

Milwaukee Pension Management Center Questions:

1. **Question:** Who establishes the EP 160 to control the SC burial allowance when DIC is granted in these circumstances?

Response: The claims processor working the claim would establish the EP during awards processing and add a note in VBMS explaining why it was established.

2. **Question:** If the EP 160 should be established by the VSR working the DIC award and they fail to do so, do we call an error?

Response: Yes, an error can be called because they failed to address all issues.

3. **Question:** What is the correct date of claim to use when establishing the EP 160 in these circumstances?

Response: The correct date of claim is the same date of claim as the *VA Form 21-534* or *21-534EZ* used to grant Dependency and Indemnity Compensation benefits. Manual changes are forthcoming to [M21-1 IV.iii.1.B.6.e](#) and [M21-1 VII.1.A.3.b](#) to clarify this.

4. **Question:** What is the correct claim label to use when establishing the EP 160 in these circumstances?

Response: The correct claim label to use in these circumstances is the *PMC SC Burial (160SCBPMC)*.

5. **Question:** Who works the award to grant SC burial? (Is it the same person who works the EP used to control the grant of DIC benefits? Or, do we let the EP 160 get recalled by NWQ and redistributed, eligible to be worked by whoever has the capacity to work the EP 160?)

Response: The claims processor who processes the end product used to control the grant of DIC will work the service-connected burial concurrently.

6. Award letter

- a. **Question:** Are there any special notations that need to be made?

Response: No

- b. **Question:** Is there new text to explain why we are paying the claimant the SC burial award?

Response: No, there is no new text to be added. The \$2,000 was granted because they submitted all required information and they meet all the requirements for the benefit which is what the letter says.

- c. **Question:** Will it populate in the ADL or do we add free text?

Response: There are no changes needed to the current burial ADL letter.

- d. **Question:** Is it still appropriate to deny plot as we typically do when granting SC burial benefits?

Response: Yes, plot is not payable with service-connected burial per [38 CFR 3.1704](#).

- e. **Question:** Do we leave transportation undecided on the award or make a decision?

Response: If there is an itemized receipt or funeral bill of record and eligibility exists, pay the transportation costs. If eligibility does not exist, then deny the transportation allowance claim. Note that if eligibility exists, but we do not have an itemized receipt or funeral bill, solicit for itemized receipt in the notification letter and close the end product.

- f. **Question:** If we are to make a decision to deny transportation, then what favorable findings should be used?

Response: The claims processor should continue to follow previously established guidance and [AMA Burial ADL Decision Element Language Blocks](#) to determine the appropriate favorable findings. The ADL language blocks are shown below. For cost incurred, the element would be met if there is evidence of record that the transportation expenses were incurred for the Veteran's burial.

- g. **Question:** What should we include in the evidence list in the ADL as the hard-coded evidence that always populates may not make sense now?

Response: No changes are needed. The hard-coded evidence listed in the ADL is sufficient.

7. **Question:** What happens when we previously paid a burial claimant other than the surviving spouse the NSC burial and/or plot allowance but are now granting DIC benefits to the surviving spouse?

Response: If a claimant other than the surviving spouse qualifies as an eligible claimant and is the first to file a claim for burial benefit, that person is the proper claimant for that particular benefit. If it is later determined the SC burial allowance is payable, pay the difference between the amount of the SC burial allowance and the total amount previously paid to an eligible claimant. In this scenario the first person to apply will keep the NSC burial payment and the PMC will pay the surviving spouse the additional amount per [M21-1 VII.1.B.2.h](#), [38 CFR 3.1702 \(a\)\(b\)](#), [M21-1 VII.1.B.2.i](#). In the decision notice, inform the surviving spouse we initially paid someone else the NSC burial.

8. **Question:** Do we pay the surviving spouse the difference between what we previously paid the NSC burial claimant and the \$2,000 SC burial allowance?

Response: Yes, see response to #7.

St Paul Pension Management Center questions:

1. **Question:** What date of claim should be used for these burial grants?

