(VSR VIP Pre-D) Dependency Development for

Pre-Determination

Instructor Lesson Plan

Time Required: 2.75 Hours

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4560293 |
| Prerequisites | N/A |
| target audience | The target audience for (VSR VIP Pre-D) Dependent Development for Pre-Determination is Entry-Level Pre-Determination VSR.  Although this lesson is targeted to teach the entry-level VSR, it may be taught to other VA personnel as mandatory or refresher-type training. |
| Time Required | 2.75 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * (VSR VIP Pre-D) Dependency Development for Pre-Determination PowerPoint Presentation * (VSR VIP Pre-D) Dependency Development for Pre-Determination Trainee Handout with Practical Exercises * (VSR VIP Pre-D) Dependency Development for Pre-Determination Practical Exercise Answer Key |
| Training Area/Tools | The following are required to ensure the trainees can meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note-taking and participation * Handouts, which include a practical exercise * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * Compensation Service Intranet Homepage * VBA Leaning Catalog * VBMS Core * Letter Creator tool |
| Pre-Planning | * Become familiar with all training materials by reading the Instructor Lesson Plan while simultaneously reviewing the corresponding PowerPoint slides. This will provide you the opportunity to see the connection between the Lesson Plan and the slides, which will allow for a more structured presentation during the training session. * Become familiar with the content of the trainee handouts and their association to the Lesson Plan. * Practice is the best guarantee of providing a quality presentation. At a minimum, do a complete walkthrough of the presentation to practice coordination between this Lesson Plan, the trainee handouts, and the PowerPoint slides and ensure your timing is on track with the length of the lesson. * Ensure that there are copies of all handouts before the training session. * When required, reserve the training room. * Arrange for equipment such as easel pads, an overhead projector, and any other equipment (as needed). * Talk to people in your office who are most familiar with this topic to collect experiences that you can include as examples in the lesson. * This lesson plan belongs to you. Feel free to highlight headings, key phrases, or other information to help the instruction flow smoothly. Feel free to add any notes or information that you need in the margins. |
| Training Day | * Arrive as early as possible to ensure access to the facility and computers. * Become familiar with the location of restrooms and other facilities that the trainees will require. * Test the computer and projector to ensure they are working properly. * Before class begins, open the PowerPoint presentation to the first slide. This will help to ensure the presentation is functioning properly. * Make sure that a whiteboard or easel pads and the associated markers are available. * The instructor completes a roll call attendance sheet or provides a sign-in sheet to the students. The attendance records are forwarded to the Regional Office Training Managers. |

