

# Approved Language for Favorable Findings – Dependency

Last updated February 6, 2019

## Dependency Denial/Removal Decision Point:

<p><b>If Awards Status dropdown in VBMS-A is “Not an Award Dependent,” then:</b></p> <p>We couldn’t pay for &lt;Insert Dependent’s Name&gt; as a dependent, because not all required elements were met. The following list contains an explanation of the elements required to establish entitlement to additional compensation for your dependent:</p> <ul style="list-style-type: none"> <li>• &lt;Insert Elements Not Met Language 1&gt;</li> <li>• &lt;Insert Elements Not Met Language n&gt;</li> </ul> <p>Even though we aren’t able to pay additional compensation for your dependent, the following findings were favorable to your claim:</p> <ul style="list-style-type: none"> <li>• &lt;Insert Favorable Element Met 1&gt;</li> <li>• &lt;Insert Favorable Element Met n&gt;</li> </ul>		
<b>If Subtype is:</b>	<b>Then elements presented to user in VBMS-A are:</b>	<b>And paragraph based on user indication of element met or not met:</b>
Minor Adopted Child	Veteran entitlement	<b>Element Met:</b> You are rated 30% or greater service connected.
		<b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)
Age		<b>Element Met:</b> You provided <Insert Dependent’s Name>’s age.
		<b>Element Not Met:</b> <Insert Dependent’s Name> is over the age of 18 and is not an eligible dependent. (38 CFR 3.57)
Relationship to Veteran		<b>Element Met:</b> <Insert Dependent’s Name> is legally adopted.
		<b>Element Not Met:</b> <Insert Dependent’s Name> is not legally adopted. (38 CFR 3.57, 38 CFR 3.210)
Name		<b>Element Met:</b> You provided your child’s name.
		<b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)

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	Place of Birth	<b>Element Met:</b> You provided <Insert Dependent's Name>'s place of birth.
		<b>Element Not Met:</b> You did not provide evidence showing <Insert Dependent's Name>'s place of birth, as requested. (38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210)
	Social Security Number	<b>Element Met:</b> You provided <Insert Dependent's Name>'s social security number.
		<b>Element Not Met:</b> You did not provide <Insert Dependent's Name>'s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)
	Child is unmarried	<b>Element Met:</b> <Insert Dependent's Name> is unmarried.
		<b>Element Not Met:</b> Our records indicate <Insert Dependent's Name> is married. A child must be unmarried to qualify as a dependent. (38 CFR 3.57)
	Address of child	<b>Element Met:</b> You provided <Insert Dependent's Name>'s address.
		<b>Element Not Met:</b> <Insert Dependent's Name>'s address is unknown and therefore we cannot pay you for this dependent. (38 CFR 3.204)
	Date of birth	<b>Element Met:</b> You provided <Insert Dependent's Name>'s date of birth.
		<b>Element Not Met:</b> You failed to provide <Insert Dependent's Name>'s date of birth. (38 CFR 3.204, 38 CFR 3.209)
	Not an eligible dependent	<b>Element Met:</b> Null/Not Text
		<b>Element Not Met:</b> <Insert Dependent's Name> has been adopted out of your household and is not considered a child for the purposes of VA benefits. (38 CFR 3.57, 38 CFR 3.58)

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Minor Biological Child	Veteran entitlement	<b>Element Met:</b> You are rated 30% or greater service connected.
		<b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)
	Age	<b>Element Met:</b> You provided <Insert Dependent's Name> age.
		<b>Element Not Met:</b> <Insert Dependent's Name> is over the age of 18 and is not an eligible dependent. (38 CFR 3.57)
	Relationship to Veteran	<b>Element Met:</b> Your relationship with <Insert Dependent's Name> has been established. (38 CFR 3.57)
		<b>Element Not Met:</b> Your relationship with <Insert Dependent's Name> has not been established.
	Name	<b>Element Met:</b> You provided your child's name.
		<b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)
	Place of Birth	<b>Element Met:</b> You provided <Insert Dependent's Name>'s place of birth.
		<b>Element Not Met:</b> You did not provide evidence showing <Insert Dependent's Name>'s place of birth, as requested. (38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210)
	Social Security Number	<b>Element Met:</b> You provided <Insert Dependent's Name>'s social security number.
		<b>Element Not Met:</b> You did not provide <Insert Dependent's Name>'s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)

