

Police, fire families fight for U.S. death benefit



By Jeremy Pelofsky

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When volunteer firefighter Lee Purdy died in 2000, minutes after manning a pumper engine at a building fire, a lucrative U.S. government death benefit did not cover his heart suddenly stopping in the line of duty.

His wife Sharon successfully campaigned in 2003 to expand the benefit to strokes and heart conditions suffered by police officers, firefighters and paramedics, but scores of grieving families have been left in limbo by the Justice Department.

Some 253 claims have been filed but only seven have been approved, 47 have been rejected and 199 are pending review, mystifying and infuriating families and lawmakers while raising new concerns about poor management by Attorney General Alberto Gonzales, separately under fire for ousting nine prosecutors.

"I cannot understand where the big hold-up is and why they are so reluctant to approve these claims," said Sharon Purdy, a paramedic. She and other families plan to go Capitol Hill on Wednesday to draw attention to the problem.

"The benefit allows those families to continue forward, to take that time to be able to just take a deep breath and not have to worry about how they're going to survive day to day," she said.

The Public Safety Officers' Benefits program offers almost \$300,000 to families of officers who die from a traumatic event. The value was raised to attract more people to become officers and firefighters after so many perished in the September 11 attacks.

The risk is high -- some 45 percent of firefighters' deaths on duty were heart disease-related, twice the rate for police, according to a Harvard School of Public Health study published in March.

The problems could be a new embarrassment for President George W. Bush and Gonzales.

YEARS OF RECORDS

The Justice Department said the cases involve "complex legal issues" requiring careful review and that denials could be appealed. Some 307 claims were filed in fiscal year 2006 and 193 approved, though some applications spanned earlier years.

"The Department continues to work to ensure that all claims are processed in a timely, efficient, and compassionate manner," it said in a statement.

Despite support from Bush and others, frustration and anger are mounting at the backlog and rejections, said Hal Bruno, chairman of the National Fallen Firefighters Foundation.

Justice Department officials have sought 10 years of medical records that enabled them to cite pre-existing conditions to deny claims and sometimes insisted the stress that killed public servants was merely routine, he said.

"The Justice Department's handling of these cases has seemed to go out of their way to make it difficult," said Bruno, a volunteer firefighter for 40 years.

While a decade of medical records was not required, they could help avoid a claim being denied if the individual was taking steps to address the risks of heart attack or stroke, the department said.

While acknowledging that not all claims would be accepted, Bruno said if an officer died from a heart attack or stroke within 24 hours of an incident, it was likely triggered by that event and therefore the benefit should be paid.

"The last thing in the world Gonzales and Justice needs is another example of how they louse up," he said. Republicans and Democrats in Congress have demanded Gonzales' resignation for mishandling the firing of the federal prosecutors.

The rejections and bureaucratic delays have angered more than 100 Democrats and Republicans in Congress, who have

fired off angry letters demanding action, noting that Gonzales' predecessor had ordered claims to be processed in 90 days.

The Justice Department said it is trying to do so once it receives all the information it needs.

"Firefighters play a great role in protecting our communities ... the least we can do is to provide them with adequate public safety officer benefits," said Sen. John McCain, an Arizona Republican who co-chairs the Congressional Fire Services Caucus and is a presidential candidate.

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