



PENSION AND FIDUCIARY SERVICE

PMC VSR Advanced Core Course
Phase 5, Part 1(d): Beyond Basic
Eligibility and Ready to Rate

Phase 5, Part 1(d) Knowledge Check Preparation

Appendix A

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Knowledge Check Preparation Learning Objectives

Description

This appendix lists the references according to the learning objectives used for the knowledge check preparation. The reference types include the corresponding lesson title, job aids, 38 Code of Federal Regulations (CFR) and M21-1 Adjudication Procedures Manual.

Verify Proof of Death for Survivor's Benefits

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 21: <i>Verifying Proof of Death for Survivor's Benefits</i>
Job Aids	None
38 CFR and M21-1 Manual	<ul style="list-style-type: none">• 38 CFR 3.211 (Death.)• 38 CFR 3.202 (Evidence from foreign countries.)

Determine Whether to Apply Liberalizing Law

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 22: <i>Apply Liberalizing Law to Pension Eligibility</i>
Job Aids	None
38 CFR and M21-1 Manual	<ul style="list-style-type: none">• 38 CFR 3.114 (Change of law or Department of Veterans Affairs issue.)• M21-1 III.vi.8.1 (Changes to the Law or Department of Veterans Affairs [VA] Issue)• M21-1 III.vi.8.1.b (Provisions of 38 CFR 3.114[a] on Eligibility for Retroactive Benefits)• M21-1 V.iii.1.A.4.d (Retroactive Effect Dates to Pension Due to Liberalizing Law)

Appendix A: References

Process Veteran Married to Veteran Cases

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 23: <i>Process Veteran-Married-to-Veteran Cases</i>
Job Aids	Veteran Married to Veteran job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • 38 CFR 3.23 (a)(4) (Improved pension rates—Veterans and surviving spouses.) • M21-1 V.iii.1.E.1.c (Determining the Monthly Rate of Pension Payment) • M21-1 V.iii.1.E.3.a (Combined Rate Payable to Veterans Married to Each Other) • M21-1 V.iii.1.E.3.b (Award Procedures in Veteran-Married-to-Veteran Cases) • M21-1 V.iii.1.E.3.c (Determining the File Number to Use in Combined Awards) • M21-1 V.iii.1.E.3.d (Estranged Married Veterans) • M21-1 V.iii.1.E.3.e (Mandatory Election From Protected Pension in Veteran-Married-to-Veteran Cases) • M21-1 V.iii.4.2 (Making Payments in Veteran-Married-to-Veteran Pension Cases)

Determine Eligibility for Accrued Benefits

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 24: <i>Determine Accrued Benefits Eligibility</i>
Job Aids	Accrued Benefits job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • 38 CFR 3.1000 (Entitlement under 38 U.S.C. 5121 to benefits due and unpaid upon death of a beneficiary.) • M21-1 III.ii.1.C.1.d (Date of Receipt for Mail Processed in the CM Portal) • M21-1 VIII.1.2.a (Definition: Claim Pending at the Date of Death)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • M21-1 VIII.2.1.a (Definition: Substitution in Case of Death of Claimant) • M21-1 VIII.2.1.c (Definition: Substitute Claimant) • M21-1 VIII.3.1.b (Applications for a Request to Substitute) • M21-1 VIII.2.2.b (Definition: Categories of Eligible Persons) • M21-1 VIII.3.1.a (Applications for Accrued Benefits) • M21-1 VIII.3.3.a (Definition: Evidence Needed to Complete the Application for Accrued Benefits) • M21-1 VIII.3.4.b (When Development, Including the Section 5103 Notice, Is Not Required) • M21-1 VIII.3.4.a (When Development, Including the 5103 Notice, Is Required) • M21-1 III.iii.5.A.1.c (Importance of Establishing the Relationship of an Individual to a Veteran) • M21-1 V.iii.1.G.6 (Final Expense Deductions—Overview and Definitions) • M21-1 VIII.5.12 (Allowable Items for Reimbursement) • M21-1 VIII.1.1.a (Definition: Accrued Benefits)

