”

“New York, to their credit, said, ‘we are going to do our own outreach in coordination with the 9/11 Victims Compensation Fund,’” Rosasco added.

Rosasco said that out of 2,000 clients he represents on Sept. 11 matters, “at least 150 to 200” live in Florida. Many of them live in The Villages in Central Florida.

Besides Florida, North and South Carolina and Virginia are leading “common places” among the 50 states where potential eligible fund recipients have chosen to spend their retirements.

“I’m sure there are people in Florida right now fighting cancer who lived in the applicable areas during the 9/11 period who are fighting on their own and paying substantial medical bills,” Rosasco said.

The next steps: rulemaking

Kavanagh told the South Florida Sun Sentinel that employers were largely supportive of the notification program.

“We did not get a lot of opposition from the business community on this,” he said, adding that most recognized the notification program was the right thing to do.

“These programs are designed to keep people healthy and to compensate them when they get sick,” he said.

Robert Gosseen, an employment lawyer for the New York-based firm Schwartz Sladkus Reich Greenberg Atlas LLP, which also maintains an office in Boca Raton, said there has been a widespread misperception in the public that fund eligibility was restricted to first responders such as police officers, firefighters and medical professionals.

“It’s absolutely not true,” he told the South Florida Sun Sentinel. Many of those eligible were students, office workers and others who made their livings in the World Trade Center neighborhood and beyond.



DOUG KANTER / AFP/Getty Images
This file photo taken on September 12, 2001 in lower Manhattan shows the fouled air that health experts blame for long-term illnesses contracted by survivors of the World Trade Center terrorist attacks.

“There are over 70 cancers that affected people in the downtown area,” he said. “It makes your hair stand on end if you see the list of cancers.”

He said notifications will not be going out immediately because of rulemaking that still needs to be done among state agencies.

“The law doesn’t go into effect until June 14, 2024,” Gosseen said. “The holdup is that the law directs a number of agencies in the state of New York to prepare regulations about how to publicize, when to publicize and to whom to publicize.”

The statute, he noted, echoing Kavanagh, the state senator, “only applies to employers of 50 or more employees.”

“That leaves small businesses and mom-and-pop stores,” Gosseen said. “We don’t know what will happen until the regulations are written.”

And there are no specifics on any possible penalties that might be imposed if businesses decline to comply.

Gosseen, meanwhile, is among the many people who consider themselves fortunate to have dodged the tragedy because of a change of plans.

‘I escaped 9/11,’ Gosseen recalled. He was supposed to meet a client for breakfast at the Windows on the World complex of dining venues on the 106th and 107th floors of the North Tower. But the client had a cold and canceled.

“Just lucky,” he said.