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	Child is unmarried	<p><b>Element Met:</b> &lt;Insert Dependent's Name&gt; is unmarried.</p> <p><b>Element Not Met:</b> Our records indicate &lt;Insert Dependent's Name&gt; is married. A child must be unmarried to qualify as a dependent. (38 CFR 3.57)</p>
	Address of child	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt;'s address.</p> <p><b>Element Not Met:</b> &lt;Insert Dependent's Name&gt;'s address is unknown and therefore we cannot pay you for this dependent. (38 CFR 3.204)</p>
	Date of birth	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt;'s date of birth.</p> <p><b>Element Not Met:</b> You failed to provide &lt;Insert Dependent's Name&gt;'s date of birth. (38 CFR 3.204, 38 CFR 3.209)</p>
Minor Stepchild		
Minor Stepchild	Veteran entitlement	<p><b>Element Met:</b> You are rated 30% or greater service connected.</p> <p><b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)</p>
	Age	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt; age. &lt;Insert Dependent's Name&gt; is over the age of 18 and is not an eligible dependent. (38 CFR 3.57)</p> <p><b>Element Not Met:</b> &lt;Insert Dependent's Name&gt; is over the age of 18 and is not an eligible dependent. (38 CFR 3.57)</p>
	Child in Veteran's household	<p><b>Element Met:</b> Your stepchild is a member of your household or you are providing at least half of the dependent's financial support.</p>

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		<p><b>Element Not Met:</b> &lt;Insert Dependent’s Name&gt; is not a member of your household and you are not providing at least half of the dependent’s financial support. (38 CFR 3.57, 38 CFR 3.204)</p>
	Relationship to Veteran	<p><b>Element Met:</b> Your relationship with your child has been established.</p>
		<p><b>Element Not Met:</b> Your relationship with &lt;Insert Dependent’s Name&gt; has not been established. (38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.210)</p>
	Name	<p><b>Element Met:</b> You provided your stepchild’s name.</p>
		<p><b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)</p>
	Place of Birth	<p><b>Element Met:</b> You provided &lt;Insert Dependent’s Name&gt;’s place of birth.</p>
		<p><b>Element Not Met:</b> You did not provide evidence showing &lt;Insert Dependent’s Name&gt;’s place of birth, as requested. (38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210)</p>
	Social Security Number	<p><b>Element Met:</b> You provided &lt;Insert Dependent’s Name&gt;’s social security number.</p>
		<p><b>Element Not Met:</b> You did not provide &lt;Insert Dependent’s Name&gt;’s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)</p>
	Child is unmarried	<p><b>Element Met:</b> &lt;Insert Dependent’s Name&gt; is unmarried.</p>

