



## Free BAP Exams

Over 12,500 registered Players are eligible for the BAP, yet only about half of them have scheduled appointments. If you represent a Player who is eligible for the BAP and have not yet scheduled his BAP exam, do not wait any longer. These exams are free and one way to find out if the Player has a compensable dementia claim.

If a Player is eligible for the BAP and does not participate, he cannot receive BAP Supplemental Benefits, which pay for approved follow-up examinations, treatments, counseling and prescription drugs for Players diagnosed with Level 1 Neurocognitive Impairment. The results of a BAP exam, which



will include findings of both a neurologist and a neuropsychologist, are the Player's to keep and use for the rest of his life and can serve as a baseline for other evaluations he may have in the future, including those done by Qualified MAF Physicians in this Program. There is no reason not to take advantage of this Settlement benefit!

To set up a BAP appointment, call 1-855-887-3485 and select option 2 to be connected with the BAP Administrator. All claims based on a Level 1.5 Neurocognitive Impairment or Level 2 Neurocognitive Impairment diagnosis made in the BAP must be submitted within two years of the date of diagnosis.

### *A Message From the Claims Administrator*

*We hope you find the first edition of this newsletter helpful and informative. We will issue more newsletters like this in the future to highlight other details about the Program, but the best source of information is the Settlement Website ([www.NFLConcussionSettlement.com](http://www.NFLConcussionSettlement.com)), where you can find the Settlement Agreement, important alerts, Frequently Asked Questions ("FAQs"), official forms and reports about registrations and claims.*

*We are here to help! Your Law Firm Contact is your main resource, but you also may call 1-855-887-3485 or email the Claims Administrator at [ClaimsAdministrator@NFLConcussionSettlement.com](mailto:ClaimsAdministrator@NFLConcussionSettlement.com) with any questions you have.*

**Orran Brown**

Founding Partner BrownGreer PLC

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## MAF Exams

### Diagnoses by Qualified MAF Physicians

Qualified MAF Physicians can make five Qualifying Diagnoses in the Program:

**Level 1.5  
Neurocognitive  
Impairment**

**Level 2  
Neurocognitive  
Impairment**

**Alzheimer's  
Disease**

**Parkinson's  
Disease**

**ALS**

If a Player did not receive any of these diagnoses on or before January 7, 2017, and was not diagnosed in the BAP with Level 1.5 or Level 2 Neurocognitive Impairment, set up an appointment with a Qualified MAF Physician today to see if he may have a valid claim. Only Qualified MAF Physicians and Qualified BAP Providers may make Qualifying Diagnoses after January 7, 2017.

You can find contact information for a Qualified MAF Physician in a Player's area using the search feature on the MAF Physicians page of the Settlement Website ([https://www.](https://www.nflconcussionsettlement.com/PhysicianSearch.aspx)

[nflconcussionsettlement.com/PhysicianSearch.aspx](https://www.nflconcussionsettlement.com/PhysicianSearch.aspx)). If you do not use a computer, call your Law Firm Contact for help or to request a list of all the Qualified MAF Physicians. Players must pay for these exams, but most Qualified MAF Physicians accept health insurance.

If a Player wants to wait to set up an appointment, the network of Qualified MAF Physicians will be available until January 7, 2082! While there is no deadline for a Player to get a diagnosis, if he does receive a Qualifying Diagnosis from a Qualified MAF Physician, he must submit a claim within two years of the date of that diagnosis.

## Next Steps After Your Client Gets a Diagnosis in the BAP

Your next steps depend on the diagnosis your client received through his BAP exam. If he received a Level 1 Neurocognitive Impairment diagnosis, he is not yet eligible to submit a claim for a Monetary Award, but you should follow up with the BAP Administrator about BAP Supplemental Benefits. If he was diagnosed with Level 1.5 or Level 2 Neurocognitive Impairment, you can submit a Monetary Award Claim Package to the Claims Administrator for a Monetary Award based on that Qualifying Diagnosis.

### Here is what you need to do:

- 1) Get the BAP exam records from the BAP Administrator – make sure those records include a BAP Diagnosing Physician Certification Form.
- 2) Submit the BAP exam records and these items to the Claims Administrator:
  - a) Claim Form;
  - b) HIPAA Form;
  - c) Any other medical records reflecting the Qualifying Diagnosis; and
  - d) If you want to prove more Eligible Seasons than what the Claims Administrator already has

credited the Player, send records showing his employment or participation in NFL Football.



You can submit a Claim Package and any other documents through your online Portal account available on the Claims Administrator's Settlement Website (<https://www.nflconcussionsettlement.com/Login.aspx>), or by sending it to one of the addresses on page 4.