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| Introduction to Dependency Development for Pre-Determination | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 0.25 hours |
| Purpose of Lesson | | This lesson is intended to teach the trainees about the additional benefit for dependents to which Veterans may be entitled. The information and lesson are crafted specifically for pre-determination VSRs and the types of situations they would encounter. The lesson includes Veteran eligibility, who can be considered a dependent, acceptable forms for filing such claims as well as system and administrative tasks, and finally the appropriate development actions to take when a claim is not filed on a prescribed form or is not substantially complete. This lesson will contain discussions and exercises that will allow the trainee to gain a better understanding of:   * Basic Eligibility and Policies * Claims Forms * Claims Establishment and System Updates * Development Requirements for Pre-Determination   ***Instructor Note***: As indicated above, the scope of this course is narrowed to the circumstances and responsibilities of a pre-determination VSR. Due to recent manual changes and the implementation of the newest version of *VA Form 21-686c*, the following assumptions have been made that limit the scope of this training:   * Pre-determination VSRs will only be impacted by claims for additional benefits for dependents when working original claims (EP 110 or 010) * All EP 130s are worked by specialty teams (BEST) * Since the *VA Form 21-686c* was updated with WTEMS in September 2018, trainees will only be working claims for additional benefits for dependents received on this newest version of the form * Based on M21-1, no development for missing evidence or information should be undertaken for claims for additional benefits for dependents received on the September 2018 or later versions of the *VA Form 21-686c* |
| Motivation | Claims for additional benefits for dependents are just as important as claims for disability compensation. These benefits directly impact the Veteran’s compensation and should always be addressed in a timely manner. | |
| Lesson Objectives  Slide 2-3  Handout 2 | In order to accomplish the purpose of this lesson, the VSR will be required to achieve the following lesson objectives.  TheVSR will be able to:   * Identify the overall disability rating required for a Veteran to be eligible for additional benefits for dependents * Identify the types of dependents for whom the Veteran may be paid additional compensation * Define the terms *relationship* and *dependency* for the purposes of determining a Veteran’s entitlement to additional benefits for a claimed dependent * Identify the most commonly used VA forms for claiming additional benefits for dependents * Identify the appropriate end product (EP) control based on given scenarios and claim circumstances * Express the proper contentions needed based on given scenarios and claim circumstances * Discuss the potential changes to fully developed claim (FDC) status based on given scenarios and claim circumstances * Recall the procedures to follow when a Veteran claims entitlement to additional compensation for a dependent using a non-prescribed form * Recall the procedures to follow when a Veteran’s claim for additional compensation for a dependent is not substantially complete | |
| Explain the following: | Each learning objective is covered in the associated topic. At the conclusion of the lesson, the learning objectives will be reviewed. | |
| STAR Error code(s) | Task 1, 11 | |
| References  Slide 4  Handout 3 | Explain where these references are located.   * [38 CFR 3.4(b)(2)](https://www.ecfr.gov/cgi-bin/text-idx?SID=2eb3a1647cf22e71b98a5cc2647a85a5&mc=true&node=se38.1.3_14&rgn=div8), Compensation. Disability Compensation. An additional amount * [38 CFR 3.50(a)](https://www.ecfr.gov/cgi-bin/text-idx?SID=3ffc910db19239d5678ab14c650713bd&mc=true&node=se38.1.3_150&rgn=div8), Spouse * [38 CFR 3.57](https://www.ecfr.gov/cgi-bin/text-idx?SID=3ffc910db19239d5678ab14c650713bd&mc=true&node=se38.1.3_157&rgn=div8), Child * [38 CFR 3.204](https://www.ecfr.gov/cgi-bin/text-idx?SID=1ce31eae2df6edd7a0ef5fc591371cab&mc=true&node=se38.1.3_1204&rgn=div8), Evidence of dependents and age * [38 CFR 3.401(b)](https://www.ecfr.gov/cgi-bin/text-idx?SID=dbfb9cf4e753f3f155f2bbd6100dff18&mc=true&node=se38.1.3_1401&rgn=div8), Veterans. Dependent, additional compensation or pension for * [M21-1, Part I, 1.A.4.f](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000013969/M21-1-Part-I-Chapter-1-Section-A-Description-and-General-Information-on-Duty-to-Notify-and-Duty-to-Assist#4f), Definition: Substantially Complete Application * [M21-1, Part III, Subpart i, 3.B](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014110/M21-1-Part-III-Subpart-i-Chapter-3-Section-B-Processing-Fully-Developed-Claims-FDCs), Processing Fully Developed Claims (FDCs) * [M21-1, Part III. Subpart ii. 1.C.8.a](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014112/M21-1-Part-III-Subpart-ii-Chapter-1-Section-C-Initial-Screening-Policies#8a), Accepting Outdated Versions of a VA Form * [M21-1, Part III, Subpart ii, 2.B.1.b](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014119/M21-1-Part-III-Subpart-ii-Chapter-2-Section-B-Claims-for-Disability-Compensation-and-or-Pension-and-Claims-for-Survivors-Benefits#1b), Requirements for a Complete Claim Received on or After March 24, 2015 * [M21-1, Part III, Subpart iii, 1.F.2](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000071983/M21-1-Part-III-Subpart-iii-Chapter-1-Section-F-Record-Maintenance-During-the-Development-Process#2), Utilizing Contentions and Special Issue Indicators Associated with the Claimed Issues * [M21-1, Part III, Subpart iii, 5.A](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000015798/M21-1-Part-III-Subpart-iii-Chapter-5-Section-A-General-Information-on-Relationship-and-Dependency), General Information on Relationship and Dependency * [Letter Creator](https://vbaw.vba.va.gov/bl/21/rating/rat00.htm) tool (Follow the link to the Job Aids page, then click on the link for the tool.) * [VBMS Core User Guide](https://vbaw.vba.va.gov/VBMS/docs/VBMS_Core_User_Guide_Release_19_0.pdf) | |