Determine Burial Benefits Eligibility

Reference Type	Reference Name
Lesson	Phase 5, Part 1d, Lesson 25: <i>Determine Burial Benefits Eligibility</i>
Job Aids	Burial Benefits Eligibility job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • M21-1 I.1.B.1.a (VA's Duty to Notify Claimants of Necessary Information or Evidence) • M21-1 III.ii.1.C.8.a (Accepting Outdated Versions of a VA Form)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • M21-1 III.ii.7.4.c (Specific Situations in Which Survivors Benefits Claims Should Be Referred to the Rating Activity) • M21-1 III.iv.4.B.4.a (SC for Hearing Loss and Tinnitus) • M21-1 III.v.2.A.4.a (Handling a Claimant’s Failure to Submit Evidence VA Requested) • M21-1 IV.ii.2.B.2.a (Overview of Presumptive SC) • M21-1 IV.iii.1.B.1.h (When to Develop for Service Connection for the Cause of Death) • M21-1 IV.iii.2.A.1.a (Considering the Reasonable Probability of SC Death) • M21-1 IV.iii.2.A.1.c (When DIC is Payable Under 38 U.S.C. 1318) • M21-1 IV.iii.1.B.1.m (Obtaining Evidence Relating the Cause of Death to an SC Condition) • M21-1 VII.1.A (General Information) • M21-1 VII.1.A.1 (Definitions of Burial Benefit Terms) • M21-1 VII.1.A.2 (Time Limit for Filing Claims) • M21-1 VII.1.A.3 (Priority of Payments) • M21-1 VII.1.A.4 (Required Evidence for Burial Benefits) • M21-1 VII.1.A.4.d (Proof of Death) • M21-1 VII.1.A.5 (Automated Burial and Plot or Interment Allowance) • M21-1 VII.1.A.6 (End Product [EP] Control for Burial Claims) • M21-1 VII.1.B (Burial Benefits) • M21-1 VII.1.B.1 (General Veteran Eligibility Criteria) • M21-1 VII.1.B.2 (Service-Connected [SC] Burial Allowance) • M21-1 VII.1.B.3 (Non-Service Connected [NSC] Burial Allowance) • M21-1 VII.1.B.4 (Department of Veterans Affairs [VA] Hospitalization Death Burial Allowance)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • M21-1 VII.1.B.5 (Plot or Interment Allowance) • M21-1 VII.1.B.6 (Transportation Reimbursement) • M21-1 VII.1.B.6.c (Required Evidence for Transportation Reimbursement Claim) • M21-1 VII.1.B.7 (Burial of Veterans Unclaimed Remains) • 38 CFR 3.211 (Death.) • 38 CFR 3.309 (Disease subject to presumptive service connection.) • 38 CFR 3.361 (Benefits under 38 U.S.C. 1151[a] for additional disability or death due to hospital care, medical or surgical treatment, examination, training and rehabilitation services, or compensated work therapy program.) • 38 CFR 3.1704 (Burial allowance based on service-connected death.) • 38 CFR 3.1705 (Burial allowance based on non-service-connected death.) • 38 CFR 3.1706 (Burial allowance for a Veteran who died while hospitalized by VA.) • 38 CFR 3.1707 (Plot or interment allowances for burial in State Veterans cemetery or other cemetery.) • 38 CFR 3.1708 (Burial of a veteran whose remains are unclaimed.) • 38 CFR 3.1709 (Transportation expenses for burial in a national cemetery.) • 38 CFR 21.6503(b) (Qualified veteran.) (<i>includes definition for individual unemployability</i>) • 38 U.S.C. 1318 (Benefits for survivors of certain Veterans rated totally disabled at time of death) • 38 U.S.C. 2302 (Funeral expenses) • 38 U.S.C. 2303 (Death in Department facility; plot allowance) • 38 U.S.C. 2304 (Claims for reimbursement)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • 38 U.S.C. 2305 (Persons eligible under prior law) • 38 U.S.C. 2307 (Death from service-connected disability) • 38 U.S.C. 2308 (Transportation of deceased Veteran to a national cemetery) • 38 U.S.C. 2402 (Persons eligible for interment in national cemeteries) • PMC Bulletin, November 2015

Determine Eligibility for Month of Death (MOD) Benefit

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 26: Determine <i>Eligibility for Month of Death Benefit</i>
Job Aids	Accrued Benefits job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • 38 CFR 3.20 (Surviving spouse's benefit for month of veteran's death.) • M21-1 IV.iii.3.A.5 (Determining the Surviving Spouse's Entitlement to Benefits for the Month Of Death [MOD]) • M21-1 III.iii.5.A.1.c (Importance of Establishing the Relationship of an Individual to a Veteran)