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		<p><b>Element Not Met:</b> Our records indicate &lt;Insert Dependent's Name&gt; is married. A child must be unmarried to qualify as a dependent. (38 CFR 3.57)</p>
	Acquired stepchild status prior to age 18	<p><b>Element Met:</b> Your child acquired stepchild status prior to the age of 18.</p> <p><b>Element Not Met:</b> &lt;Insert Dependent's Name&gt; is not an eligible dependent because &lt;Insert Dependent's Name&gt; did not acquire stepchild status prior to the age of 18. (38 CFR 3.57)</p>
	Date of birth	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt;'s date of birth.</p> <p><b>Element Not Met:</b> You failed to provide &lt;Insert Dependent's Name&gt;'s date of birth. (38 CFR 3.204, 38 CFR 3.209)</p>
School Age Child	Attending an approved educational institution	<p><b>Element Met:</b> &lt;Insert Dependent's Name&gt; is over the age of 18 and attending a VA-approved educational institution.</p> <p><b>Element Not Met:</b> &lt;Insert Dependent's Name&gt; is over the age of 18 and attending school, but not at a VA-approved educational institution. (38 CFR 3.57, 38 CFR 3.667)</p>
	Child has not elected Chapter 35	<p><b>Element Met:</b> &lt;Insert Dependent's Name&gt; is not in receipt of Chapter 35/Dependents Educational Assistance benefits.</p> <p><b>Element Not Met:</b> &lt;Insert Dependent's Name&gt; is over the age of 18 and in receipt of Chapter 35/Dependents Educational Assistance benefits. An election of Chapter 35 benefits is a bar to receiving additional compensation for the same child. (38 CFR 3.707)</p>
	Age	<p><b>Element Met:</b> &lt;Insert Dependent's Name&gt; is between the ages of 18 and 23.</p>



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		<p><b>Element Not Met:</b> &lt;Insert Dependent’s Name&gt; is over the age of 23. (38 CFR 3.57)</p>
	School attendance is sufficient hours	<p><b>Element Met:</b> Your child is attending a sufficient number of hours of school.</p> <p><b>Element Not Met:</b> &lt;Insert Dependent’s Name&gt; is over the age of 18 and is in school, but does not attend enough hours of education to qualify. To meet VA standards the student must attend no less than three regular class sessions and the courses must lead to an educational objective. (38 CFR 21.4200)</p>
	Date of birth	<p><b>Element Met:</b> You provided &lt;Insert Dependent’s Name&gt;’s date of birth.</p> <p><b>Element Not Met:</b> You failed to provide &lt;Insert Dependent’s Name&gt;’s date of birth. (38 CFR 3.204, 38 CFR 3.209)</p>
	Child is unmarried	<p><b>Element Met:</b> &lt;Insert Dependent’s Name&gt; is unmarried.</p> <p><b>Element Not Met:</b> Our records indicate &lt;Insert Dependent’s Name&gt; is married. A child must be unmarried to qualify as a dependent. (38 CFR 3.57)</p>
	Veteran entitlement	<p><b>Element Met:</b> You are rated 30% or greater service connected.</p> <p><b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)</p>
	Place of Birth	<p><b>Element Met:</b> You provided &lt;Insert Dependent’s Name&gt;’s place of birth.</p>

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		<p><b>Element Not Met:</b> You did not provide evidence showing &lt;Insert Dependent's Name&gt;'s place of birth, as requested. (38 CFR 3.204, 38 CFR 3.209)</p>
Adoptive Parent	Veteran entitlement	<p><b>Element Met:</b> You are rated 30% or greater service connected.</p>
		<p><b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)</p>
	Proof of Relationship	<p><b>Element Met:</b> Your relationship with &lt;Insert Dependent's Name&gt; has been established.</p>
		<p><b>Element Not Met:</b> Your relationship with &lt;Insert Dependent's Name&gt; has not been established. (38 CFR 3.59, 38 CFR 3.210)</p>
	Name (38 CFR 3.204)	<p><b>Element Met:</b> You provided your parent's name.</p>
		<p><b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)</p>
	Social Security Number	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt;'s social security number.</p>
		<p><b>Element Not Met:</b> You did not provide &lt;Insert Dependent's Name&gt;'s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)</p>
	If foreign adoption	<p><b>Element Met:</b> Null/no text</p>
		<p><b>Element Not Met:</b> Please see the attached administrative decision regarding the status of your relationship with &lt;Insert Dependent's Name&gt;.</p>
	Proof of Dependency	<p><b>Element Met:</b> Null/No Text</p>



