

survivor. Before determining any individual to be a screening-eligible WTC survivor under paragraph (1) or certifying any individual as a certified eligible<sup>1</sup> WTC survivor under paragraph (2), the Administrator, in consultation with the Secretary of Homeland Security, shall determine whether the individual is on such list.

**(b) Initial health evaluation to determine eligibility for followup monitoring or treatment**

**(1) In general**

In the case of a screening-eligible WTC survivor, the WTC Program shall provide for an initial health evaluation to determine if the survivor has a WTC-related health condition and is eligible for followup monitoring and treatment benefits under the WTC Program. Initial health evaluation protocols under section 300mm-4(a)(2)(A)(ii) of this title shall be subject to approval by the WTC Program Administrator.

**(2) Initial health evaluation providers**

The initial health evaluation described in paragraph (1) shall be provided through a Clinical Center of Excellence with respect to the individual involved.

**(3) Limitation on initial health evaluation benefits**

Benefits for an initial health evaluation under this subpart for a screening-eligible WTC survivor shall consist only of a single medical initial health evaluation consistent with initial health evaluation protocols described in paragraph (1). Nothing in this paragraph shall be construed as preventing such an individual from seeking additional medical initial health evaluations at the expense of the individual.

(July 1, 1944, ch. 373, title XXXIII, §3321, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011, 124 Stat. 3648; amended Pub. L. 114-113, div. O, title III, §302(f), Dec. 18, 2015, 129 Stat. 3000; Pub. L. 116-59, div. B, title VI, §1602(b), Sept. 27, 2019, 133 Stat. 1107; Pub. L. 117-328, div. FF, title VII, §7701(b)(2), Dec. 29, 2022, 136 Stat. 5965; Pub. L. 118-31, div. A, title XVIII, §1851(c)(2), Dec. 22, 2023, 137 Stat. 708.)

**Editorial Notes**

**AMENDMENTS**

2023—Subsec. (a)(3)(B)(i)(II). Pub. L. 118-31 substituted “this subchapter” for “sections 300mm-61 and 300mm-62 of this title”.

2022—Subsec. (a)(3)(B)(i)(II). Pub. L. 117-328 substituted “sections 300mm-61 and 300mm-62 of this title” for “section 300mm-61 of this title”.

2019—Subsec. (a)(3)(A). Pub. L. 116-59 substituted “75,000” for “25,000”.

2015—Subsec. (a)(3)(B)(i)(II). Pub. L. 114-113 struck out “through the end of fiscal year 2020” after “certifications”.

**Statutory Notes and Related Subsidiaries**

**RULE OF CONSTRUCTION**

Nothing in amendment made by Pub. L. 116-59 to alter the annual limitations on amounts appropriated

<sup>1</sup> So in original. Probably should be “certified-eligible”.

to the World Trade Center Health Program Fund under section 300mm-61(a)(2) of this title, see section 1602(c) of Pub. L. 116-59, set out as a note under section 300mm-21 of this title.

**§ 300mm-32. Followup monitoring and treatment of certified-eligible WTC survivors for WTC-related health conditions**

**(a) In general**

Subject to subsection (b), the provisions of sections 300mm-21 and 300mm-22 of this title shall apply to followup monitoring and treatment of WTC-related health conditions for certified-eligible WTC survivors in the same manner as such provisions apply to the monitoring and treatment of WTC-related health conditions for enrolled WTC responders.

**(b) List of WTC-related health conditions for survivors**

The list of health conditions for screening-eligible WTC survivors and certified-eligible WTC survivors consists of the following:

**(1) Aerodigestive disorders**

- (A) Interstitial lung diseases.
- (B) Chronic respiratory disorder—fumes/vapors.
- (C) Asthma.
- (D) Reactive airways dysfunction syndrome (RADs).
- (E) WTC-exacerbated chronic obstructive pulmonary disease (COPD).
- (F) Chronic cough syndrome.
- (G) Upper airway hyperreactivity.
- (H) Chronic rhinosinusitis.
- (I) Chronic nasopharyngitis.
- (J) Chronic laryngitis.
- (K) Gastroesophageal reflux disorder (GERD).
- (L) Sleep apnea exacerbated by or related to a condition described in a previous clause.

**(2) Mental health conditions**

- (A) Posttraumatic stress disorder (PTSD).
- (B) Major depressive disorder.
- (C) Panic disorder.
- (D) Generalized anxiety disorder.
- (E) Anxiety disorder (not otherwise specified).
- (F) Depression (not otherwise specified).
- (G) Acute stress disorder.
- (H) Dysthymic disorder.
- (I) Adjustment disorder.
- (J) Substance abuse.

**(3) Additional conditions**

Any cancer (or type of cancer) or other condition added to the list in section 300mm-22(a)(3) of this title pursuant to paragraph (5) or (6) of section 300mm-22(a) of this title, as such provisions are applied under subsection (a) with respect to certified-eligible WTC survivors.

(July 1, 1944, ch. 373, title XXXIII, §3322, as added Pub. L. 111-347, title I, §101, Jan. 2, 2011, 124 Stat. 3652.)

**§ 300mm-33. Followup monitoring and treatment of other individuals with WTC-related health conditions**

**(a) In general**

Subject to subsection (c), the provisions of section 300mm-32 of this title shall apply to the