Public Safety Officers’ Benefits Program: 180-Day Report as of November 26, 2018

The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance’s (BJA) Public Safety Officers’ Benefits (PSOB) Program provides death and education benefits to survivors of fallen law enforcement officers, firefighters and other first responders, and disability benefits to officers catastrophically injured in the line of duty.

In the six-month period ending November 26, 2018, a total of 619 claims were decided, 600 at the PSOB Office level and another 19 on appeal.

Of the 622 claims that remained pending at the conclusion of the reporting period, 360 have been pending for more than one year and 127 are for exposure due to rescue, recovery and clean-up efforts following the September 11, 2001, terrorist attacks.

For specific details regarding the PSOB Program and performance data for this 180-day period, the report is provided in its entirety below.

A. Total number of claims for which a final determination has been made during the 180-day period preceding this report (5/30/18 – 11/26/18): 619

   PSOB Office Level (Death or Disability): 310
   PSOB Office Level (Education): 290
   Hearing Officer Appeal Level: 12
   BJA Director Appeal Level: 7

B. Amount of time required to process each claim for which a final determination has been made during the 180-day period preceding this report (5/30/18 – 11/26/18)

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C. As of the last day of the 180-day period preceding this report (11/26/18), the total number of claims\(^2\) submitted to the Bureau\(^3\) on or before that date for which a final determination has not been made: **622**

- PSOB Office Level (Death or Disability): 351
- PSOB Office Level (Education): 62
- Hearing Officer Appeal Level: 148
- BJA Director Appeal Level: 61

D. As of the last day of the 180-day period preceding this report (11/26/18), the total number of claims submitted to the Bureau on or before the date that is 1 year before that date (11/26/17) for which a final determination has not been made: **360**

- PSOB Office Level (Death or Disability): 234
- PSOB Office Level (Education): 0
- Hearing Officer Appeal Level: 83
- BJA Director Appeal Level: 43

E. For each claim described in D., a detailed description of the basis for delay

\(^2\) While these numbers address the total number of claims submitted during the 180-day period preceding this report (5/30/18 – 11/26/18) for which a final determination has not been made, they do not address the applications submitted during the specified period. (Applications are distinguished here from claims since they do not yet contain the basic required documentation needed to become claims.) The total number of applications containing either a Part A, Part B, or both Parts A and B which were submitted during the specified period was: 246 (with 38 of these applications having since become claims). Of these 246 applications, 56 were 9/11-related (with 6 of these applications having since become claims).

