

VICTIM COMPENSATION FUND FREQUENTLY ASKED QUESTIONS
(Updated December 9, 2002)

Section 4 –Advance Benefits

4.1 Do I have to meet the requirements for the Advance Benefits in order to submit a compensation form?

No.

4.2 What is an Advance Benefit?

An Advance Benefit is a payment of \$50,000 for deceased individuals and \$25,000 for physically injured individuals who were hospitalized for one week or more. You can receive an Advance Benefit while your Compensation Form is being processed.

An Advance Benefit will allow needy eligible claimants to obtain prompt advance payments while their full claim is being reviewed. The 120-day period for determination of compensation will be stayed or tolled until the claimant files the completed "Personal Injury Compensation Form" or "Compensation Form for Deceased Victims" needed to allow the Special Master to determine the amount of the final award. However, once a claimant files an application for Advance Benefits that is deemed substantially complete, the claimant will be deemed to have waived the right to file a civil action for damages sustained as a result of the September 11 attacks.

4.3 How do I apply for an Advance Benefit?

It depends on which Compensation Form you use:

- If you are an injured Victim, you will fill out all sections of Part I, Eligibility and Application for Advance Benefits, of the Personal Injury Compensation Form. **You also need to complete Part III, Attestations and Certifications.**
- If you are filing on behalf of a deceased Victim, you will fill out all sections of Part I, Eligibility and Application for Advance Benefits, of the Compensation Form for Deceased Victims. **You will also need to complete Part III, Attestations and Certifications, and Exhibit B, List of Individual Notified of Claim Filing.**

Please remember that you will have to resign, redate, and resubmit Part III, Attestations and Certifications, when you submit the rest of the Compensation Form.

4.4 Will the Advance Benefit be my only payment?

No, but the amount of the Advance Benefit will be deducted from any final award.

4.5 When can I expect to receive an Advance Benefit if I am eligible?

Payment will be authorized immediately upon a determination that the claimant meets the eligibility requirements for an Advance Benefit *and* the Claimant is:

- An injured Victim
- A Personal Representative who is the spouse of the deceased Victim
- A Personal Representative who has obtained the consent of the spouse of the deceased Victim or, if there is no surviving spouse, of all of the dependents of the deceased Victim.

With respect to other Personal Representatives, payment will be authorized within 15 days after the determination that the claimant is eligible for an Advance Benefit, provided that:

- No other individual has asserted a conflicting claim as the Personal Representative with respect to the deceased Victim **and**

The Personal Representative has identified and given the required notice to the immediate family and other potential beneficiaries. In the event such additional claim has been asserted, no Advance Benefit will be paid until a final eligibility determination has been made.

4.6 Will there be Advance Benefit payments to individuals other than to the Personal Representative?

No. The Advance Benefit payment will go to the Personal Representative.

4.7 If the Personal Representative notifies the immediate family about a claim and does not file for Advance Benefits, but subsequently decides to file for Advance Benefits, does the Personal Representative need to re-notify the immediate family?

Yes. Requesting Advance Benefits “waives” rights at an earlier stage of the claims review process, so the immediate family must be made aware of the Advance Benefit request.