



FLORIDA DEPARTMENT OF VETERANS' AFFAIRS

Honoring those who served U.S.

Pension and Survivor Benefits

What We Will Cover

- PMC Jurisdiction and Overview
- VA Standardized Forms and Submission
- Veterans Pension and Survivors Pension
- Dependency and Indemnity Compensation (DIC)
- Burial Benefits
- Accrued Benefits
- Up-Front Eligibility Verification
- Questions

Philadelphia PMC Jurisdiction

Philadelphia Pension Management Center administers the Pension Program for Veterans and their families in 17 states and Eastern America and 18 VA Regional Offices.



PHILADELPHIA PENSION MANAGEMENT CENTER (310)

Serves the 17 eastern most U.S. states, DC and Puerto Rico (20 VA Regional Offices) and process claims from all foreign countries except those in Central and South America

377 Full Time Employees

81 Employees in National Pension Call Center

Claims Completed in FY 16- **258,164 (Does not include Burials)**

Rating Teams 58,467 (w/o 167 50,875)

Maintenance Teams 89,024

Survivor Teams 68,159

Advocacy Team 7,312

PHILADELPHIA PENSION MANAGEMENT CENTER (310)

Estimated Annual Program Recipients in FY 16 (PHL) **270,503**

Death Pension: 66,319

DIC/Death Compensation: 129,934

Live Disability Pension: 74,250

Annual Amount Paid to Program Recipients in FY 16 (PHL)

\$291,653,597.00 billion

Death Pension Benefits: \$46,015,098

DIC/Death Compensation: \$172,139,020

Live Pension: \$73,499,277

Standardized VA Forms – Common Forms

Original Live Pension: VA Form 21-527EZ or 21-526EZ

Reopen Live Pension: VA Form 21-527EZ or 21-0516-1

Original Death Benefits for Spouse, Child or Parent: VA Form 21-534EZ, VA Form 21-535 (parent only)

Reopen Death Pension: VA Form 21-0518-1

Burial Benefits: VA Form 21P-530

Medical Expense Report: VA Form 21P-8416

Accrued Benefits Only: VA Form 21-601

Intent to File: VA Form 21-0966

WAYS TO SUBMIT A CLAIM

- Online through eBenefits:
<https://www.ebenefits.va.gov/ebenefits/vonapp>
- By mail through the Pension Management Center that serves your state
- Or by fax 1-844-655-1604
- ***All other VVA faxes will no longer be active effective May 31, 2017

MAIL or FAX

**Department Of Veterans Affairs
Claims Intake Center
Attention: Philadelphia Pension
Center PO Box 5206
Janesville, WI 53547-5206**

FAX: 1-844-655-1604 (use of VA cover sheet optimal)

AUTOMATED PAYMENTS

- Month of Death Checks
- Non-Service Connected Burial & Plot if Spouse listed on Award
- Service Connected Burial if Veteran was rated 100% SC or was IU for 10+ years and Spouse is listed on the award
- DIC payment if veteran was rated 100% for 10+ years or IU for 10+ years and Spouse is on the award

Initiated when the Veteran's award is stopped through FNOD

VETERAN PENSION BENEFITS

Qualifications for Veterans Pension

- 90 days or more of active military service, at least 1 day during a period of war. Effective September 7, 1980, must serve at least 24 months of continuous service (or entire period called to active duty)
- Discharged under conditions other than dishonorable
- Permanent and Total Disability (P&T) by rating, age 65 or older, in receipt of Social Security Disability, or in a nursing home
- Meets income and net worth guidelines

SURVIVOR PENSION BENEFITS

Qualifications for Survivors Pension

- Widow or qualifying child of a wartime Veteran with qualifying service
- Meets income and net worth guidelines
- Meets marital requirements as the surviving spouse
- Meets child requirements
 - Under age 18
 - 18 to 23 in school
 - Helpless before age 18

SPECIAL MONTHLY PENSION

Use VA 21-2680, Examination for Housebound Status or Permanent need for Regular Aid and Attendance

- Signed by an Medical Doctor or equivalent

Housebound

- Substantially confined to the home

Aid and Attendance

- In need of assistance of another person with his/her activities of daily living. i.e. inability to dress or undress, keep ones self clean, adjust prosthetic appliance, or bedridden.
- In a licensed nursing home receiving skilled or intermediate care (granted administratively, medical evidence of disability not required)

What is Countable Income?

