Apportionments for Compensation

**Answer Key**

Practical Exercise

**The instructor is to review the questions with the trainees and provide the associated answers.**

1. What is the prescribed form for a claim for an apportionment?

**VA Form 21-0788, *Information Regarding Apportionment of Beneficiary’s Award;* M21-1 III.v.3.A.1.a**

1. List three bars to entitlement to an apportionment of benefits.

* **Invalid claimant**
* **No running award**
* **Claimant’s information not received**
* **Benefit does not permit payment of reasonable amount**
* **Spouse guilty of infidelity**
* **Legal spouse of the Veteran held himself/herself out as the spouse of another**
* **Child has been adopted**
* **Child enters service**

**38 CFR 3.458**

1. What is/are the controlling EP(s) for a claim for an apportionment?

* **EP 130 – *Apportionment* (claimant payee)**
* **EP 600 – *Apportionment Due Process* (payee 00)**

**M21-1 III.iii.3.D.3**

1. True or False: When we send due process to the Veteran, we must also generate an award with an estimated amount of withholding that will begin the first of the month following the due process period of 65 days.

**True; M21-1 Part III, Subpart v, 3.A.2.e**

1. Which form must be completed to document most favorable and unfavorable apportionment decisions?

**VA Form 21-441, *Special Apportionment Decision*; M21-1 III.v.3.A.3.g**

1. The Veteran has a running award. A claim for an apportionment was received at VA and date stamped May 1, 2020. What would be the correct payment date?

**June 1, 2020; 38 CFR 3.400(e)**

1. True or False: The notification of our decision to the Veteran and/or claimant must include the evidence used, reasons for decision, and the disabilities for which the Veteran is service connected.

**False**

1. Once an apportionment decision has been made, how much time does the Veteran or claimant have to appeal the decision?

**60 days from the date of the decision notice; M21-1 III.v.3.A.3.m.**

1. Which VBMS-A screen is used to add an apportionment decision?

**Allotment Decision**

1. True or False: An claim for an apportionment is always granted if the claimant shows financial need, regardless if it will cause an undue hardship to the Veteran or his/her other depenent(s).

**False; 38 CFR 3.451**