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| Topic 1: Basic Eligibility and Policies | |
| Introduction | This topic will allow the trainee to understand basic eligibility and policies regarding a Veteran’s entitlement to additional benefits for dependents, including individuals who are eligible for consideration as dependents and terminology. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points  Slide 5 | Topic objectives:   * Identify the overall disability rating required for a Veteran to be eligible for additional benefits for dependents * Identify the types of dependents for whom the Veteran may be paid additional compensation * Define the terms *relationship* and *dependency* for the purposes of determining a Veteran’s entitlement to additional benefits for a claimed dependent   The following teaching points support the topic objectives:   * Additional Compensation for Dependents * Dependents for VA Purposes * Relationship vs. Dependency |
| Additional Compensation for Dependents  Slide 6  Handout 4 | *Discuss the following:*  Per 38 CFR 3.4(b)(2), the Department of Veterans Affairs (VA) may pay additional disability compensation for certain dependents: spouse, child(ren), and/or dependent parent(s). In order to receive this benefit, there are certain requirements that must be met to establish eligibility on the part of the Veteran and the Veteran’s relationship to the claimed individual(s).  First and foremost, a Veteran must have an overall combined disability rating of at least 30% to be eligible to receive additional compensation for dependents. This evaluation must be granted by rating decision before the claimed individual(s) can be established as dependent(s) and the additional compensation can be paid. |
| Dependents for VA Purposes  Slide 7  *Handout 4* | As stated above, the Code of Federal Regulations (CFRs) identify the types of dependents – spouse, child(ren), dependent parent(s) – considered for this additional benefit. The lists below provide further elaboration on these dependents and even some common family members who cannot be considered dependents for VA purposes.  **Dependents:**   * Spouse * Biological child (under age 18) * Stepchild (under age 18) * Adopted child (under age 18) * School child (age 18-23) * Child incapable of self-support (Helpless child) * Parent (financial dependency must be shown)   **Not Dependents:**   * Ex-spouse (divorce finalized) * Grandchild (not adopted) * Stepchild when no longer a member of the Veteran’s household (exceptions apply) * Foster child * Mother-in-law or father-in-law |
| **Relationship vs. Dependency**  Slide 8-9  Handout 4-5 | Both the relationship of the individual to the Veteran and the dependency of the individual upon the Veteran must be established in order to pay the additional compensation for that individual.  For VA purposes, *relationship* refers to an individual’s legal status with respect to the Veteran (i.e. all legal requirements fulfilled to be considered legally married, legal status as the Veteran’s biological child, stepchild, or adopted child, etc.).  In most cases, VA will accept the entries a Veteran makes on *VA Form 21-686c* as sufficient proof of the following:   * Marriage * Dissolution of a marriage * Birth of a child * Introduction of a stepchild into a Veteran’s family, or * Death of a dependent   In other words, the information provided on the form by the Veteran concerning their relationship is accepted as valid, unless one of the exceptions to the policy applies. (*M21-1 III.iii.5.A.2.b.)*  The term *dependency* refers to the question of whether or not an individual is financially “dependent” on the Veteran.  As outlined in *M21-1 III.iii.5.A.1.d*, there are circumstances in which VA assumes financial dependency already exists without requiring any proof. Once VA determines a marital relationship exists between a Veteran and their spouse or once VA establishes an individual a child of the Veteran, VA assumes financial dependency exists. VA does not require proof of financial dependency under either of these circumstances.  However, there are circumstances in which financial dependency is not assumed and must be proven. The primary example of this is dependent parent(s). VA does require proof of financial dependency in order to pay additional compensation for a parent. (*M21-1 III.iii.5.A.1.e*) |
| **Knowledge Checks #1-#2**  Slide 10 - 14 | *Knowledge Checks can be found at the end of this topic. Please see the PowerPoint presentation for the specific questions and answers.*  *They are meant to engage the classroom in conversation, reinforce the information taught in that topic, and support the lesson objectives specific to that topic.*  *Notes for each knowledge check can be found in the notes under their respective slides. They will include the correct answer and the objective being supported.*  *Each question slide will also have a respective answer slide that the instructor can move to once class discussion has ended and the answer is ready to be revealed.* |