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		<p><b>Element Not Met:</b> Please see our attached administrative decision regarding proof that &lt;Insert Dependent's Name&gt; is your dependent.</p>
Biological Parent	Veteran entitlement	<p><b>Element Met:</b> You are rated 30% or greater service connected.</p>
		<p><b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)</p>
	Proof of Relationship	<p><b>Element Met:</b> Your relationship with &lt;Insert Dependent's Name&gt; has been established.</p>
		<p><b>Element Not Met:</b> Your relationship with &lt;Insert Dependent's Name&gt; has not been established. (38 CFR 3.59, 38 CFR 3.210)</p>
	Name (38 CFR 3.204)	<p><b>Element Met:</b> You provided your parent's name.</p>
		<p><b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)</p>
	Social Security Number	<p><b>Element Met:</b> You provided &lt;Insert Dependent's Name&gt;'s social security number.</p>
		<p><b>Element Not Met:</b> You did not provide &lt;Insert Dependent's Name&gt;'s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)</p>
	Proof of Dependency	<p><b>Element Met:</b> Null/No Text</p>
		<p><b>Element Not Met:</b> Please see our attached administrative decision regarding proof that &lt;Insert Dependent's Name&gt; is your dependent.</p>

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Foster Parent	Veteran entitlement	<b>Element Met:</b> You are rated 30% or greater service connected.
		<b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)
	Proof of Relationship	<b>Element Met:</b> Your relationship with <Insert Dependent's Name> has been established.
		<b>Element Not Met:</b> Your relationship with <Insert Dependent's Name> has not been established. (38 CFR 3.59, 38 CFR 3.210)
	Name	<b>Element Met:</b> You provided your foster parent's name.
		<b>Element Not Met:</b> You failed to provide the full name of the person you are claiming as a dependent. (38 CFR 3.204)
	Social Security Number	<b>Element Met:</b> You provided <Insert Dependent's Name>'s social security number.
		<b>Element Not Met:</b> You did not provide <Insert Dependent's Name>' social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)
	Proof of Dependency	<b>Element Met:</b> Null/No Text
		<b>Element Not Met:</b> Please see our attached administrative decision regarding proof that <Insert Dependent's Name> is your dependent.
Spouse	Veteran entitlement	<b>Element Not Met:</b> You are not rated 30% or greater service connected. (38 CFR 3.4)

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		<p><b>Element Met:</b> You are rated 30% or greater service connected.</p>
	Relationship to Veteran	<p><b>Element Met:</b> Your relationship with &lt;Insert Dependent’s Name&gt; has been established.</p> <p><b>Element Not Met:</b> Your relationship with &lt;Insert Dependent’s Name&gt; has not been established. (38 CFR 3.50)</p>
	Name	<p><b>Element Met:</b> You provided your spouse’s name.</p> <p><b>Element Not Met:</b> You failed to provide your spouse’s full name. (38 CFR 3.204)</p>
	Social Security Number	<p><b>Element Met:</b> You provided &lt;Insert Dependent’s Name&gt;’s social security number.</p> <p><b>Element Not Met:</b> You did not provide &lt;Insert Dependent’s Name&gt;’s social security number, as requested. (38 CFR 3.204, 38 CFR 3.216)</p>
	Statement of Previous Marital History	<p><b>Element Met:</b> You provided marital history, as requested.</p> <p><b>Element Not Met:</b> You failed to provide a history of your previous marriages. (38 CFR 3.205)</p>
	Date and place of current marriage	<p><b>Element Met:</b> You provided the date and place of the marriage.</p> <p><b>Element Not Met:</b> You failed to provide the date and place of the marriage. (38 CFR 3.204)</p>
	Date of birth	<p><b>Element Met:</b> You provided your spouse’s date of birth.</p> <p><b>Element Not Met:</b> You failed to provide your spouse’s date of birth. (38 CFR 3.204)</p>