\(^3\) For death and disability claims at the PSOB Office level, the date the claim was submitted to the Bureau is the date on which initial claim documentation was filed by the claimant; for Hearing Officer Appeals, the date the claim was submitted to the Bureau is the date on which the Hearing Officer appeal was requested by the claimant; for BJA Director Appeals, the date the claim was submitted to the Bureau is the date on which the BJA Director appeal was requested by the claimant; and for education claims, the date the claim was submitted to the Bureau is the date on which all claim documentation was submitted by the claimant for that educational term or terms.
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<th>Basis for Delay</th>
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Documentation from Agency Pending |
| 2881 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1644 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 3295 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1220 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1779 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 201 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 2570 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1235 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 738 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
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Documentation from Claimant Pending  
Documentation from Agency Pending |
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| 1368                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 2759                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 489                                | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Heart Attack, Stroke, or Vascular Rupture Claim; Line of Duty Injury - Line of Duty Activity or Action; Cause of Death  
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| 2781                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 2389                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 4234                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Heart Attack, Stroke, or Vascular Rupture Claim - Training Exercise or Fitness Program; Onset of the Heart Attack, Stroke, or Vascular Rupture; Injury; Cause of Death; Causation between Death and Injury  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1407                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Heart Attack, Stroke, or Vascular Rupture Claim; Status as a Public Safety Agency  
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Documentation from Agency Pending |
| 787                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Line of Duty Injury - Line of Duty Activity or Action  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 2913                              | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Total and Permanent Disability  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 3428                              | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Line of Duty Injury - Authorized Commuting  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 2534                              | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Line of Duty Injury - Line of Duty Activity or Action  
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Documentation from Agency Pending |
| 1462                              | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Status as a Public Safety Officer; Causation between Death and Injury  
Documentation from Claimant Pending  
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| 536                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 3651                              | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Eligibility of Survivors / Beneficiaries; Line of Duty Injury - Line of Duty Activity or Action  
Documentation from Claimant Pending  
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| 734                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Heart Attack, Stroke, or Vascular Rupture Claim - Training Exercise or Fitness Program; Pending Regulations  
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| 2902                                 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Line of Duty Injury - Line of Duty Activity or Action; Status as a Public Safety Agency  
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| 430                                  | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Heart Attack, Stroke, or Vascular Rupture Claim - Eligible Activity Within 24 Hours of Heart Attack, Stroke, or Vascular Rupture Claim; Eligibility of Survivors / Beneficiaries; Line of Duty Injury - Line of Duty Activity or Action  
Documentation from Claimant Pending  
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| 12                                   | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Potential Limitation on Payment - Voluntary Intoxication; Eligibility of Survivors / Beneficiaries; Adverse Claimants  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 2066                                 | PSOB Office Level (Death or Disability) | Documentation from Claimant Pending  
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| 1866                                 | PSOB Office Level (Death or Disability) | Documentation from Claimant Pending  
Documentation from Agency Pending |
| 4203                                 | PSOB Office Level (Death or Disability) | Documentation from Claimant Pending  
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| 1471                                 | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
| 685                                  | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |
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| 3258                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Eligibility of Survivors / Beneficiaries |
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| 1450                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Injury; Line of Duty Injury - Line of Duty Activity or Action; Pending Regulations |
| 3631                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Injury; Line of Duty Injury - Line of Duty Activity or Action; Pending Regulations |
| 3673                               | PSOB Office Level (Death or Disability) | Documentation from Claimant Pending |
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| 2281                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Status as a Public Safety Officer |
| 6130                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Status as a Public Safety Officer |
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| 6108                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Causation between Death and Injury |
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<p>| 6132                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): Eligibility of Survivors / Beneficiaries |</p>
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| 3398                                | Hearing Officer Appeal | Complex Claim - Issue(s): Total and Permanent Disability |
| 2589                                | Hearing Officer Appeal | Complex Claim - Issue(s): Total and Permanent Disability |</p>
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<td>Complex Claim - Issue(s): Injury</td>
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F. As of the last day of the 180-day period preceding this report (11/26/18), the total number of claims submitted to the Bureau on or before that date relating to exposure due to September 11th, 2001, terrorism attacks for which a final determination has not been made: 127

PSOB Office Level (Death or Disability): 120
Hearing Officer Appeal Level: 3
BJA Director Appeal Level: 4

G. As of the last day of the 180-day period preceding this report (11/26/18), the total number of claims submitted to the Bureau on or before the date that is 1 year before that date (11/26/17) relating to exposure due to the September 11th, 2001, terrorism attacks for which a final determination has not been made: 106

PSOB Office Level (Death or Disability): 102
Hearing Officer Appeal Level: 0
BJA Director Appeal Level: 4

H. For each claim described in G., a detailed description of the basis for delay

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<th>Level Pending</th>
<th>Basis for Delay</th>
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Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1779                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
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Documentation from Claimant Pending  
Documentation from Agency Pending |
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Documentation from Claimant Pending  
Documentation from Agency Pending |
| 1235                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 738                                | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 839                                | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 3072                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
| 3005                               | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP  
Documentation from Claimant Pending  
Documentation from Agency Pending |
<p>| 494                                | PSOB Office Level (Death or Disability) | Complex Claim - Issue(s): 9/11 Exposure Claim Without a Public Ruling from VCF or WTCHP |</p>
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Total number of claims submitted to the Bureau relating to exposure due to the September 11th, 2001, terrorism attacks for which a final determination was made during the 180-day period preceding this report (5/30/18 – 11/26/18), and the average award amount for any such claims that were approved:

- Total number of claims submitted to the Bureau relating to exposure due to the September 11th, 2001, terrorism attacks for which a final determination was made during the 180-day period preceding this report (5/30/18 – 11/26/18): **44**

- Average award amount\(^5\) for any such claims that were approved: **$220,605.96**

The result of each claim for which a final determination was made during the 180-day period preceding this report (5/30/18 – 11/26/18), including the number of claims rejected and the basis for any denial of benefits:

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\(^4\) This figure includes approvals as well as denials. Of the 44 9/11-related claims determined during the 180-day period (5/30/18 – 11/26/18), 39 were approvals and 5 were denials.

