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are often dictated by a will. In other words, there may be assets that your family is entitled to that you aren't even aware of. If you don't have a will, your assets will be distributed according to state law, which takes a one-size-fits-all approach that often doesn't work for most families. For example, money might go to minor children, rather than your spouse who needs the money to care for herself

and the children. Elderly parents might inherit, complicating the careful Medicaid planning they did. And domestic partners, no matter how intertwined your lives are, will be disinherited. That's why having a will is one of the most important things you can do to protect your loved ones.

Our office has already prepared over 4,000 free wills for firefighters and their

spouses. While things are certainly more challenging during this health crisis while our office is closed, we are working from home and we will be happy to prepare your documents if you need our help. We are prioritizing virtual wills for our sickest clients so that they can get a will first. As always, active and retired firefighters are always welcome to call us for a free will questionnaire.

MAY IS SKIN CANCER AWARENESS MONTH

The 9/11 Community Must be Diligent About Screening



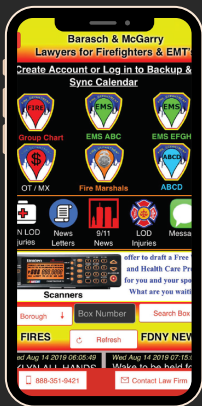
Skin cancer is the most common cancer afflicting the 9/11 community. But getting a skin check isn't part of your WTC medical. Therefore, it's up to you to be proactive about getting an annual skin exam by a physician. While many medical appointments are on hold during the Covid-19 outbreak, you should schedule an appointment now, so that you can be seen once in-person exams resume.

You should know that skin cancer is covered by the 9/11 Victim Compensation Fund. Awards range from \$90,000 for squamous cell and basal cell carcinoma, to \$250,000 for melanoma. If you have any questions about this, please call us.

Like so many things, getting a skin screening is easy to put off. Don't make that mistake. Early detection can save your life.

YOUR ABCD CALENDAR IS HERE

DOWNLOAD THE FREE FDNY CALENDAR FIRE & EMS APP ON YOUR SMARTPHONE



Have access to your FDNY group charts, OT/sick/vacation/comp/mutual information, scanners, hand-talkie transmissions, FDNY news and so much more.

This is the 82nd Edition of the Barasch McGarry Salzman & Penson Newsletter—attorney advertising which presents topics of interest to firefighters. For question, additional copies, or more information about topics raised in this newsletter, call or write:

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FIREFIGHTERS' NEWSLETTER



BARASCH & MCGARRY GIVES BACK Firefighters and EMTs at greater risk of COVID-19

As the Covid-19 pandemic ravages our City, we at Barasch & McGarry remain particularly concerned about the effect of the virus upon the FDNY community in general and those who responded to the World Trade Center in particular. We know that firefighters literally eat smoke for a living, causing a heightened chance of compromised lung capacity. Our 9/11 FDNY clients struggle everyday with weakened immune systems as a result of chemotherapy and radiation treatments. And peer reviewed medical studies have conclusively established that WTC exposure is associated with decreased lung function. Thousands of our FDNY clients, active and retired, suffer chronic respiratory disease, be it from their 9/11

exposure or fighting countless fires. They are therefore more vulnerable to the contagion than the average person. Yet, we know that when the emergency call comes in, the FDNY will answer that call, regardless of the health risks they face personally. **(continued on Page 2)**



Ken Specht, Ret. FDNY L 133 with Mike Barasch at mask and food delivery in Queens

THE WORST SEAT IN THE HOUSE

The officer's seat on many spare rigs has a danger

Every member has had the experience of reporting for duty to find a scrappy older spare rig on the apparatus floor. Your assigned rig may be out for repair or routine maintenance, requiring the use of the old rig. These rigs may get the job done, but we want to caution you about a recurring issue our clients have encountered while riding in them. The officer's seat on many spare rigs lack basic shock protection, and are causing serious injuries to the officers using them.

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To our active EMS and FDNY clients who have seen a dramatic and overwhelming increase in Certified First Responder runs, we thank you for your courage and your selflessness. We know that the emergency system is overrun and we want you to know that all New Yorkers applaud your tremendous sacrifice in the face of enormous personal risk during this crisis and everyday on the job.

25,000 Masks Donated to FDNY Firefighters and EMTs

To show our appreciation, Barasch & McGarry to date has donated 25,000 masks to firehouses and EMS stations throughout the City. These donations are part of our effort to give back, to protect those who protect us. This donation would not have been possible without the tireless efforts of firefighter **Ken Specht**, Ret. FDNY L 133, who arranged for the purchase and delivery of the masks. We would also like to thank **Oren Barzilay**, President of Local 2507, who continues to advocate for the safety of the EMTs and paramedics, as well as **John Feal** for his incredible work for first responders.



Oren Barzilay, President of Local 2507

"Ken, Oren, John and I fought together on Capitol Hill for the extension of the 9/11 Victim Compensation Fund," said Mike Barasch. "We are proud to be working together again, this time to support those on the front lines of the Covid-19 crisis."

