

Statement of

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Oversight: An Update on Access to Medical Care and Benefits for Uniformed
Municipal Workers Involved in the 9-11 Recovery Effort

Before the

New York City Council Committee on Civil Service & Labor and Committee on
Health

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Thank you Chairmen Addabbo and Rivera and members of the Committee on Civil Service & Labor and the Committee on Health for inviting me to testify at this hearing and for your ongoing commitment to addressing 9/11 health issues.

The Mayor's Office especially appreciates the Council's resolution earlier this year in support of the James Zadroga 9/11 Health and Compensation Act, which was reintroduced this summer. We have been actively working with members of Congress to improve that bill's chances of passage and I will be updating you in a moment about our federal advocacy.

There is much progress to report since your hearing on 9/11 health last September. At that time, Linda Gibbs, Deputy Mayor for Health and Human Services, testified that New York City had begun implementing the 15 recommendations made by Mayor Bloomberg's 9/11 Health Panel. The Mayor convened that panel, which Deputy Mayor Gibbs co-chaired with Ed Skyler, Deputy Mayor for Operations, on the eve of the fifth anniversary of World Trade Center attacks. Today, just 18 months after the Panel issued its report, nearly all of these recommendations have been completed or are well underway, along with the City's commitment of \$100 million in funds over five years to implement the 9/11 health agenda.

Appended to this testimony is a full list of those recommendations and the status of implementation for each one. You can also find this list on the City's WTC health Web site, at www.nyc.gov. My testimony today will summarize some of the highlights of our accomplishments since last year's hearing. My colleague Dr. Lorna Thorpe from the City's Health Department will focus on WTC health research and the programs that the Health Department oversees.

WTC Health Treatment

In terms of ensuring first-rate medical care for all of those with 9/11-related health conditions, the Panel recommended that the WTC Environmental Health Center at the Health and Hospitals Corporation be expanded and actively promoted. As you may know, this is the only program dedicated to treating lower Manhattan residents, school children, office workers who commute from many parts of the city, employees of local businesses, and clean-up workers who cleaned offices in the wake of the attack. This Center of Excellence, which was a small program at Bellevue Hospital at the time the Panel issued its report, complements the City's two other Centers of Excellence that treat first responders at the New York City Fire Department and at the Mount Sinai Medical Center Consortium.

With the City's investment of \$50 million over five years, HHC's program was expanded to two additional locations: Gouverneur Healthcare Services in lower Manhattan and Elmhurst Hospital in Queens. In addition, Bellevue Hospital recently opened a pediatric program that treats 9/11-related physical and mental health conditions in children and adolescents. Services are available at all three locations in the languages spoken by New York City's linguistically diverse communities.

To date, nearly 3,000 people have sought treatment at the WTC Environmental Health Center. Over the coming years many more are expected to do so, especially with the launch earlier this month of a \$5 million multimedia advertising campaign that urges the public to seek care for health problems that could be related to 9/11 with its tagline: "Lived There? Worked There? You Deserve Care." The campaign is designed to reach a broad group of individuals exposed to the attacks with a series of subway, radio and television ads.

HHC also enlisted the help of ten community-based organizations and other groups who are receiving grants of more than \$2 million to conduct grassroots outreach. In just three weeks since the outreach campaign was launched, the

Environmental Health Center's call volume has increased five-fold from about 20 to more than 100 calls per week, and the program is now accepting patients at an average rate of more than 80 per week.

I also am pleased to report that the federal government finally has begun to recognize the need to provide funding for this program. Due in part to the City's strong advocacy, Congress last year appropriated 9/11 health funds specifically for residents and other non-responders. Due to aggressive advocacy by Mayor Bloomberg to the federal Health and Human Services Secretary Leavitt, the Centers for Disease Control recently announced it would award up to \$30 million over three years to monitor and treat non-responders. HHC applied for this funding for its WTC program and is awaiting a response from the CDC.

The Panel also recommended that the City offer financial assistance to all New Yorkers in need of 9/11-related mental health services. Earlier this year the Health Department launched a new benefit program for people still struggling with the effects of the WTC attacks, similar to an expiring program offered by the American Red Cross. Dr. Lorna Thorpe, my colleague at the Health Department, will be providing more details about the New York City 9/11 Benefit Program for Mental Health and Substance Use Services.