\(^5\) The award amount denotes the award amount actually paid by PSOB, rather than the total PSOB benefit amount for which the claimant(s) may have been eligible less offsets under the September 11th Victim Compensation Fund of 2001 (VCF).
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K. The number of final determinations which were appealed during the 180-day period preceding this report (5/30/18 – 11/26/18), regardless of when the final determination was first made: **30**

L. The average number of claims processed per reviewer of the Bureau during the 180-day period preceding this report (5/30/18 – 11/26/18):

- For the **310** death and disability claims processed (determined) at the PSOB Office level during this period, the average number of claims processed per reviewer, at six reviewers per claim, was: **52 claims**

- For the **290** education claims processed (determined) at the PSOB Office level during this period, the average number of claims processed per reviewer, at five reviewers per claim, was: **58 claims**

- For the **19** appeals processed (determined) at the Hearing Officer and BJA Director levels during this period, the average number of claims processed per reviewer, at three reviewers per appeal, was: **6 appeals**

Note: These figures were calculated by averaging the number of claims “processed” (“determined”) for the reporting period by the number of reviewers per claim, and does not represent the applications and claims reviewed, but not determined, in the reporting period. For each completed death, disability, or education claim determined at the PSOB Office level, at a minimum, BJA has received the initial application, conducted outreach for basic pending documentation, reviewed the completed application for factual and legal complexity, assigned a claim number, analyzed the evidence, prepared a draft(s) determination, reviewed and signed off on the draft as factually and legally sufficient, requested funds (approvals), and provided notifications throughout the review process. Because different staff perform different functions
to produce a completed determination approving or denying every claim for benefits, the most meaningful indicator of claims processing is the number of determinations issued in the reporting period.

M. For any claim submitted to the Bureau that required the submission of additional information from a public agency, and for which the public agency completed providing all of the required information during the 180-day period preceding this report (5/30/18 – 11/26/18), the average length of the period beginning on the date the public agency was contacted by the Bureau and ending on the date on which the public agency submitted all required information to the Bureau

- Average duration between date public agency contacted by the Bureau and date public agency submitted all basic required information to the Bureau: **134 days**

N. For any claim submitted to the Bureau for which the Bureau issued a subpoena to a public agency during the 180-day period preceding this report (5/30/18 – 11/26/18) in order to obtain information or documentation necessary to determine the claim, the name of the public agency, the date on which the subpoena was issued, and the dates on which the public agency was contacted by the Bureau before the issuance of the subpoena

<table>
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<tr>
<th>Level of Claim</th>
<th>Name of Public Agency</th>
<th>Date Subpoena Issued</th>
<th>Dates Public Agency Was Contacted by Bureau Before Issuance of Subpoena</th>
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O. Information on the compliance of the Bureau with the obligation to offset award amounts under section 1201(f)(3)

(i) The number of claims that are eligible for compensation under both this part and the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42) (commonly referred to as the ‘VCF’)

- Number of claims eligible for compensation under the PSOB benefit as well as the September 11th Victim Compensation Fund of 2001 (“VCF”): **35**

(ii) For each claim described in clause (i) for which compensation has been paid under the VCF, the amount of compensation paid under the VCF

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6 The set of claims from which this duration is derived are those which moved from the application stage to the claim stage during the 180-day period because they had sufficient documentation to become claims.
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<th>Amount of compensation paid under the VCF(^7)</th>
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\(^7\) Those with an amount of $0.00 indicate claims that were eligible for VCF compensation, but for which compensation had yet to be paid by VCF.
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(iii) The number of claims described in clause (i) for which the Bureau has made a final determination

- Number of claims eligible for compensation under the PSOB benefit as well as the September 11th Victim Compensation Fund of 2001 (“VCF”) for which the Bureau has made a final determination: **35**

(iv) The number of claims described in clause (i) for which the Bureau has not made a final determination

- Number of claims eligible for compensation under the PSOB benefit as well as the September 11th Victim Compensation Fund of 2001 (“VCF”) for which the Bureau has not made a final determination: **N/A**