PENSION AND FIDUCIARY Service

PMC VSR Advanced Core Course Phase 5: Stages of a Claim
Part 5: Award Adjustments

Lesson 3: Determine Net Worth Adjustments

Appendix A

May 2022

**Table of Contents**

[Lesson 3 Prerequisites 3](#_Toc103761623)

[Description 3](#_Toc103761624)

[Establish periods for calculating income 3](#_Toc103761625)

[Select qualifying expenses for calculating income 4](#_Toc103761626)

[Determine net worth status 5](#_Toc103761627)

[Demonstrate how to develop for information/evidence needed to fulfill duty to assist 6](#_Toc103761628)

[Describe how to prepare an award action 7](#_Toc103761629)

Lesson 3 Prerequisites

Description

This Appendix A lists the references according to the prerequisite learning objectives. The reference types include the corresponding lesson title, job aids, 38 Code of Federal Regulations (CFR) and M21-1 Adjudication Procedures Manual.

Establish periods for calculating income

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1c, *Lesson 16: Establish Periods for Calculating Income* |
| Job Aids  | * **Initial Year** job aid
* **Income and Net Worth Status** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.400—3.404 (Effective dates.)
* 38 CFR 3.31 (Commencement of the period of payment.)
* M21-1 IX.i.3.A.3 (Income and Net Worth Reporting Periods)
* M21-1 IX.iii.1.A (General Information on the Effect Income and Net Worth Have on Pension and Parents’ Dependency and Indemnity Compensation (DIC))
* M21-1 IX.iii.1.E.7 (Counting Income During the Initial Year)
* M21-1 IX.iii.1.G.4.q (Overlapping Initial Year and Calendar Year Periods)
* M21-1 IX.iii.1.H.1 (Adjustments Based on Changes in Income)
* 38 CFR 3.31 (Commencement of the period of payment)
* 38 CFR 3.400—3.404 (Effective Dates)
* M21-1 V.i.3.A.3.c (Reporting Period for Current-Law Pension)
 |

Select qualifying expenses for calculating income

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1c, *Lesson 18: Select Qualifying Expenses* |
| Job Aids  | * **Care Expense Guide** job aid
* **Claim Types** job aid
* **Income and Net Worth Status** job aid
* **Initial Year** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.272 (Exclusions from income)
* 38 CFR 3.262.o (Parents’ DIC)
* M21-1 X.iii.1.A (Reports of Hospitalization and Other Information Exchanges Between Department of Veterans Affairs (VA) Regional Offices (ROs) and Medical Facilities)
* M21-1 IX.i.3.D.1 (Determining When Unreimbursed Medical Expenses Are Deductible)
* M21-1 IX.iii.1.A.3.g (Definition of Initial Year for Pension and Time Limit for Establishing Entitlement for the Initial Year)
* M21-1 IX.iii.1.E.7 (Counting Income During the Initial Year)
* M21-1 IX.iii.1.G. (Pension – Deductible Medical Expenses)
* M21-1 IX.iii.1.K. (Pension – Other Deductible Expenses)
* M21-1 V.iii.1.G.4.b (Information Required for a Medical Expense Deduction Claim)
* M21-1 V.iii.1.G.4.d (Allowing Medical Expenses Prospectively)
* M21-1 V.iii.1.G.4.e (Example of Annual Amount vs. Calculated Estimated Actual Amount)
 |

Determine net worth status

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1c, *Lesson 20: Determine Net Worth Status* |
| Job Aids  | * **Income and Net Worth Status** job aid
* **Claim Types** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.263 (Corpus of estate; net worth.)
* 38 CFR 3.274 (Relationship of net worth to pension entitlement.)
* 38 CFR 3.275 (Criteria for evaluating net worth.)
* 38 CFR 3.31 (Commencement of the period of payment.)
* M21-1 IX.i.3.A.1.c (Definition: Net Worth)
* M21-1 IX.iii.1.J (Net Worth, Asset Transfers, and Penalty Periods)
* M21-1 IX.iii.1.A (General Information on the Effect Income and Net Worth Have on Pension and Parents DIC)
 |

Demonstrate how to develop for information/evidence needed to fulfill duty to assist

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 2, *Lesson 1: Overview of the Development Process* |
| Job Aids  | **Develop for Missing Information/Evidence** job aid |
| 38 CFR and M21-1 Manual | * 38 USC 5103 (Notice to Claimants of Required Information and Evidence)
* 38 CFR 3.159 (VA Assistance in Developing Claims)
* 38 CFR 3.160 (Status of Claims)
* 38 CFR 3.2601 (Higher-level Review)
* Public Law (PL) 106-475 (Veterans Claims Assistance Act of 2000)
* M21-1 III.i.2.D.1 (Requesting Evidence from the Claimant)
* M21-1 III.i.2.D.1.b. (Notice of Time Limits to Submit Evidence)
* M21-1 III.i.2.A.1.g. (Handling Concurrent Development Actions)
* M21-1 III.i.2.D.1.d. (Claims Development by E-Mail, Telephone, and Electronic Means)
* M21-1 III.i.2.D.1.e. (Documenting Information Received by Telephone)
* M21-1 III.i.2.D.2.a. (Time Limit for Responding to a Request)
* M21-1 III.i.2.D.1.a. (Written Requests for Evidence)
* M21-1 III.i.2.C.2.d. (Assisting in Obtaining Third Party Records)
* M21-1 III.ii.1.A.1.b. (Standard Procedure for Requesting Records from a Federal Entity)
 |

Describe how to prepare an award action

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 3, *Lesson 2: Overview of the Award Process* |
| Job Aids  | * **Processing a Grant of Benefits** job aid
* **Processing a Denial of Benefits** job aid
* **Processing an Award Adjustment** job aid
* **Processing an Award Renouncement job** aid
* **Annotate the Award job aid**
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.106 (Renouncement)
* M21-1 VI.i.1.A. (Decision Authorization)
* M21-1 VI.i.1.A.1.a. (Final Stage in Adjudicating a Claim)
* M21-1 VI.i.1.A.1.b. (Responsibility for Awarding or Denying Benefits)
* M21-1 VI.i.1.A.2. (General Information on Processing Decisions)
* M21-1 VI.i.1.A.2.c. (Award Processing Responsibilities)
* M21-1 VI.i.1.A.3. (General Information on Denials)
* M21-1 VI.i.1.A.3.a. (Definition: Denial)
* M21-1 VI.i.1.A.2.d. (Circumstances Under Which a VSR May Authorize His/Her Own Award Action)
* M21-1 VI.i.1.A.4. (Denials Based on a Claimant’s Failure to Furnish Requested Evidence)
* M21-1 VI.i.1.B. (Decision Notices)
	+ M21-1 VI.i.1.B.1.b. (Decision Notice Requirements)
* M21-1 X.iv.4. (Renouncements)
	+ M21-1 X.iv.4.1. (General Information About Renouncement)
	+ M21-1 X.iv.4.1.b. (Acceptable Means of Renouncing the Right to a Benefit)
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