WTC Medical Working Group

Last year, Mayor Bloomberg appointed a WTC Medical Working Group, co-chaired by Deputy Mayor Gibbs and Health Commissioner Tom Frieden. This blue-ribbon working group was charged with monitoring the constantly unfolding research on suspected 9/11 health effects. The group comprises 16 academic experts, government leaders and representatives from the WTC Centers of Excellence, including Dr. David Prezant, Co-Director of FDNY's WTC Program; Dr. Philip Landrigan, who oversees the WTC Program at Mount Sinai; Dr. Eli Kleinman, Supervising Chief Surgeon of NYPD; and Dr. Richard Leinhardt, Chief Surgeon of the New York Department of Correction.

The group achieved a remarkable degree of consensus about the kinds of 9/11-related health problems that a wide range of individuals may face, including uniformed responders, residents of Lower Manhattan, school children, and employees of local businesses. Dr. Thorpe, a member of the group, will testify about the group's first annual report on the state of 9/11 health, which was issued a few weeks ago.

Outreach and Information to City Employees

The 9/11 Health Panel recognized the critical importance of increasing access to information about services for City employees who may have been affected by the WTC disaster. Last year, Deputy Mayor Gibbs reported that a citywide WTC Health Coordinator, Jeffrey Hon, had been appointed to work with WTC Health Liaisons designated at City agencies with large numbers of employees who participated in WTC rescue and recovery operations. During the past year, the WTC Health Coordinator met with the Liaisons on a quarterly basis to keep them informed about the latest developments in 9/11 health, including the availability of new treatment services, the latest WTC health findings, and recent changes in New York State law regarding WTC-related Workers' Compensation and disability pensions. The liaisons provide important feedback about City employees' questions and issues. We think this is an effective tool to ensure that City employees stay informed about developments in this field and have a forum to address any concerns.

In addition to touring the WTC programs at Bellevue and FDNY, the WTC Health Liaisons also have helped to implement the WTC Excused Absence policy. Initiated in October 2007, this policy encourages City employees to be screened at Mt Sinai's monitoring and treatment program or to undergo an initial evaluation at HHC's WTC Environmental Health Center by offering an excused absence of up to four hours, in addition to travel time, to access 9/11 health services on City time. To date more than 50 employees have benefited from the policy.

WTC liaisons have also actively promoted to City employees the City's 9/11 health website, the nation's most comprehensive source of 9/11 health information. The site has been visited more than 300,000 times since it was launched last September.

In addition to the launch of the website and the appointments of the WTC Health Coordinator and Health Liaisons, New York City has actively expanded its direct outreach to uniform service responders. In 2007, it began distributing the *NYC 9/11 Health Update*, a bi-monthly e-newsletter, to nearly 6,000 members of the public, including City employees. Each issue of the e-newsletter includes a complete list of specialized WTC treatment resources and the filing deadlines for WTC-related Workers' Compensation and disability. The Health Department also printed a *9/11 Service Guide* for distribution to City employees without Internet access via the WTC Health Liaisons. One thousand copies already have been ordered by the liaisons at FDNY and Corrections. In addition, more than 9,000 uniformed responders who are enrolled in the WTC Health Registry will receive copies of the Guide in a special mailing next month.

Federal Advocacy

When Mayor Bloomberg announced at a press conference earlier this month that the City had made substantial progress in implementing the Panel's recommendations, he also noted that New York City should not have to support these efforts single-handedly. The terrorists who destroyed the World Trade Center were attacking the United States, and addressing the ongoing health effects of 9/11 is a national duty.

Although the federal commitment to date has been adequate to screen, monitor and treat the many thousands of responders who have sought care through the WTC Centers of Excellence at FDNY and Mount Sinai, funding has been episodic and inconsistent. And the Federal government to date has not released

any funding for HHC's program. That is why the Panel recommended that the City vigorously pursue ongoing, stable federal funding to support the programs that form the cornerstone of our response to 9/11 health concerns, including the Centers of Excellence, the WTC Health Registry and outreach to affected populations.

