

VETERANS BENEFITS ADMINISTRATION VA FIDUCIARY PROGRAM

You are here

We are here
to help you
achieve
your goals



COLUMBIA FIDUCIARY HUB

FIDUCIARY HUB MANAGER

Marcia Hempy

FIDUCIARY HUB MANAGER ASS'T

Bennie Hatchett

Florida Field Examiner Supervisor

Scott Brown, Coach

We are responsible for a total of 4 States:

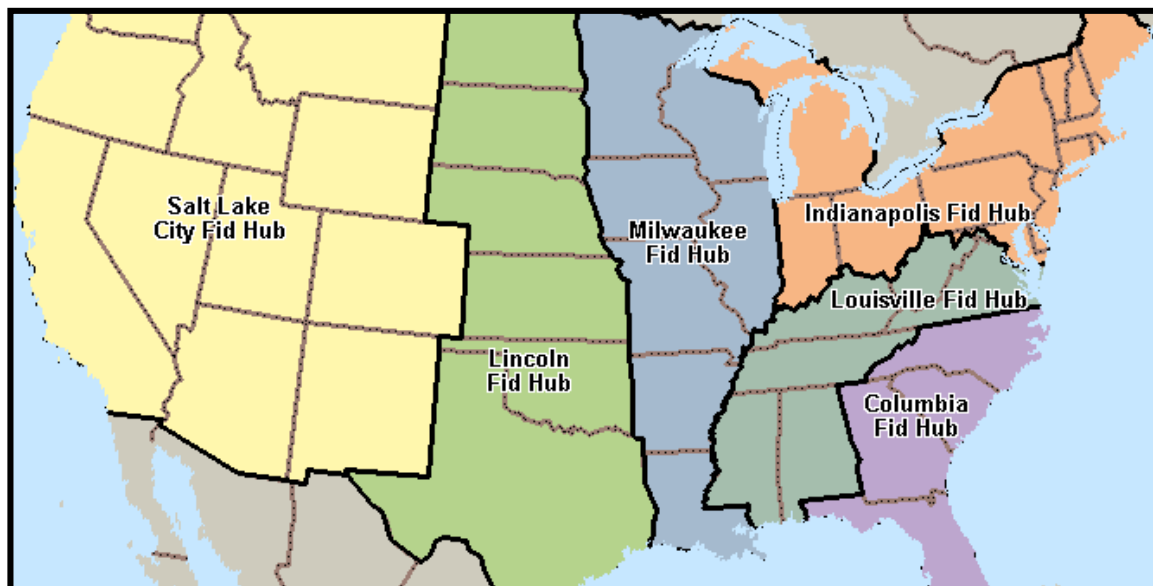
North Carolina

South Carolina

Georgia

Florida

COLUMBIA FIDUCIARY HUB'S JURISDICTION



Columbia
319

Columbia
Atlanta
St. Petersburg
Winston-Salem

FIDUCIARY PROGRAM RESPONSIBILITIES

- Assess competence and personal welfare of beneficiaries
- Determine payee best suited to meet the needs and situation of the beneficiary
- Arrange for the utilization of benefit funds
- Protect Assets from loss or diversion
- Assuring entitlement rights of the beneficiary
- Acting on behalf of Supervised Direct Pay (SDP) beneficiaries

WHAT IS A VBA APPOINTED FIDUCIARY?

- A ***fiduciary*** is a person or legal entity (such as a bank) charged with the duty of managing the estate of an incompetent beneficiary.
- VA-supervised fiduciaries include both
- court-appointed fiduciaries, and
- Federal fiduciaries.

