



## New Published Special Master Audit Decisions

In last month's [newsletter](#), we discussed how Special Master and Court decisions get published on the [Settlement Website](#) so everyone can read them. The Special Masters have issued two new published decisions in the Audit process.

The first on August 29, 2018, disqualified neuropsychologist August Dolan-Henderson from participating in the Program. In a published decision on December 5, 2017, the Special Masters had disqualified another neuropsychologist, Serina Hoover.



After these rulings, no claim for a Monetary Award may rely on neuropsychological testing done by either Dr. Dolan-Henderson or Dr. Hoover. The second new decision on

September 11, 2018, concerns seven neuropsychologists (Daniel Zehler, Charles Furst, Therese Moriarty, Julia Johnson, Julie Keck-Olson, Nicole Anders and Phillip Pines) who used substantially the same testing and report template as Dr. Hoover had used. Under this ruling, Settlement Class Members may submit claims using testing by these seven neuropsychologists, but all such claims will be assessed by a member of the Appeals Advisory Panel, with consultation from an Appeals Advisory Panel Consultant, to determine if they qualify for payment.

### A Message From the Claims Administrator

*I hope you find these monthly newsletters helpful. We use them to explain and clarify our policies and processes, draw your attention to key deadlines and important developments or reminders and highlight other new or noteworthy issues affecting you and the Program. Tell us if there is anything you would like us to cover. We want to hear from you. Call 1-855-887-3485 or [email us](#) if you have questions, want to provide feedback, or just need help.*

*Remember, the best source of information is the [Settlement Website](#), where you can find important alerts, Frequently Asked Questions or "FAQs," official forms and reports on registrations and claims. Please check the Settlement Website often for Program updates.*

**Orran Brown**

Founding Partner BrownGreer PLC

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Website: [www.NFLConcussionSettlement.com](http://www.NFLConcussionSettlement.com) | Phone: 1-855-887-3485

## Getting a Baseline Assessment Examination



Over 4,600 Settlement Class Members have asked the BAP Administrator to schedule an exam for them in the Baseline Assessment Program, or the "BAP." These exams are

free. If we sent you a notice that you are eligible for the BAP and you want a free BAP exam, follow these steps:

### 1. Sign a BAP HIPAA Release.

This form is similar to the HIPAA release you usually sign at a doctor's appointment and gives the BAP Administrator authority to collect reports and medical records from the doctors who are the Qualified BAP Providers, as required by the Settlement Agreement. You can find and sign this form in the BAP section of your online portal with us (if you use one) or you can download and print a paper copy on the [Forms](#) page of the Settlement Website, sign it and send it by mail or delivery to one of the addresses listed at the end of the form.

### 2. Identify neuropsychologist(s) and neurologist(s) to do your exam.

After signing and submitting a BAP HIPAA Release, contact the BAP Administrator through your portal or by calling 1-855-887-3485 (select option 2) to get options for the Qualified BAP Providers near your home. The BAP exam includes two appointments, one with a clinical neuropsychologist and another

with a neurologist. The BAP Administrator will give you options for both. You must indicate your preference for at least one provider (you may choose up to two) in each specialty.

### 3. Tell the BAP Administrator about your availability for the BAP exam and any factors that should be considered when scheduling your appointments.

You do this after selecting your preferred providers in your portal or over the phone with the BAP Administrator.

### 4. Confirm your appointments.

Depending on how you have told us to communicate with you, you will receive your appointment dates in a message in your portal or a phone call from the BAP Administrator. You will be asked to confirm your dates and times. Your appointments are not considered scheduled until you confirm them with the BAP Administrator.

### 5. Attend your appointments.

Because the BAP Administrator coordinates thousands of appointments for Players in the Program, please make every effort to attend your scheduled appointments. No-shows and last-minute cancellations deprive other Players from using the appointment times and require rescheduling by the BAP Administrator.

## Changes to Your Contact Information



It is very important that you tell us whenever there is a change to your mailing address, email address, or phone number. We have to be able to get in touch with you so you get the Notices we send you in the Program. Please check the contact information we have for you now to make sure it is still accurate. If you use a portal, you can check your contact information there. If you do not use a portal, call or email us to verify your information. If you need to update any information we have for you (whether you use a portal or not), you can tell us what needs to be changed by calling us, sending us an email, or mailing your request to one of the addresses on page 4 of this newsletter.