Mayor Bloomberg has done just that. In many different forums, the Mayor and other top City officials have urged federal officials, including Nancy Pelosi, Speaker of the House, to pass the "9/11 Health and Compensation Act." This bill, whose principal sponsors are Representatives Carolyn Maloney, Vito Fossella, Jerrold Nadler, and Peter King, would provide consistent Federal support for monitoring and treatment of health problems among eligible 9/11 responders and community residents so that 9/11 health funding is no longer subject to the vagaries of the annual appropriations process. This annual battle has subjected 9/11 responders to uncertainty about their continued health care and inhibited the development of the most cost-effective services possible.

In addition, Mayor Bloomberg and other New York City officials have testified before Congress and briefed editorial boards about the need to reopen the September 11 Victim Compensation Fund (VCF), which closed in 2003 before many 9/11 health problems became evident. The 9/11 Health and Compensation Act would reopen the VCF and establish an already proven and fair means of compensating responders with serious health problems that could be related to their 9/11 work without the delay and uncertainty of litigation. The focus of litigation is to try to show that the City and the contractors who were essential to the recovery and clean up were somehow at fault. We know that it was the terrorists who are at fault for 9/11 and its aftermath. Reopening the VCF is a critical part of a comprehensive federal solution to the nation's recovery from 9/11, and is clearly a national responsibility.

As you may know, a new version of the 9/11 Health and Compensation Act was introduced over the weekend, though it did not come to a vote in the House of Representatives. While that bill was a step towards meeting the obligation to help those who are sick or who were harmed because of the attacks, the City had concerns about the legislation, particularly because of the amount of taxpayer dollars that the bill required the City to contribute – more than \$500 million over the next decade, with a continuing obligation for years after that. This is five times more than we are currently spending on 9/11 health, at a time when the City is reducing its own spending and facing extreme uncertainty in the City's financial outlook. Just as important, that bill did not give the City oversight over the portion of that \$500 million that is spent on programs outside of the City's authority. We will, however, continue to push for legislation that strikes the right balance between the federal obligation and the City's contribution.

As you will hear from Dr. Thorpe, the WTC Medical Working Group has identified the kinds of potentially 9/11-related health problems that require specialized treatment. Over the past year, New York City has firmly demonstrated its commitment to help everyone who was affected by the attacks get the first-rate care they deserve. Now it is up to the federal government to fund the Centers of Excellence so that they can provide this care for as long as necessary.

Thank you again for this opportunity to testify. I look forward to working with you, Chairman Addabbo and Chairman Rivera, and your colleagues to ensure that our City's residents and its responders get the health care they need and deserve.

**PROGRESS REPORT
FOR MAYOR'S 9/11 HEALTH PANEL RECOMMENDATIONS**

FIFTEEN RECOMMENDATIONS COMPLETED OR UNDERWAY

- **RECOMMENDATION:** Appoint a medical working group to review existing and emerging scientific findings on 9/11 health
ACTIONS:
 - Sixteen physicians and researchers, including representatives from the WTC Centers of Excellence, academic experts and government leaders were appointed in June 2007
 - First annual report on state of 9/11 health was released September 2008

- **RECOMMENDATION:** Advocate for federal resources to monitor and treat people with World Trade Center (WTC)-related mental and physical health problems
ACTIONS:
 - Mayor Bloomberg has urged federal officials, including Nancy Pelosi, Speaker of the House, and Michael Leavitt, Secretary of Health and Human Services, to provide federal funding for 9/11 health treatment programs in New York City
 - Mayor Bloomberg and other New York City officials have testified before Congress several times about the need to pass the James Zadroga 9/11 Health and Compensation Act
 - New York City officials have worked closely with members of the New York Congressional delegation, federal officials, labor and members of the community to secure funding for 9/11 health treatment and research

- **RECOMMENDATION:** Advocate for the reopening of the Victim Compensation Fund authorized by Congress in 2001
ACTION: Mayor Bloomberg, Michael C. Cardozo, New York City Corporation Counsel, and other New York City officials have testified before Congress and briefed editorial boards on the need to compensate individuals with serious 9/11 health problems without holding the City liable for these problems