FIDUCIARY PROGRAM DEFINITIONS

- **INCOMPETENT**-Any of the following:
 - **Adult**
 - **Minor**
 - Who is rated incompetent by VA or under legal disability by reason of court action.
 - Included in this are Veteran's children who are shown to be permanently incapable of self-support on the date they become age 18 (Helpless Adults)

VA INCOMPETENCY

- What is needed to start the process?
- Medical evidence or court appointment is first needed. If a doctor rates a Veteran incompetent, then send the medical evidence to the Janesville Claims Intake Center or
 - Fiduciary Hub for Emergent Cases-Hospice; Age (WWII Beneficiary Cases)
- Veteran (Beneficiary) must have a medical condition that justifies being rated incompetent.
- If a Veteran gives you court appointment papers, please send those documents to the Janesville Intake Center.
 - Ensure the Veterans full name and SSN is on all pages

BRADY BILL

- The Brady Handgun Violence Prevention Act prohibits anyone rated incompetent from purchasing, possessing, receiving or transporting a firearm or ammunition.
- Veterans may be fined and/or imprisoned for violating this law.
- Many Veterans become upset once they find out they can no longer hunt and/or possess firearms
 - (whether they are a collector or just want it for protection)

DISCUSS SUPERVISED DIRECT PAYEE CASES (SDP)

- SDP is Used to pay a VA beneficiary directly even though they are rated incompetent by the VA.
 - Withheld Funds “**Cannot**” be released to Veteran (Beneficiary)
- SDP is a temporary payment method not to exceed 24 months in length.
- We must either receive a competency statement or assign a payee after 24 months.
- We generally ask a social worker to assist in obtaining a competency statement or
- Inform Veteran to contact their physician for statement of competency-Submit to VA.

INDIVIDUAL FIDUCIARY APPOINTMENT REQUIREMENTS

- Criminal Background Check (CBC)
- Credit Check
- Possibility of Surety Bond Requirement
 - VA Funds \$25K or more
- Possibility of Annual Accounting
 - If VA funds on hand are \$10K or more
 - If a fee is taken to manage funds

PROPERLY TITLED FIDUCIARY ACCOUNT

- Fiduciary accounts must be established connoting a fiduciary relationship
- Guardian of/conservator of
- Federal fiduciary of/for

FIDUCIARY HUB PROMULGATION TEAM PROCESS

- After the proposal to rate incompetent, the case will come to the Fid Hub for further processing. The Fid Hub will rate the beneficiary incompetent after a 60 day due process period. We will issue the request for fiduciary appointment , select the payee, and process the award for payment.

TIMELINE TO COMPLETE

VA-Due Process Expires:

16 Days to Complete Final Rating



45 days to complete field examination



15 days to release retro

= 76 Days

POSSIBLE MISUSE OR MISAPPROPRIATION OF VA FUNDS

What to do when it is reported or you suspect that the fiduciary and/or family members are possibly misusing the VA funds?

- Submit a written letter to the Columbia Fiduciary Hub for further investigation
- Have the Veteran/beneficiary sign the letter if possible
- Include as many details as possible
- Include the **Veterans** full name and SSN on all pages
- Send the letter to the Columbia Fiduciary Hub

You can also call the Columbia Fiduciary Hub Toll Free Number to report this information. Ensure to have the **Veterans** full name and SSN available.

SEND MEDICAL EVIDENCE OF COMPETENCY OR INCOMPETENCY TO

Medical Evidence of Inability or Ability to Manage VA Monies Should Be Sent to:

DEPARTMENT OF VETERAN'S AFFAIRS
CLAIMS INTAKE CENTER
PO BOX 4444
JANESVILLE, WI 53547-4444

FAX: 844-531-7818

Ensure to include the Veteran's full name and SSN on every page

Please do not submit any medical evidence of incompetency or competency to the Columbia Fiduciary Hub. The Columbia Fiduciary Hub does not assist with processing the requests unless hospice or age related claims issues are present.

TOLL-FREE NUMBER FOR FID HUB

- 1-888-407-0144
Option 1

COLUMBIA FID HUB MAILING ADDRESS & FAX INFO

- COLUMBIA VA FIDUCIARY HUB
PO BOX 9367
COLUMBIA SC 29209-9998

Right Fax Number – (215) 713-1192

RESOURCES

- **Internet:** http://www.benefits.va.gov/milwaukee/Milwaukee_Fiduciary_Hub.asp
- **VA Handbook:** <http://benefits.va.gov/benefits/>
- **Fiduciary Guide:** <http://benefits.va.gov/fiduciary/references.asp>
- **IRIS:** <https://iris.va.gov>

QUESTIONS ?

- Thank you