Special thanks to the following active and retired firefighters who dropped masks off throughout the City:

Andy Ansbro, active, Marine Unit; **Richie Alles**, ret. Deputy Chief and UFOA Trustee; **Ken Specht**, ret. E 275/L 133; **Ken Ahlers**, ret. E-275; **Doug Carroll**, active L-119; **Mark Belnavis**, active Ladder 113; **Eric Bishoff**, ret. E161, and S.I. trustee; **Tom Kelly**, active, L-17.

In addition to the donation of masks to the firefighters and EMTs, we are proud of our "Health Care Workers Lunch Program". All too many nurses and doctors have been eating their meals from vending machines. In the past few weeks, have made donations to more than 30 hospitals and medical facilities in New York, the five boroughs, and on Long Island.



Andy Ansbro, formerly E 58, now at Marine Div., delivering face masks in Harlem



St. Francis Hospital employees thanking us for our meal donation

FIREHOUSES WE'VE DONATED MASKS TO SO FAR: If your house was not there when we arrived, please call our office.

4 battalion 28/II 9/6	48 battalion 220/122 239 240 282/148	Division 13 Batt 50 275/133 298/127 303/126 305/151 315/125 (Missed 270)	46 battalion 287/136 289/138 292/R4 319 324 (Missed 288)
31 battalion 210 226	35 battalion 216/108 221/104 229/146	50 battalion 286/135 294/143 (Missed 285/142. 293. 308. 331/173)	49 battalion 262 263/117 307/154 312 316 325/163
33 battalion 276/156 309/159 321	Staten Island (every house except 16)	54 battalion 301/150 311/158 314 317/165 (Missed 302/155)	52 battalion (Missed entire batt)
32 battalion 202/101 205/118 224 279/131	152 153/77 155/78 E156 L79 157/80 E158	47 battalion (Missed entire batt)	53 battalion 251 304/162 (Missed 306. 313/164. 320/167. 326/160)
38 battalion 249/113 280/132	166/86 Squad 8 163/83 160/R5 (R5 was out)	14th division 45 battalion 258/115 259/128 260 291/140 116	
57 battalion 217 219/105 230 235 Ladder 102	161/81 E159 165/85 162/82 167/87 164/84 151/76		

(continued from "The Worst Seat in the House" Page 1)

In a perfect world, New York City's streets would be flat and smooth. Unfortunately, the City's streets are far from perfect. When responding to an emergency, chauffeurs may have no other option but to drive over potholes, bumps, cracks, and raised or sunken street hardware, resulting in an impact to the rig and those riding in it. The newer rigs are outfitted with air-equipped seats for both the chauffeur and officer which help to absorb the jolt, lessening the impact. Officers riding in old spare rigs are not so lucky.

Our firm currently represents a group of officers injured while riding in spare apparatus. Their experiences are all similar. On the way to an emergency, the spare rig hit a pothole, causing the officer's body to be jolted up and down into the hard officer's seat. Each officer suffered a severe back injury, some requiring fusion

surgeries and forced early retirement. In each of these cases, the chauffeur, who had an air-equipped seat capable of absorbing the impact, was uninjured. The air-equipped chauffeur's seat absorbed the impact, while the officer's body slammed into the hard, non-moving seat.



Spare rig's officer's non air-equipped seat

If your company is assigned a spare rig without an air-equipped officer's seat, we suggest that you make sure that the provided seat cushion is thick and can help absorb an impact. The chauffeur, to the extent possible, should try to avoid major street defects to lessen the possibility of an officer injury. If you are aware of a street defect such as a pothole, raised asphalt, raised street hardware, etc., you should notify the Department of Transportation or Department of Environmental Protection, and request that the defect be immediately repaired. Your call will not only make the streets safer for the FDNY, but for all the citizens.

If you would like to share your experience with a non-air equipped officer seat or have any questions about this issue, please contact our firm. Stay safe out there.

GETTING A FREE WILL DURING THE PANDEMIC

Here's how to do that in the age of social distancing

First responders are once again being called upon to perform their work under unimaginable circumstances. Due to the stark realities facing our frontline workers, we are receiving a surge of calls from clients desperately seeking to have their wills prepared. In fact, we've heard from some healthcare workers that they have been advised by their employers to get a will. Ironically, at the very moment that so many people finally want to have a will and health care proxy, law offices across the states have been ordered to close their doors.

In order to address the problem, NYS Governor Cuomo has signed an executive order permitting people to sign wills, health-care proxies, and other legal documents using video conferencing. The process requires a bit of help from technology. Using Zoom, or another video-conferencing platform, the witnesses and the attorney can witness the will signing from their own home. Afterwards, the signature pages of the will must be electronically distributed to every witness to sign that same day. This can be accomplished by taking a photo with a

cellphone and emailing it to the witnesses and then back to the attorney. For active firefighters, the process can be simplified by holding will signings in the firehouse. Your fellow firefighters can serve as your witnesses and you can all sign the will at the same time, with the attorney watching by video.

We have long reminded firefighters of the importance of having a will. You are in the best position to decide where your assets should go, who should bring up your children, and how to plan for your family's needs in the event that you and/or your spouse pass away. You should know that the right to the proceeds of lawsuits and 9/11 VCF claims

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