



Accidental Disability Retirement Under Chapter 157

The Bill Ricci World Trade Center Rescue, Recovery, and Cleanup Operations Act

Information for:

State Police Retirement System (SPRS)
Police and Firemen's Retirement System (PFRS)
Public Employees' Retirement System (PERS)

P.L. 2019, c. 157 (Chapter 157), The Bill Ricci World Trade Center Rescue, Recovery, and Cleanup Operations Act, permits an active member of the Police and Firemen's Retirement System (PFRS), the State Police Retirement System (SPRS), and certain members of the Public Employees' Retirement System (PERS), to file for an Accidental Disability Retirement if the member is to become totally and permanently disabled due to participation in the rescue, recovery, or cleanup operations at the World Trade Center between September 11, 2001, and October 11, 2001.

In addition, eligible PFRS, SPRS, and certain PERS retirees have the right to request a recalculation of an existing retirement benefit to an Accidental Disability Retirement benefit if the retiree is currently disabled due to participation in the rescue, recovery, or cleanup operations at the World Trade Center during the time period noted above.

ELIGIBILITY

This benefit is available to current PFRS, SPRS, and certain PERS members or retirees, regardless of whether the member/retiree was enrolled in the PFRS, SPRS, or PERS at the time of participation or under orders or instruction by an employer to participate in the World Trade Center rescue, recovery, or cleanup.

- PERS eligibility is limited to members or retirees in Tier 1, 2, or 3 who are serving or had served

as PERS Law Enforcement Officers (LEOs) or Emergency Medical Technicians (defined as a person trained in basic life support services and certified by the Department of Health to perform these services).

Members or retirees must certify that they were present and worked or volunteered at the World Trade Center site. This site is defined as a location below a line starting from the Hudson River and Canal Street, east on Canal Street to Pike Street, South on Pike Street to the East River, and extending to the lower tip of Manhattan.

Members or retirees must also certify that they worked or volunteered for at least eight hours at the World Trade Center site between September 11, 2001, and October 11, 2001. Members or retirees who worked for a total of less than eight hours on September 11, 2001, and/or September 12, 2001, must certify that a documented physical injury was sustained which prevented their continued participation in the rescue, recovery, or cleanup operations.

Members or retirees must have a qualifying documented medical condition or impairment of health, which under Chapter 157 may include:

- Diseases of the upper respiratory tract and mucosae, including conditions such as conjunctivitis, rhinitis, sinusitis, pharyngitis, laryngitis, vocal cord disease, upper airway hyper-reactivity, trachea-bronchitis, or a combination of such conditions;

- Diseases of the lower respiratory tract, including but not limited to bronchitis, asthma, reactive airway dysfunction syndrome, and different types of pneumonitis such as hypersensitivity, granulomatous, or eosinophilic;
- Diseases of the gastroesophageal tract, including acute or chronic esophagitis and reflux disease caused by exposure or aggravated exposure;
- Diseases of the psychological axis, including post-traumatic stress disorder, anxiety, depression, or any combination of such conditions;
- Diseases of the skin such as contact dermatitis or burns, either acute or chronic in nature, infectious, irritant, allergic, idiopathic or non-specific reactive in nature, caused by exposure or aggravated by exposure; and
- New onset diseases resulting from exposure as such diseases occurring in the future including cancer, chronic obstructive pulmonary disease, asbestos-related disease, heavy metal poisoning, musculoskeletal disease, and chronic psychological disease.

MEMBER RESPONSIBILITIES

Members or retirees who were present and worked or volunteered in the rescue, recovery, or cleanup operations at the World Trade Center between September 11, 2001, and October 11, 2001, must

complete and return an *Eligibility Registration Form* within two years of the date of enactment of Chapter 157, or no later than July 8, 2021.

Filing the *Eligibility Registration Form* preserves the member's or retiree's right to be considered for Accidental Disability under this law if a subsequent disability is due to participation in the rescue, recovery, or cleanup operations at the World Trade Center.

If an *Eligibility Registration Form* is not filed by July 8, 2021, the member or retiree will not be permitted to request a recalculation of an existing retirement benefit or to apply for an Accidental Disability Retirement benefit resulting from participation in the rescue, recovery, or cleanup operations at the World Trade Center.

The *Eligibility Registration Form* is not an application for Accidental Disability Retirement. Members who have filed an *Eligibility Registration Form* and are, or subsequently become, totally and permanently disabled, must complete an application for Accidental Disability Retirement and indicate their disability is due to their participation in the rescue, recovery, or cleanup operations at the World Trade Center.

PFRS, SPRS, and eligible PERS retirees have the right to request a recalculation of an existing retirement benefit to an Accidental Disability Retirement benefit if the retiree is currently disabled with a qualifying condition or impairment of health due to participation in the rescue, recovery, or cleanup operations at the World Trade Center between September 11, 2001, and October 11, 2001.

To request the recalculation of an existing retirement benefit to an Accidental Disability Retirement benefit, retirees must submit the *Eligibility Registration Form* and the *Request for Amended Benefits Form* within 30 days of notification of this law, or 30 days from obtaining knowledge of a disability as related to the World Trade Center rescue, recovery, and cleanup operations.

FORMS AND FACT SHEETS

For more information about Accidental Disability Retirement benefits, please refer to the *Disability Retirement Benefits* Fact Sheets on the New Jersey Division of Pensions & Benefits website: www.nj.gov/treasury/pensions

Forms mentioned in this fact sheet are also available on the NJDPB website.

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