## Annual Inflation Adjustment to Monetary Awards

Under Section 6.9 of the Settlement Agreement, on January 7 of each year the Special Masters may direct an inflation adjustment to the Monetary Award amounts, not to exceed 2.5%, based on consideration of the Consumer Price Index for Urban Consumers. The Special Masters approved a 2.07% upward adjustment for Monetary Awards starting on January 7, 2018.

Click [here](#) for a copy of the updated Monetary Award Grid values.

All Monetary Award Determination Notices issued after May 11, 2018, will use the updated Monetary Award amounts. If you have been paid a Monetary Award or Derivative Claimant Award after January 7, 2018, we will calculate the additional 2.07% to be added to your Award and have the Trustee issue a true-up payment for that 2.07% (less the Court-ordered 5% deduction for Class Counsel fees). You do not need to take any action to get this true-up payment. If you have not yet received payment on a Notice of Monetary Award or Notice of Derivative Claimant Award previously issued, you will be paid the new Award amount including the 2.07% increase if and when your Award is paid.

## Court Orders 22% Attorneys' Fee Cap



On April 5, 2018, the Court entered an Order capping the combined fees for all attorneys who worked on a claim at 22% of an Award, plus reasonable costs. It also ordered that 5% of that 22% be held back for common benefit work, making 17% the maximum

fee available to individually retained attorneys. You can petition

the Court for a fee amount higher than 22% up to the amount in your fee agreement with the Settlement Class Member. Settlement Class Members can petition for a fee amount less than 22% or for an amount less than the contractually-agreed-upon fee if it is less than 22%.

If you believe your work warrants an upward deviation from the fee cap, you must file a petition with the Court explaining the exceptional or unique circumstances that justify exceeding the cap and the amount of fees sought. If neither you nor the Settlement Class Member wants to file a petition for deviation, tell us by email or call so we do not wait for

the petition filing deadlines to pass before we initiate the payment process.

If you currently represent the Settlement Class Member and we are withholding your attorney's fees, your deadline to file a petition was June 4, 2018. Otherwise, the deadline to file a petition is triggered by the date of the Notice of Monetary Award Claim Determination or Notice of Derivative Claimant Award Determination. **Note** – if there is an Attorney's Lien against the claim, the dispute over fees must be resolved by agreement of the lawyers within the confines of the fee cap and approved by the Court or by a final decision in the Attorneys' Liens dispute resolution process before we can pay you.

You can petition the Court for an upward deviation even if you no longer represent the Settlement Class Member. If you filed a Notice of Attorney's Lien before May 3, 2018, your deadline to file a petition was June 4, 2018. Otherwise, you must file a petition within 10 days after filing a Notice of Attorney's Lien with the Court.

For detailed information on petitions for deviation, see the Rules Governing Petitions for Deviation from the Fee Cap ([here](#)).

## Claims Review Progress

We are happy to report that we are caught up on claims review and are reviewing new claims almost immediately within 48 business hours. We are ready to review your clients' claims! Unfortunately, **the Court, Special Masters, Co-Lead Class Counsel and we have received questions and some complaints from Settlement Class Members that they have sent all their records to their lawyer, but the lawyer has not yet submitted a claim.**

If you received records from a client who wishes to submit a claim, send them to us right away. You can submit a Claim Package and any supporting documents through your online Portal account. While we recommend that you create and use a secure online Portal account, if you do not, you may send your client's Claim Package by mail or delivery using:

**U.S. Mail:**

NFL Concussion Settlement  
 Claims Administrator  
 P.O. Box 25369  
 Richmond, VA 23260

**Delivery (ex., FedEx, UPS):**

NFL Concussion Settlement  
 c/o BrownGreer PLC  
 250 Rocketts Way  
 Richmond, VA 23231



***There is no reason to wait.  
 Send the claims right away!***

## Submitting New Claims After a Denial Notice



**NEW  
 CLAIM  
 PACKAGE**

If your client received a denial notice from the Claims Administrator, you may submit another claim to us if his medical condition changes. If a client receives a new Qualifying Diagnosis through the BAP or from a Qualified MAF Physician (who must make all diagnoses after January 7, 2017), you can submit a new Claim Package to us for review by clicking the "Create New Claim" button on the Claim Package Page of your secure online Portal account.

After you click the "Create New Claim" button, you will be prompted to submit a new Claim Package

just as you did before. A complete Claim Package includes a Claim Form, a signed HIPAA form, a signed Diagnosing Physician Certification Form that identifies the new Qualifying Diagnosis and medical records that support the new diagnosis. We will review the new claim submission and notify you of the result.

**Important Note:** If your client received a denial notice in the last 30 days, you can appeal the denied claim to the Special Masters by paying the \$1,000 Appeal Fee and submitting the reasons for the appeal. But, if you want to just submit a new Claim Package, you can waive the appeal rights and proceed with the new diagnosis. Your Portal will guide you through this process.