- **RECOMMENDATION:** Appoint a WTC Health Coordinator to foster 9/11 health communication and outreach
ACTION: Position was filled in June 2007 and Coordinator has assisted in the implementation of panel recommendations

- **RECOMMENDATION:** Establish a comprehensive 9/11 health website to provide information about research and services
ACTION: “One-stop shop” website was launched in September 2007 and has received nearly 300,000 visits to date (www.nyc.gov/9-11HealthInfo)

- **RECOMMENDATION:** Expand the distribution of *Clinical Guidelines for Adults Exposed to the WTC Disaster* for use by physicians
ACTIONS:
 - *Guidelines* were revised in June 2008 and distributed to 40,000 health professionals in the New York City area, 200 college health clinics in the Northeast and are accessible at www.nyc.gov/9-11HealthInfo
 - National Institute for Occupational Safety and Health promoted use of guidelines to state health departments in all 50 states

- **RECOMMENDATION:** Expand and promote the services offered by the WTC Environmental Health Center at Bellevue Hospital Center
ACTIONS:
 - Treatment sites were expanded to Gouverneur Healthcare Services and Elmhurst Hospital Center in September 2007
 - More than 2,800 Lower Manhattan residents, area office workers and students have been treated to date
 - Pediatric treatment services are now available at Bellevue Hospital Center
 - Multilingual outreach and advertising campaigns were initiated in 2008

- **RECOMMENDATION:** Offer financial assistance for 9/11-related mental health and substance use treatment services to all New Yorkers in need
ACTION: More than 1,000 people have enrolled in the New York City Benefit Program for Mental Health and Substance Abuse Services since April 2008

- **RECOMMENDATION:** Expand outreach to 9/11 affected communities about construction and deconstruction projects that could pose environmental hazards
ACTIONS:
 - Notify NYC offers Lower Manhattan residents advisories about neighborhood disruptions via e-mail and cell phone
 - Lower Manhattan Construction Command Center has convened monthly community meetings with construction project sponsors, contractors, City agencies and consultants

- **RECOMMENDATION:** Review the environmental, health and safety aspects of the City's disaster response plans

ACTION: The City is developing a response capacity within the Department of Health and enhancing the response capacity of the Department of Environmental Protection to ensure that environmental dangers—such as asbestos and other hazards—are quickly and comprehensively addressed during any emergency. In addition, DOHMH and DEP are currently working with OEM to strengthen the City's response protocols to environmental hazards, including the use of the proper protective equipment, if necessary, by first responders and other workers at the scene of the emergency and the implementation of any necessary protective actions for community residents

- **RECOMMENDATION:** Appoint WTC Health Liaisons at City agencies to track and disseminate information about 9/11 health issues

ACTIONS:

- WTC Liaisons from 20 agencies and 3 pension boards have met quarterly with the WTC Health Coordinator and toured both the Bellevue and FDNY Centers of Excellence
- WTC Liaisons distributed 150,000 postcards informing City employees about the 9/11 health website

- **RECOMMENDATION:** Provide 9/11-related health information to City employees who participated in WTC rescue, recovery and clean-up operations

ACTION:

- *9/11 Health E-News* is distributed monthly to more than 5,000 members of the public and City employees

- **RECOMMENDATION:** Offer excused absences to City employees who wish to make appointments to be screened or treated for the first time at the WTC Centers of Excellence if they are eligible for services

ACTION:

- Since the WTC excused absence policy was implemented in December 2007, more than 50 employees have scheduled appointments at the Centers of Excellence

- **RECOMMENDATION:** Encourage City employees with 9/11-related mental health and substance use needs to enroll in treatment programs

ACTIONS:

- The 9/11 health website includes information about more than 20 local mental health and substance use programs
- A *9/11 Resource Guide* has been printed for distribution by WTC Health Liaisons to City employees without internet access

- **RECOMMENDATION:** Encourage City employees who participated in WTC rescue, recovery and clean-up operations to register with the New York State Workers' Compensation Board and to file WTC Notices of Participation with their retirement systems

ACTION:

- The 9/11 health website and e-newsletters prominently feature the registration deadlines and announce changes in the law governing these benefits