Response: The correct date of claim is the same date of claim as the *VA Form 21-534* or *21-534EZ* used to grant Dependency and Indemnity Compensation benefits. Manual changes are forthcoming to [M21-1 IV.iii.1.B.6.e](#) and [M21-1 VII.1.A.3.b](#) to clarify this.

2. **Question:** Do we need to verify if costs were incurred before granting the SC burial?

Response: No, per [M21-1 VII.1.B.2.b](#) this does not need to be verified.

3. **Question:** If there is evidence in the file that costs were NOT incurred (from a prior 530 submission, for example), would we refrain from paying the SC burial?

Response: Yes, per [M21-1 VII.1.B.2.b](#). unless VA has evidence on the date of receipt of the notice of the Veteran's death that the burial expenses incurred were less, pay the maximum SC burial allowance.

4. **Question:** Should a decision be made regarding plot and transportation?

Response: Yes, plot is not payable with service-connected burial per [38 CFR 3.1704](#). If there is an itemized receipt or funeral bill of record and eligibility exists, pay the transportation costs. If eligibility does not exist, then deny the transportation allowance claim. Note that if eligibility exists, but we do not have an itemized receipt or funeral bill, solicit for itemized receipt in the notification letter and close end product.

5. **Question:** If there is evidence in the file that the claimant is entitled to transportation, should transportation be paid?

Response: Yes, see response to #4.

6. **Question:** Should letters be solely written in PCGL, since ADLs do not have appropriate text for this situation?

Response: Burial ADL should be used since there is no change to the letters.

7. **Question:** Are we paying burial to ANY claimant who was granted DIC (e.g. surviving spouse, minor child, helpless child, parent)?

- If yes, would we pay directly to a minor child, or to the child's custodian for DIC purposes?
- What if the custodian is not eligible for payment of benefits based on M21-1 III.v.9.C.4.b?

Response: No, this change only applies to surviving spouses. Manual changes are forthcoming to [M21-1 IV.iii.1.B.6.e](#) and [M21-1 VII.1.A.3.b](#) to clarify this.

AMA Burial ADL Decision Element Language Blocks

This document is applicable to VBMS-A functionality. It provides the paragraph text that will automatically generate within the letter after making the selection indicated.

SC Burial Benefit	ADL text after selection of element met or not met:	When to choose this element:
Veteran Entitlement	Element Met: You provided a claim or evidence showing that the Veteran’s military service met the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and meets the requirements of qualifying service for burials.
	Element Not Met: The Veteran’s military service does not meet the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and does not meet the requirements of qualifying service.
	N/A:	Mark the element as N/A when service is not verified.
Proper Claimant	Element Met: You provided a claim or evidence showing you are an eligible claimant who may receive burial benefits and you are the first person to file. (38 CFR 3.1702)	Use when the claimant meets the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
	Element Not Met: You are not an eligible claimant who may received burial benefits, or this burial benefit has already been paid. (38 CFR 3.1702)	Use when the claimant does not meet the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
Proof of Death	Element Met: You provided a claim or evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA receives one of the following pieces of evidence: phone call reporting death, data match with SSA confirming death or death certificate of Veteran.
	Element Not Met: You did not provide evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA does not have one of the pieces of evidence listed above.
Cost Incurred	Element Met: You provided a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “Yes” to question 15A from 21P-530 or provides evidence expenses were incurred.
	Element Not Met: You did not provide a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “No” to question 15A from 21P-530 and does not provide evidence expenses were incurred.

