

Ground Zero compensation area expands

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The Justice Department has agreed to expand compensation to residents and workers injured farther from [Ground Zero](#) than initially envisioned, but is running into criticism for refusing to compensate for post-traumatic stress disorder.

The Justice Department's Victim Compensation Fund Special Master Sheila Birnbaum on Monday published new rules for workers, volunteers, residents and others eligible for compensation from Ground Zero injuries.

She said the area covered by the [James Zadroga 9/11 Health and Compensation Act of 2010](#) would cover injuries incurred in additional areas in Manhattan south of Reade Street, Centre Street and the Brooklyn Bridge.

But the Justice Department also said the fund wouldn't compensate people for mental illnesses such as post-traumatic stress disorder as a result of the 9/11 attacks.

The Zadroga Act set aside \$4.3 billion related to Ground Zero injuries, including \$1.5 billion to fund medical centers of excellence, to monitor and treat illnesses, including psychological disorders.

But it also set aside \$2.8 billion for a victims compensation fund to paying people who were injured. That money excludes mental disorders, prompting criticism from those who argue mental problems can be as real as other medical issues.

"It only provides compensation for physical harm," said Troy Rosasco, a partner at Manhattan-based Turley, Hansen & Partners, which represents hundreds of claimants. "I think it's absolutely wrong. Just like health insurance in the United States today, we once again are discriminating against those who have mental illness."

Critics of expanding the fund to cover psychological problems argue doing so could open the door to claims that are difficult to verify and quantify. But Rosasco and his colleagues at Turley Hansen argue closing the door entirely to [PTSD](#) is wrong.

"We believe anyone who has been seriously affected by the 9/11 attacks should be fairly compensated," said Daniel J. Hansen, another partner at Turley Hansen which also has offices in Hempstead and Ronkonkoma.

Rosasco said his firm represents many Long Island residents who worked or volunteered at or near Ground Zero, including New York City firefighters and police, Long Island volunteer firefighters and police, Verizon and AT&T workers and American Red Cross volunteers.

He said that at least half of the firm's hundreds of clients with Ground Zero claims have been treated for psychological injuries.

"I think it's discriminatory to not allow compensation for psychological injuries such as PTSD," Rosasco said. "They can be as disabling if not more than many of the respiratory disorders which they are quick to give money for."

The measures proposed Monday are subject to public comment for 45 days.

Rosasco said determining the extent of a psychological claim can be difficult, but is possible. "Courts do it all the time," he said.

He added that he's aware of concerns about expanding the fund to include psychological claims, but said there also are good arguments to do so.

"Others would argue we must draw line and we have limited amount of funds," he said. "I understand why they drew the line. I just don't agree with it."

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