Email: [ClaimsAdministrator@NFLConcussionSettlement.com](mailto:ClaimsAdministrator@NFLConcussionSettlement.com)

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## Bankruptcy Issues Affecting Payments

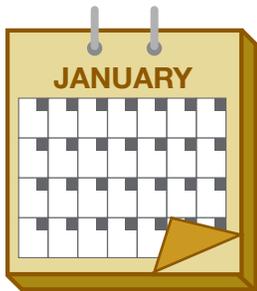
If you become eligible for an Award in the Program and have a current or past bankruptcy case, under [Section 541 of the Bankruptcy Code](#) your Award may be property of the bankruptcy estate and we will tell you if we need you to give us documents about the bankruptcy case before the Trustee of the Program can pay you an Award. Those additional documents will be required if you have a:

1. **Bankruptcy case that is open and pending now;**
2. **Bankruptcy case that has been closed but was filed on or after the date of the Qualifying Diagnosis on which your Award is based;**
3. **Chapter 7 bankruptcy case that has been closed but was filed and was still pending on the date of the Qualifying Diagnosis on which your Award is based; or**
4. **Chapter 11, 12, or 13 bankruptcy case that has been closed but was still pending as of the date of the Qualifying Diagnosis on which your Award is based, and the case was closed fewer than 180 days ago.**



**You can read more about this and the additional documents you may need to submit in the [Bankruptcy FAQs](#) on the Settlement Website.**

## Qualifying Diagnoses Made Now



January 7, 2017, was the “Effective Date” of the Settlement Agreement. After that Effective Date, a Qualifying Diagnosis can be made only for a Player who is living and only by Qualified BAP Providers in the BAP (for Level 1.5 and 2 Neurocognitive Impairment) or by a Qualified MAF Physician (who may make all Qualifying Diagnoses except Death with CTE). These doctors must personally examine Retired NFL Football Players before making their Qualifying Diagnoses, and they generally assign those exam dates as the date of their Qualifying Diagnoses, though they might, based on medical records you submit from past examinations done by different doctors, assign a Qualifying Diagnosis date that is earlier than their own exams. All this means:

**1**

If you are a Player who did not receive a Qualifying Diagnosis from a properly-qualified doctor on or before January 7, 2017, you now can get a Qualifying Diagnosis only through the BAP or from a Qualified MAF Physician.

**2**

If you are the Representative Claimant of a deceased Player who did not receive a Qualifying Diagnosis while he was still living, you cannot get a Qualifying Diagnosis for the Player now.

The [Diagnosis and Review Table](#) on the Settlement Website breaks down what types of doctors can make each Qualifying Diagnosis before and after the Effective Date. The date of your Qualifying Diagnosis sets your deadline to submit a Claim Package, and we discussed these deadlines in last month’s [newsletter](#). Also, see the [FAQs](#) on the Settlement Website for more information about deadlines and who, when and how certain doctors can make Qualifying Diagnoses.



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## Liens Against Awards in the Program

Both we and the Lien Resolution Administrator (Garretson Resolution Group, or "GRG") administer the provisions of the Settlement Agreement about Liens, which are claims by others for some or all of your Award. GRG is tasked with identifying and satisfying Medical Liens, which are sometimes called "healthcare liens," such as claims asserted by Medicare A/B, Medicare C/D, Medicaid, TRICARE, VA, Indian Health Services and private healthcare insurers (although you may choose not to engage GRG for private healthcare Liens). We handle Attorneys' Liens, Child Support Liens, Tax Liens and Judgment Liens. The "Liens – Information for Settlement Class Members" section on the [FAQs](#) page has details on Liens and how they affect Awards. If you have questions about Medical Liens, contact GRG by email at [NFLLiens@garretsongroup.com](mailto:NFLLiens@garretsongroup.com). We can help with questions about other types of Liens. If you call us with questions about Medical Liens, select option 2 to speak to GRG. We also can help route your Medical Lien questions to GRG.



## Previous Summary Reports on the Program

In our [July newsletter](#), we introduced the new NFL Settlement Program Summary Report, which we began posting to the Settlement Website on July 16, 2018. We refresh this report every Monday (or Tuesday, if Monday is a holiday) with new data. On September 6, 2018, we added a "History" option to the [Reports](#) page. Clicking on "History" gives you access to all past Summary Reports. If you are interested in the progress that has been made in the Program each week, you can compare the data in each weekly report.



## How Offsets and Deductions Affect Monetary Awards

The Settlement Agreement requires certain Offsets and deductions be made to Monetary Awards. "Offsets" reduce your [Monetary Award Grid](#) amount, which is the starting point of your Monetary Award. We apply Offsets under Sections 6.7(b)-(d) of the [Settlement Agreement](#), which relate to how many Eligible Seasons you have, whether you had a Stroke or Traumatic Brain Injury before getting your Qualifying Diagnosis and your lack of participation in the BAP (if you did not receive a Qualifying Diagnosis before July 7, 2014, and get one (other than ALS) after your deadline to receive a BAP exam). Your Award Notice will explain any Offsets to your Award and how you may appeal them to the Special Masters.



"Deductions" are dollars we hold back from your Monetary Award payment because they will or may be paid to someone else, including Derivative Claimants, lawyers for common benefit work on behalf of the Settlement Class and lienholders for pending and/or finalized Liens. These deductions come after we apply any of the Offsets described above. Your Award Notice will explain any deduction from your payment. These deductions cannot be appealed. You do, however, have certain rights related to Derivative Claimants and Liens, as the Award Notices explain.

There are [FAQs](#) on the Settlement Website with more information about Offsets and deductions.

### You can send materials to us at one of these addresses:

**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

If you call us at 1-855-887-3485 with questions about the BAP, select Option 2 to speak to the BAP Administrator.

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