- Earnings
- Retirement income
- Interest
- Dividends
- Unemployment compensation
- Business income
- Life insurance dividends

It is the veterans responsibility to report income.

WHEN IN DOUBT, REPORT IT

What is Not Countable Income for VA Purposes?

- VA Pension
- Profit from sale of primary residence
- Welfare (benefits received from social services)
- SSI (Supplemental Security Income)

WHEN IN DOUBT REPORT IT

Medical Expenses

VA Form 21P-8416, Medical Expense Report is used to report the examples below:

<ul style="list-style-type: none">• Abdominal supports• Acupuncture service• Ambulance hire• Anesthetist• Arch supports• Artificial limbs and teeth• Back supports• Braces• Cardiographs• Chiropodist• Chiropractor• Convalescent home (for medical treatment only)• Crutches• Dental service, for example, cleaning, x- ray, filling teeth• Dentures• Dermatologist• Drugs, prescription and nonprescription• Gynecologist• Hearing aids and batteries• Home health services• Hospital expenses• Insulin treatment• Insurance premiums, for medical insurance only• Invalid chair	<ul style="list-style-type: none">• Lab tests• Lip reading lessons designed to overcome a disability• Lodging incurred in conjunction with out-of-town travel for treatment (to be determined on a facts-found basis)• Long-term care insurance• Medical insurance premiums• Medicare premiums• Neurologist• Nursing services for medical care, including nurse's board paid by claimant• Occupational therapist• Ophthalmologist• Optician• Optometrist• Oral surgery• Osteopath, licensed• Pediatrician examinations• Physical examinations	<ul style="list-style-type: none">• Physician• Physical therapy Podiatrist• Psychiatrist• Psychoanalyst• Psychologist• Psychotherapy• Radium therapy• Sacroiliac belt• Service animals and maintenance• Speech therapist• Splints• Surgeon• Telephone/teletype special communications equipment for the deaf• Transportation expenses for medical purposes (plus parking and tolls or actual fares for taxi, buses)• Vaccines• Wheelchairs• Whirlpool baths for medical purposes• X-rays
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In-Home Care

Attendant affidavit to be filled out by caregiver or agency

- Specific services provided
- Who provides the services
- Frequency of services (daily, etc.)
- Amount paid for the services
- Contact information for provider
- signature

Assisted Living vs Independent Living

Assisted Living Facility (ALF) means a facility designed to assist people who need help with daily activities.

Independent Living Facility (ILF) means a facility where people can generally live independently, and may *or* may not need help with daily activities.

- Date entered
- Projected length of stay
- Facility name
- Facility address and telephone number
- If Medicaid is covering part of the costs

Use VA Form 21-0779, Request for Nursing Home Information in Connection with a Claim for Aid and Attendance



Medicaid \$90 Rate

- 38 CFR 3.551 (i) states VA must limit claimants to the \$90/month for a Veteran, surviving spouse or surviving child who:
 - Has neither spouse nor dependent child, and
 - Is in a Medicaid approved nursing facility, and
 - A Medicaid plan covers in part or all of the nursing home care.

