PENSION AND FIDUCIARY Service

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

**Phase 5, Part 5b Knowledge Check Preparation**

Appendix A

May 2022

**Table of Contents**

[Learning Objectives for Phase 5, Part 5b 2](#_Toc1407259810)

[Description 3](#_Toc1661468905)

[Determine award adjustment based on change in dependency 3](#_Toc743697205)

[Apply due process to a claim 4](#_Toc462107083)

[Recognize whether a waiver withholding is required 6](#_Toc1012770160)

Learning Objectives for Phase 5, Part 5b

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.

Determine award adjustment based on change in dependency

| Reference Type | Reference Name  |
| --- | --- |
| Lesson | Phase 5, Part 5, Lesson 4: *Determine Dependency Adjustments* |
| Job Aids | * **Processing an Award Adjustment** job aid
* **Annotate the Award Checklist** job aid
* **Initial Year** job aid
* **Income and Net Worth Status** job aid
* **Time Limits** job aid
* **Dependency Eligibility Requirements** job aid
* **Dependency Eligibility: Spouse** job aid
* **Develop for Missing Information/Evidence** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.57(a)(1) (Child: General)
* 38 CFR 3.204 (Evidence of dependents and age)
* 38 CFR 3.205 (Marriage)
* 38 CFR 3.206 (Divorce)
* 38 CFR 3.207 (Void or annulled marriage)
* 38 CFR 3.208 (Claims based on attained age)
* 38 CFR 3.209 (Birth)
* 38 CFR 3.210 (Child's relationship)
* 38 CFR 3.211 (Death)
* M21-1 II.iii.1.A.1.a. (Requirements for a Complete Claim Received on or After March 24, 2015)
* M21-1 VII.i.1.A. (General Information on Relationship and Dependency)
* M21-1 VII.i.1.A.4.a. (Forms Claimants Must Use to Initiate the Process of Adding a Dependent to Their Award)
* M21-1 VII.i.2.B.2. (Development to Establish a Common Law Marriage)
* M21-1 VII.i.2.B.3.a. (Recognition of Common Law Marriages by State)
* M21-1 VII.i.2.C.1. (Tribal and Proxy Marriages)
* M21-1 VII.i.3.B. (Biological Children, Adopted Children, and Stepchildren)
* M21-1 VII.i.3.B.6 (Award Adjustments Involving Stepchildren)
* M21-1 VII.ii. (School Attendance)
* M21-1 XII.i.1.A.1.a. (Definition: DIC)
* M21-1 IX.i.3.A.2.a. (Income Development for Initial and Supplemental Claims)
* M21-1 IX.iii.1.F. (Dependents for Current- Law Pension Purposes)
* M21-1 IX.iii.1.F.2.a. (General Information on Counting the Income of Dependents)
* M21-1 IX.iii.1.F.2.k. (Failure to Resolve the Income of Dependents)
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Apply due process to a claim

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | Phase 5, Part 5, Lesson 5: *Apply/Issue Due Process Provisions* |
| Job Aids | * **Processing an Award Adjustment** job aid
* **Initial Year** job aid
* **Due Process** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.103 (Procedural Due Process and Appellate Rights)
* 38 CFR 3.551 (Reduction Because of Hospitalization)
* 38 CFR 3.552 (Adjustment of allowance for aid and attendance)
* M21-1 I.i.1.B (General Information on Due Process)
* M21-1 I.i.1.B.1.a. (Due Process and the U.S. Constitution)
* M21-1 I.i.1.B.1.b. (Due Process and VA)
* M21-1 I.i.1.B.2.a. (Types of Notification Concerning Change in Benefits)
* M21-1 X.ii.3.A.2.a. (Required Elements for Notice of Proposed Adverse Action)
* M21-1 X.ii.3.B (Adverse Action Proposal Period)
	+ M21-1 X.ii.3.B.3 (Hearings Requested in Response to a Proposed Adverse Action)
* M21-1 X.ii.3.C.1. (Contemporaneous Notice)
* M21-1 VII.i.1.B(Verification of Marital Status and the Status of Dependents)
	+ M21-1 VII.i.1.B.4 (Failure to Return VA Form 21-0538 or VA Form 21P-0537)
* M21-1 VII.ii.1.B (Awards and Adjustments Based upon School Attendance)
	+ M21-1 VII.ii.1.B.6.e. (Failure to Certify School Attendance)
* M21-1 X.ii.6.A.5.a. (Decree by a Court as Notice and Hearing)
* M21-1 X.v.1.C.3.g. (Sample Format for Documenting an Administrative Decision)
* M21-1 VI.i.2.B.1 (Overview of Erroneous Payments)
* M21-1 VI.i.2.B.2 (Handling Cases That Involve the Duplicate Payment of Benefits )
* M21-1 VII.iii.1.B (Adjusting Apportioned Awards)
* M21-1 X.ii.3.A.3.c. (Special Procedures for Hospitalized Veterans)
* M21-1 VI.iii.1.A.2 (Benefit-Specific Effects of a Beneficiary’s Incarceration)
* M21-1 VI.iii.1.A.3.a. (Action to Take Upon Receipt of Notice of Incarceration)
* M21-1 VI.iii.1.C.2.b.  Processing Notice of the Incarceration of a Surviving Spouse
* M21-1 X.ii.6.D.3 (Due Process Requirements for Incompetency Determinations)
* M21-1 VI.iii.2.A.1 (General Information About Simultaneous Award Adjustments)
* M21-1 VI.iii.2.A.2 (Processing Simultaneous Award Adjustments)
* M21-1 XIV.2.A.5.n. (Monthly Entitlement Amount is Erroneous)
* M21-1 XIV.2.B.2.h. (DMF Match Identifies Veteran’s Spouse)
* M21-1 XIV.4.D (Federal Tax Information (FTI): Income Verification Match (IVM))
* M21-1 XIV.7.2 (Processing Worksheets Data-Matching Programs Generate)
* M21-1 XIV.8.2.d. (Deciding Whether an Individual Is a Fugitive Felon and Notifying the Beneficiary of the Decision)
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Recognize whether a waiver withholding is required

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | Phase 5, Part 5, Lesson 6: *Introduction to Overpayments and Waiver Withholdings* |
| Job Aids | * **Processing an Award Adjustment** job aid
* **Time Limits** job aid
 |
| 38 CFR and M21-1 Manual | * 38 USC 5302 (Waiver of Recovery of Claims by the US)
* 38 CFR 1.912 (Collection by Offset)
* M21-1 VI.iii.2.C (Debt Collection)
* M21-1 VI.iii.2.A.4 (General Information on the COWC)
* M21-1 VI.iii.2.B.2 (Reviewing Awards for Indebtedness)
* M21-1 III.vi.2.B.2.b. (Debt Management)
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