Identifying If a Claim Is Ready to Rate

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 27: <i>Overview of Ready to Rate</i>
Job Aids	Ready to Rate job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • M21-1 III.iv.6.C.1.b (Definition: Rating Decision) • M21-1 III.iv.1.1.a (Definition of the Rating Activity) • M21-1-1 III.ii.7.1.a (Referring Claims to the Rating Activity After Development Is Complete)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • M21-1 III.iv.1.1.b (Specific Issues Requiring a Rating Decision) • M21-1 V.i.2.2.e (When a Rating Determination of P&T Disability Is Required) • M21-1 V.i.2.2.a (When a Rating Determination of P&T Disability Is Not Required) • M21-1 III.iii.7.2.c (Rating Activity Considerations in Claims for Permanent Incapacity for Self-Support) • M21-1 VIII.1.4.a (General Policy Information) • M21-1 VIII.4.1.d (Consider a Rating Decision Dated Prior to Death) • M21-1 IV.iii.1.B.1.i (Refer DIC Cases to the Rating Activity) • M21-1 IV.iii.1.B.1.g (Obtaining Evidence Relating the Cause of Death to an SC Condition) • M21-1 IV.iii.2.A.1.g (When a Survivor Claim Does Not Require a Rating Decision) • M21-1 IV.iii.1.B.2.a–c (DIC Under 38 U.S.C. 1151) • 38 CFR 3.353 (Determinations of incompetency and competency.) • M21-1 III.iv.8.A.1.d (Making a Finding of Incompetency) • M21-1 III.iv.8.A.2.a (Considering Whether to Address Competency of a Veteran) • M21-1 III.iv.8.A.5.b (Determining When a Competency Rating is Needed After a Decree by a Court) • M21-1 V.ii.3.1.b (Medical Evidence Used for A&A Ratings) • 38 CFR 3.351(d) (Housebound, or permanent and total plus 60 percent; disability pension.) • M21-1 III.ii.2.D.3.a (Referring Additional Medical Evidence to the Rating Activity) • M21-1 V.i.2.2.f (Acceptable Medical Evidence and Definition of Adequate Medical Evidence for Pension Rating Purposes)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • M21-1 V.i.2.2.h (Obtaining Evidence Before Referring a Claim to the Rating Activity) • M21-1 V.ii.3.1.b (Medical Evidence Used for A&A Ratings) • M21-1 III. iii.7.1 (General Information on a Child's Permanent Incapacity for Self-Support) • 38 CFR 3.159 (Department of Veterans Affairs assistance in developing claims.) • M21-1 IV.ii.1.A.1.a (General Overview of the Compensation Claims Development Process) • 38 CFR 3.211 (Death.) • 38 CFR 3.202(b)(4) (Evidence from foreign countries.) • M21-1 IV.iii.1.B.1.e (Evidence Required to Determine Entitlement to DIC)

Determine Whether the Surviving Spouse, Dependent Child, or Parent Meets the Eligibility Criteria for DIC

Reference Type	Reference Name
Lesson	Phase 5, Part 1(d), Lesson 28: <i>Determine Eligibility for DIC and Parents' DIC</i>
Job Aids	<ul style="list-style-type: none"> • Dependency Eligibility Requirements job aid • Dependency Eligibility: Spouse job aid • DIC Eligibility Requirements job aid • Parents' DIC Eligibility Requirements job aid • Ready to Rate job aid
38 CFR and M21-1 Manual	<ul style="list-style-type: none"> • 38 U.S.C. 1310 (Deaths entitling survivors to dependency and indemnity compensation) • 38 U.S.C. 1311(a)(2) (Dependency and indemnity compensation to a surviving spouse) • 38 U.S.C. 1318 (Benefits for survivors of certain Veterans rated totally disabled at time of death)

Appendix A: References

Reference Type	Reference Name
	<ul style="list-style-type: none"> • 38 U.S.C. 1151 (Benefits for persons disabled by treatment or vocational rehabilitation) • 38 CFR 3.5 (Dependency and indemnity compensation.) • 38 CFR 3.702 (Dependency and indemnity compensation.) • 38 CFR 3.10 (Dependency and Indemnity compensation rate for a surviving spouse.) • 38 CFR 3.211 (Death.) • 38 CFR 3.22 (DIC benefits for survivors of certain veterans rated totally disabled at time of death.) • 38 CFR 3.358 (Compensation for disability or death from hospitalization, medical or surgical treatment, examinations or vocational rehabilitation training [§3.800].) • M21-1 IV.iii.1.B.6.a (Additional Allowance if Veteran was Totally Disabled for Eight Years) • M21-1 III.iii.5.E.4.b (DIC Under 38 U.S.C. 1310[a]) • M21-1 IV.iii.1.A.2 (Overview of DIC) • M21-1 IV.iii.1.B.1 (DIC Under 38 U.S.C. 1310 and 38 U.S.C. 1318) • M21-1 IV.iii.1.B.2 (DIC Benefits Under 38 U.S.C. 1151) • M21-1 III.iii.5.E.1 (Establishing a Valid Marriage in Survivors Cases) • M21-1 III.iii.5.F (Establishing a Child's Age and Relationship) • M21-1 III.iii.5.I (Establishing Parental Relationship) • M21-1 V.i.1.4 (Entitlement Requirements and Development for Parents' DIC) • M21-1 IV.iii.1.A.2.h (DIC Under 38 U.S.C. 1318) • M21-1 III.iii.5.E.4 (Marriage Dates Requirement and Dependency and Indemnity Compensation [DIC] Claims) • M21-1 V.iii.1.A.4 (Pension and Parent's DIC Award)

Appendix A: References

Reference Type	Reference Name
	Effective Dates and Payment Dates) <ul style="list-style-type: none"><li data-bbox="509 323 992 363">• M21-1 V.iii.1.D (Parents DIC)