Note:

- No overpayment is created when reducing to the \$90 rate
- The \$90 payment is for personal use and cannot be used to cover nursing home expenses
- Exception: not reduced to the \$90 rate if in a State Veterans Home
- Be sure to include the name and phone number of the facility
- If claimant has a running award, Due Process is initiated before \$90 rate is set.
- Only applies to a unmarried claimant

How to Calculate VA Pension Rates

$$\begin{aligned} & \text{Annual Income} \\ & - \text{Annual Medical Expenses} \\ & \quad + \underline{5\% \text{ medical deduction}} \\ & = \text{Income for VA Purposes (IVAP)} \end{aligned}$$

$$\begin{aligned} & \text{Maximum Annual Pension Rate (MAPR)} \\ & \quad - \underline{\text{IVAP}} \\ & = \text{Annual amount} \end{aligned}$$

$$\text{Annual amount} / 12 = \text{monthly amount}$$

Liberalizing Legislation

- Liberalizing Legislation is a law that allows VA to grant benefits up to one year prior to the Veteran's original date of claim
- Who is eligible?
 - A Veteran that is age 65 or older on September 17, 2001
 - Or has been in a Medicaid approved skilled/intermediate nursing home continuously since September 17, 2001
 - Or has been in receipt of Social Security Disability Insurance continuously since September 17, 2001
- Submit an Eligibility Verification Report (VA Form 21P-0516) , Medical Expense Report (VA Form 21P-8416) and/or Examination for Housebound Status or Permanent Need for Regular Aid and Attendance (VA Form 21-2680) for one year prior to the date of claim

Dependency and Indemnity Compensation (DIC)



Definition

- Dependency and Indemnity Compensation (DIC) is a monthly payment made to a surviving spouse, child or parent because of a service connected death

DIC Eligibility Requirements

- Veteran's death was in service
- Veteran was in receipt of 100% compensation for 10 years prior to death
- Veteran was rated 100% SC from date of discharge for at least 5 years
- Veteran's death was service connected
- Veteran was a POW who died after 9/30/99 and was 100% for 1 year prior to death

Eligibility Requirements: Surviving Spouse

- Relationship must be established
- Continuous cohabitation must be shown
- Marriage must have been 1 year or have had a child born of vet during or prior to marriage.
- Death on active duty does not require 1 year marriage



VA Form 21-534ez, Application for DIC, Death Pension and Accrued Benefits by a Surviving Spouse or Child

- Claim for DIC
- Claim for Death Pension
- Claim for Accrued Benefits



Payment Rates

- For deaths prior to 1/1/93 rates payable based on highest pay grade held by the veteran for 6 months or more
- After 1/1/93 a uniform rate established
- An additional rate is payable if the veteran was 100% for 8 years and married to the widow for the 8 years prior to death

SC death after 1/1/1993

- Basic monthly rate = \$1,257.95
- Add \$267.12 if vet in receipt of 100% rate for 8 years prior to death and spouse married to vet during those 8 years
- Add \$311.64 for each child under 18
- Add \$311.64 if spouse A/A
- Add \$145.99 if spouse is housebound
 - As of 12/01/2016

A/A or Housebound rate

- A rating is required to establish A/A or housebound status for surviving spouse
- Submit completed VA 21-2680
- If in a nursing home, submit VA 21-0779

DIC Award Termination

- DIC - Death of claimant
- DIC - Remarriage of surviving spouse(see next slide)
- Dependency - Child over 18 and no longer in school or reaches age 23
- Dependency - Marriage of child
- Dependency – Child election of Chapter 35 DEA benefit

Remarriage of Surviving Spouse

- Effective January 1, 2004, when a surviving spouse remarries after age 57, DIC will continue.
- When a surviving spouse remarries before age 57, DIC payments stop.
- (Note: Beginning Oct. 1, 1998, DIC may be resumed if that marriage ends in death or divorce).