**Note: if SC burial benefits were denied because VA did not receive a death certificate, the following free text needs to be added through the ADL generator: FTP for SC burial

NSC Burial Benefit	ADL text after selection of element met or not met:	When to choose this element:
Veteran Entitlement	Element Met: You provided a claim or evidence showing that the Veteran’s military service met the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and meets the requirements of qualifying service for burials.
	Element Not Met: The Veteran’s military service does not meet the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and does not meet the requirements of qualifying service.
	N/A:	Mark the element as N/A when service is not verified.
Proper Claimant	Element Met: You provided a claim or evidence showing you are an eligible claimant who may received burial benefits and you are the first person to file. (38 CFR 3.1702)	Use when the claimant meets the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
	Element Not Met: You are not an eligible claimant who may receive burial benefits, or this burial benefit has already been paid. (38 CFR 3.1702)	Use when the claimant does not meet the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
Proof of Death	Element Met: You provided a claim or evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA receives one of the following pieces of evidence: phone call reporting death, data match with SSA confirming death or death certificate of Veteran.
	Element Not Met: You did not provide evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA does not have one of the pieces of evidence listed above.
Cost Incurred	Element Met: You provided a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “Yes” to question 15A from 21P-530 or provides evidence expenses were incurred.
	Element Not Met: You did not provide a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “No” to question 15A from 21P-530 and does not provide evidence expenses were incurred.
C&P Eligibility	Element Met: You provided a claim or evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to receive disability compensation or VA pension. (38 CFR 3.1705)	Use when Veteran was in receipt of compensation or pension benefits at the time of death.
	Element Not Met: You did not provide evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to	Use when Veteran was not in receipt of compensation or pension benefits at the time of death.

NSC Burial Benefit	ADL text after selection of element met or not met:	When to choose this element:
	receive, disability compensation or VA pension. (38 CFR 3.1705)	
Timeliness	Element Met: You submitted your claim or evidence within the applicable non-service connected burial claim submission time limit requirement (38 CFR 3.1703)	Use when burial application was received within 2 years of the Veteran’s permanent burial/cremation.
	Element Not Met: You did not submit your claim or evidence within the applicable non-service connected burial claim submission time limit requirement (38 CFR 3.1703)	Use when burial application was received after 2 years of the Veteran’s permanent burial/cremation.
VA Hospitalization Death (only available with denial reason – Not Under VA Care; this decision should be used when VA care death is claimed on the 21P-530)	Element Met: The Veteran died of a non-service-connected condition while hospitalized by VA, was otherwise in the custody of VA, or while a patient at a State Veterans home. (38 CFR 3.1706)	Use when we are able to verify death under VA care. (NOTE: you may need to check your denial reason)
	Element Not Met: The claim or evidence did not show that the Veteran passed away while hospitalized by VA, in the custody of VA, or while a patient at an approved State Veterans home. (38 CFR 3.1706)	Use when we are not able to verify death under VA care.
Insufficient Resources for Estate	Element Met: You provided a claim or evidence indicating that there are not sufficient resources available in the Veteran’s estate to cover the burial and funeral expenses. (38 CFR 3.1708)	To be used when claimant is FH administrator, the Veteran’s remains are unclaimed and all requirements of unclaimed remains are met.
	Element Not Met: There are sufficient resources available in the Veteran’s estate to cover the burial and funeral expenses. (38 CFR 3.1708)	To be used when all requirements of unclaimed remains are not met; or claimant is not a funeral home and claiming benefits due to unclaimed remains.
	N/A:	Mark the element as N/A when unclaimed remains are NOT being claimed.

NSC Burial Benefit	ADL text after selection of element met or not met:	When to choose this element:
Remains are Unclaimed	<p>Element Met: You provided a claim or evidence indicating there are no next of kin or other persons claiming the remains of the deceased Veteran. (38 CFR 3.1708)</p>	To be used when claimant is FH administrator, the Veteran's remains are unclaimed and all requirements of unclaimed remains are met.
	<p>Element Not Met: You are not an eligible claimant or entity that may receive burial benefits because someone has claimed the remains of the Veteran. (38 CFR 3.1708)</p>	To be used when all requirements of unclaimed remains are not met; or claimant is not a funeral home and claiming benefits due to unclaimed remains.
	<p>N/A:</p>	Mark the element as N/A when unclaimed remains are NOT being claimed.