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If Awards Status dropdown in VBMS-A is “Removal of Dependent,”	
For each removal that is at issue, populate the following introductory language:	We removed <insert dependent name> effective <insert award effective date> for the following reason:
If the decision in VBMS-A is ‘Elects Chapter 35’ then:	<Insert Dependent’s Name> is over the age of 18 and in receipt of Chapter 35/Dependents Educational Assistance benefits.
If the decision in VBMS-A is ‘Marriage Terminated’ then:	You and <Insert Dependent’s Name> divorced on <Insert Event Date>.
If the decision in VBMS-A is ‘Death’ then:	Our records indicate that <Insert Dependent’s Name> passed away on <Insert Event Date>. We are sorry for your loss.
If the decision in VBMS-A is ‘Marriage’ then:	<Insert Dependent’s Name> married on <Insert Event Date>. A child must be unmarried to qualify as a dependent.
If the decision in VBMS-A is ‘Turns 23’ then:	<Insert Dependent’s Name> is over the age of 23.
If the decision in VBMS-A is ‘Turns 18’ then:	<Insert Dependent’s Name> is over the age of 18 and not attending school.

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<p>If the decision in VBMS-A is <b>'No Support to Child Out of Legal Custody'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; is not a member of your household and you are not financially supporting &lt;Insert Dependent's Name&gt;.</p>
<p>If the decision in VBMS-A is <b>'Incarcerated'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; is incarcerated and as such does not qualify as a dependent.</p>
<p>If the decision in VBMS-A is <b>'School Attendance Terminates'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; has stopped attending school on &lt;Insert Event Date&gt;.</p>
<p>If the decision in VBMS-A is <b>'Stepchild Relationship Terminated'</b> then:</p>	<p>Your relationship to &lt;Insert Dependent's Name&gt; is terminated, due to your divorce from the legal parent on &lt;Insert Event Date&gt;. If you are still supporting this child, please let us know.</p>
<p>If the decision in VBMS-A is <b>'Child Adopted Out of Family'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; has been adopted out of your household.</p>
<p>If the decision in VBMS-A is <b>'Stepchild Not in Household'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; is not a member of your household and you are not providing at least half of the dependent's financial support.</p>
<p>If the decision in VBMS-A is <b>'Insufficient School Hours'</b> then:</p>	<p>&lt;Insert Dependent's Name&gt; is over the age of 18 and is in school, but does not attend enough hours of education to qualify.</p>
<p>If the decision in VBMS-A is <b>'Relationship Not Established'</b> then:</p>	<p>Your relationship with &lt;Insert Dependent's Name&gt; has not been established.</p>

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## Decision Point 14: Dependency Grant Decision Point:

If the decision in VBMS-A is 'School Not Approved' then:	<Insert Dependent's Name> is over the age of 18 and attending school, but not at a VA-approved educational institution.	
If the decision in VBMS-A is 'Estrangement with No Support' then:	We have evidence that you are estranged from your spouse, <Insert Dependent's Name>, and there is no evidence that you are providing financial support.	

If Dependency is Granted (i.e., spouse, A&A spouse, minor child, school child, helpless child, or parent is selected in the Awards Status dropdown), and		
Dependent Type is:	And Dependent Subtype is:	Then add:
Spouse	Spouse	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.50, 38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.205, 38 CFR 3.216)
Child	Minor Biological	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216)
Child	Minor Adopted	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216)



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Child	Minor Stepchild	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216)
Child	School Age Child	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.57, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216, 38 CFR 3.667, 38 CFR 3.707, 38 CFR 21.4200)
Parent	Adoptive Parent	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.59, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216, 38 CFR 3.250, 38 CFR 3.263)
Parent	Biological Parent	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.59, 38 CFR 3.204, 38 CFR 3.209, 38 CFR 3.210, 38 CFR 3.216, 38 CFR 3.250, 38 CFR 3.263)
Parent	Foster Parent	<Insert Dependent's Name> has been added to your award effective <Insert Event Date>, because you submitted all the required information and meet the eligibility requirements for the dependency allowance. (38 CFR 3.4, 38 CFR 3.59, 38 CFR 3.204, 38 CFR 3.216, 38 CFR 3.250, 38 CFR 3.263)