Parents DIC

- Service connected death requirements are the same
- Is based on annual income with an income limit

Other Benefits Associated with DIC

- CHAMPVA , unless already has Tricare
- Home Loan Guarantee
- Homestead exemption
- Civil Service Preference & FL. Veterans Preference
- Chapter 35 Education Benefits
- Commissary Privileges
- FL Homestead Exemption
- FL Scholarship for Children and Spouses of Deceased or Disabled Veterans

Remarriage for DIC

- Age 55 – reinstate CHAMPVA only;
- Age 57 – reinstate DIC benefits

Burial Benefits

Types of Burial Benefits

- Non-service connected (NSC)
- Service-connected
- Plot allowance
- Transportation allowance

How to Apply

- Submit VA Form 21P-530, Burial Benefits (within two years of death if NSC)
- Death Certificate (needs to show cause of death)
- Statement of Account (needs to show who paid the expenses and how much)
- Certified copy of discharge document (if Veteran was not receiving benefits)

Non-Service Connected Burial

Eligibility:

- In receipt of compensation or pension at the time of death
- Receiving military retired pay in lieu of compensation
- Had a claim pending at the time of death (found entitled)
- Died while under VA care

Plot Allowance:

- The Statement of Account is no longer required. However, it may show additional expenses such as the opening / closing fees that VA can allow
- VA will only pay the statutory limit or the amount actually paid for the plot expenses, whichever is lower

Service Connected Burial and Transportation

Eligibility:

- Veteran died of a service-connected condition
- Service-connected condition contributed to the cause of death
- Died of a presumptive service-connected condition
- Had a 100% service-connected evaluation prior to death

Transportation

Payable if:

- Veteran dies under VA Care, or
- If died of a non-service connected condition AND was in receipt of service-connected compensation AND is buried in a National Cemetery
- If died of a service-connected condition AND is buried in a National Cemetery
- Statement of Account is required

Changes to Burial Benefits

Applies to claim received on or after July 7, 2014

- When “First to File” rule applies:
 - Spouse receives first priority for automated payments
 - VA will pay the first person or entity who files a claim that incurred the costs of the Veteran’s burial
- Funeral homes may only apply if the Veteran’s remains are unclaimed
- If the Veteran was 100% service connected at the time of death then service connected burial benefits are automatically paid

Automated Burial Process

- Burial and Plot payments are automatically payable to the surviving spouse of record when the First Notice of Death (FNOD) is processed
 - FNOD can be processed by a call center, CVSO phone line, or other notification
 - If the Veteran was 100% service-connected at the time of death, service-connected burial benefits are automatically paid
 - Information available during FNOD process determines if plot is payable
- VA Form 21P-530, Application for Burial Benefits and supporting documentation is not required unless eligible for transportation and / or plot expenses

Burial and Transportation Rates

Effective Date	10/01/16	10/01/15	10/01/14	10/01/13
SC Burial	\$2,000	\$2,000	\$2,000	\$2,000
NSC Burial (hospitalized by VA)	\$749	\$747	\$745	\$734
NSC Burial	\$300	\$300	\$300	\$300
State Cemetery	\$749	\$747	\$745	\$734
Plot Allowance	\$749	\$747	\$745	\$734

Accrued Benefits

- Benefits due to the beneficiary but not paid prior to death
- Claim must be filed within one year of the death of the beneficiary
- No time limit for non-negotiated checks
- Can be eligible by Relationship or Reimbursement

Accrued Benefits

Relationship

- Spouse
- Child(ren) for VA purposes
- Parent(s), if dependent on the Veteran at the time of the Veteran's death
- VA Form 21P-534 or VA Form 21-601 and a copy of beneficiary's death certificate

Reimbursement

- When no one is entitled by basis of relationship, anyone who paid expenses related to the beneficiary's last illness or burial
- VA Form 21-601, copy of beneficiary's death certificate and proof of paid expenses

Accrued Benefits

Substitution Appeal – Veteran had an appeal pending at the time of death, will be worked by office with jurisdiction of appeal at time of death

Substitution Claim – Veteran had a claim pending at the time of death, evidence to support claim pending at the time of death may be submitted by substitute claimant

VA Form – 21P-0847 Request for Substitution of Claimant upon Death of Claimant

Questions?