Plot Allowance	ADL text after selection of element met or not met:	When to choose this element:
Veteran Entitlement	Element Met: You provided a claim or evidence showing that the Veteran’s military service met the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and meets the requirements of qualifying service for burials.
	Element Not Met: The Veteran’s military service does not meet the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and does not meet the requirements of qualifying service.
	N/A:	Mark the element as N/A when service is not verified.
Proper Claimant	Element Met: You provided a claim or evidence showing you are an eligible claimant who may received burial benefits and you are the first person to file. (38 CFR 3.1702)	Use when the claimant meets the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
	Element Not Met: You are not an eligible claimant who may receive burial benefits, or this burial benefit has already been paid. (38 CFR 3.1702)	Use when the claimant does not meet the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
Proof of Death	Element Met: You provided a claim or evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA receives one of the following pieces of evidence: phone call reporting death, data match with SSA confirming death or death certificate of Veteran.
	Element Not Met: You did not provide evidence showing proof of the Veteran’s death. (38 CFR 3.1703)	Use when VA does not have one of the pieces of evidence listed above.
Cost Incurred	Element Met: You provided a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “Yes” to question 17A from 21P-530 or provides evidence expenses were incurred.
	Element Not Met: You did not provide a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant answers “No” to question 17A from 21P-530 and does not provide evidence expenses were incurred.

Plot Allowance	ADL text after selection of element met or not met:	When to choose this element:
C&P Eligibility	<p>Element Met: You provided a claim or evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to receive disability compensation or VA pension. (38 CFR 3.1707)</p>	Use when Veteran was in receipt of compensation or pension benefits at the time of death.
	<p>Element Not Met: You did not provide evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to receive, disability compensation or VA pension. (38 CFR 3.1705)</p>	<p>THIS ELEMENT ENTERS INCORRECT TEXT TO LETTER – DO NOT USE. Choose: N/A and insert free text that references: 38 CFR 3.1707 You did not provide evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to receive, disability compensation or VA pension (38 CFR 3.1707).</p>
VA Hospitalization	<p>Element Met: The Veteran died of a non-service-connected condition while hospitalized by VA, was otherwise in the custody of VA, or while a patient at a State Veterans home. (38 CFR 3.1706)</p>	Use when we are able to verify death under VA care.
	<p>Element Not Met: The claim or evidence did not show that the Veteran passed away while hospitalized by VA, in the custody of VA, or while a patient at an approved State Veterans home. (38 CFR 3.1706)</p>	Use when VA death is claimed and we are not able to verify death under VA care.
	<p>N/A:</p>	Use when VA death is not claimed and we are not able to verify death under VA care.
Free Text: Unclaimed Remains (only when claimed)	<p>Element Met: You are an eligible claimant or entity that may receive burial benefits because no one has claimed the remains of the Veteran (38 CFR 3.1708).</p>	To be used when claimant is FH administrator, the Veteran’s remains are unclaimed and all requirements of unclaimed remains are met.
	<p>Element Not Met: You are not an eligible claimant or entity that may receive burial benefits because someone has claimed the remains of the Veteran (38 CFR 3.1708).</p>	To be used when all requirements of unclaimed remains are not met; or claimant is not a funeral home and claiming benefits due to unclaimed remains.

Transportation Allowance	ADL text after selection of element met or not met:	When to choose this element:
Veteran Entitlement	Element Met: You provided a claim or evidence showing that the Veteran's military service met the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and meets the requirements of qualifying service for burials.
	Element Not Met: The Veteran's military service does not meet the criteria for burial benefits. (38 CFR 3.1701)	Use when service has been verified and does not meet the requirements of qualifying service.
	N/A:	Mark the element as N/A when service is not verified.
Proper Claimant	Element Met: You provided a claim or evidence showing you are an eligible claimant who may received burial benefits and you are the first person to file. (38 CFR 3.1702)	Use when the claimant meets the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
	Element Not Met: You are not an eligible claimant who may receive burial benefits, or this burial benefit has already been paid. (38 CFR 3.1702)	Use when the claimant does not meet the criteria of an eligible claimant (M21-1, VII.1.A.3.b)
Proof of Death	Element Met: You provided a claim or evidence showing proof of the Veteran's death. (38 CFR 3.1703)	Use when VA receives one of the following pieces of evidence: phone call reporting death, data match with SSA confirming death or death certificate of Veteran.
	Element Not Met: You did not provide evidence showing proof of the Veteran's death. (38 CFR 3.1703)	Use when VA does not have one of the pieces of evidence listed above.
Cost Incurred	Element Met: You provided a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant inputs a value in question 19 from 21P-530 or provides evidence expenses were incurred.
	Element Not Met: You did not provide a claim or evidence certifying you incurred the costs. (38 CFR 3.1703)	Use when claimant does not input a value in question 19 from 21P-530 and does not provide evidence expenses were incurred.

Transportation Allowance	ADL text after selection of element met or not met:	When to choose this element:
C&P Eligibility	<p>Element Met: You provided a claim or evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to received disability compensation or VA pension. (38 CFR 3.1709)</p>	Do not use.
	<p>Element Not Met: You did not provide evidence showing that the Veteran was eligible to receive, or was retroactively found to have been eligible to receive, disability compensation or VA pension. (38 CFR 3.1705)</p>	Do not use.
	N/A:	Use all the time as language is not accurate.
National Cemetery	<p>Element Met: You provided a claim or evidence showing the Veteran was buried in a National cemetery. (38 CFR 3.1709)</p>	Use when we can verify burial in National Cemetery.
	<p>Element Not Met: You did not provide a claim or evidence showing the Veteran was buried in a National cemetery. (38 CFR 3.1709)</p>	Use when we cannot verify burial in National Cemetery.
Reimbursement of Transportation Expenses	<p>Element Met: You provided an itemized receipt or statement of transportation expenses. (38 CFR 3.1703)</p>	Use when there is evidence of record to meet requirements of M21-1, VII.1.B.6.c. Note: this information can be received from the claimant OR through phone development.
	<p>Element Not Met: You did not provide an itemized receipt or statement of transportation expenses that included who paid the costs, the name of the deceased Veteran, the specific transportation expenses incurred, and the dates of the services rendered. (38 CFR 3.1703)</p>	Use when there is no evidence of record to meet requirements of M21-1, VII.1.B.6.c.

Transportation Allowance	ADL text after selection of element met or not met:	When to choose this element:
Remains are Unclaimed	Element Met: You provided a claim or evidence indicating there are no next of kin or other persons claiming the remains of the deceased Veteran. (38 CFR 3.1708)	To be used when claimant is FH administrator, the Veteran's remains are unclaimed and all requirements of unclaimed remains are met.
	Element Not Met: You are not an eligible claimant or entity that may receive burial benefits because someone has claimed the remains of the Veteran. (38 CFR 3.1708)	To be used when all requirements of unclaimed remains are not met; or claimant is not a funeral home and claiming benefits due to unclaimed remains.
	N/A:	Use when unclaimed remains are not being claimed.
VA Hospitalization Death	Element Met: The Veteran died of a non-service-connected condition while hospitalized by VA, was otherwise in the custody of VA, or while a patient at a State Veterans home. (38 CFR 3.1706)	Use when we are able to verify death under VA care.
	Element Not Met: The claim or evidence did not show that the Veteran passed away while hospitalized by VA, in the custody of VA, or while a patient at an approved State Veterans home. (38 CFR 3.1706)	Use when VA death is claimed and we are not able to verify death under VA care.
	N/A:	Use when VA death is not claimed and we are not able to verify death under VA care.
Insufficient Resources for Estate	Element Met: You provided a claim or evidence indicating that there are not sufficient resources available in the Veteran's estate to cover the burial and funeral expenses. (38 CFR 3.1708)	To be used when claimant is FH administrator, the Veteran's remains are unclaimed and all requirements of unclaimed remains are met.
	Element Not Met: There are sufficient resources available in the Veteran's estate to cover the burial and funeral expenses. (38 CFR 3.1708)	To be used when all requirements of unclaimed remains are not met; or claimant is not a funeral home and claiming benefits due to unclaimed remains.
	N/A:	Use when unclaimed remains are not being claimed.