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| Topic 2: Claims Forms | |
| Introduction | This topic will discuss prescribed forms suitable for filing claims for additional benefits for dependents, the ability for VBA employees to fill out claims for additional benefits for dependents via telephone on the behalf of Veterans, specifics about the newest version of VA Form 21-686c, and times when a prescribed form is not needed to make adjustments involving the additional benefits payable for dependents. |
| Time Required | 0.5 hours |
| OBJECTIVES/ Teaching Points  Slide 15 | Topic objectives:   * Identify the most commonly used VA forms for claiming additional benefits for dependents   The following teaching points support the topic objectives:   * Prescribed Forms for Claiming Additional Benefits for Dependents * Form Completion by VBA Employees * VA Form 21-686c (September 2018 or Later) * When a Prescribed Form is Not Needed |
| Prescribed Forms for Claiming Additional Benefits for Dependents  Slide 16-17  Handout 6 | *Discuss each of the forms below and their relevance to claims for additional benefits for dependents:*  Requests to add a dependent to an award must be filed on one of the prescribed forms noted in the last row of the table in *M21-1, Part III, Subpart ii, 2.B.1.b*.  The most common of these forms are:   * *VA Form 21-686c, Application Request to Add and/or Remove Dependents* * *VA Form 21-674, Request for Approval of School Attendance* * *VA Form 21P-509, Statement of Dependency of Parent(s)* * *VA Form 21-0538, Mandatory Verification of Dependents* (December 2017 version or earlier)   *VA Form 21-686c, Application Request to Add and/or Remove Dependents*, is the primary form used to collect the information needed to establish a legal relationship exists between a Veteran and a claimed dependent. Upon reviewing the completed *VA Form 21-686c*, it must be determined if additional evidence, forms, or information are required.  *VA Form 21-674, Request for Approval of School Attendance,* must be provided, in addition to *VA Form 21-686c*, for consideration of entitlement to additional compensation for a school-aged child (age 18-23) currently attending school. All school attendance information, including the name of the institution, starting dates, and expected graduation date, must be provided by the Veteran. The financial information on this form is not required when the benefit under consideration is disability compensation, but is required when the benefit under consideration is pension.  *VA Form 21P-509, Statement of Dependency of Parent(s),* must be used to claim entitlement to additional compensation for a parent(s). The form requests information that establishes the relationship between the Veteran and parent(s) as well as financial information that establishes the dependency of the parent(s) on the Veteran. VA Form 21-686c is not required when claiming entitlement to additional compensation for a parent(s).  *VA Form 21-0538, Mandatory Verification of Dependents,* must be completed periodically by the Veteran to confirm the status of dependents already on their award. Only the December 2017 or earlier versions of the form may be used to *initiate* the process of adding a dependent to an award when the Veteran mentions them on this form; claims processors must request additional information (beyond what this form requires the Veteran to provide) in order to determine entitlement. The newer versions of the VA Form 21-0538 (versions later than December 2017) cannot be used to initiate a claim to add a dependent to the Veteran’s award. |
| Form Completion by VBA Employees  Slide 18  Handout 6-7 | *Although trainees may not take this action based on the new VA Form 21-686c and the guidance provided about not undertaking development, they may see these forms signed by other employees and need to understand that the form is valid. Discuss the following with the trainees:*  At times, the VSR may see these forms in the claim folder that were signed by a VA employee. VA authorizes its regional office and call center employees to   * complete *VA Form 21-686c* and *21-674*, using information they obtain from a claimant over the telephone, and * sign the form on the claimant’s behalf.   The form must include clear identification of the employee executing the form through a digital signature or a wet signature, when electronic submission is not available. A separate *VA Form 27-0820, Report of General Information*, is ***not*** needed in this case. |
| VA Form 21-686c (September 2018 or Later)  Slide 19  Handout 7 | *Explain the following:*  With the publication of the September 2018 version of *VA Form 21-686c*, the Veteran is notified upfront of the information/evidence needed to entitlement to additional compensation for a claimed dependent, similar to how EZ forms work.  If the Veteran filed a claim for additional compensation for dependents on a ***September 2018 or later*** version of *VA Form 21-686c,* but the Veteran did not provide the information/evidence the form requires, the VSR should ***not*** undertake development to obtain the missing information or evidence. Failure to provide all required information or evidence for the claimed dependent will result in a denial of the claim for that individual. |
| When a Prescribed Form is Not Needed  Slide 20  Handout 7 | *Although requests to remove a dependent will not usually be worked by predetermination VSRs, this knowledge is beneficial for their training overall.*  VA ***does not*** require Veterans to use a specific form to report a change in a dependent’s status that will result in ***removal*** of the dependent from the Veteran’s award. The Veteran may report such changes   * in writing * by telephone, e-mail, or fax, or * through eBenefits.   At a minimum, the Veteran must provide the date (month, day, and year) of the event (divorce, death of a dependent, marriage of a child, etc.) that necessitates the removal. Follow the instructions in *M21-1, Part III, Subpart iii, 5.L.4.f*, if the information is not provided. |
| Knowledge Checks #3-#4  Slide 21-25 | *Knowledge Checks can be found at the end of most topics. Please see the PowerPoint presentation for the specific questions and answers.*  *They are meant to engage the classroom in conversation, reinforce the information taught in that topic, and support the lesson objectives specific to that topic.*  *Notes for each knowledge check can be found in the notes under their respective slides. They will include the correct answer and the objective being supported.*  *Each question slide will also have a respective answer slide that the instructor can move to once class discussion has ended and the answer is ready to be revealed.*  **Demonstration:** The instructor should take some time (either now or at the end of the slide presentation) and walk through the updated VA Form 21-686c (September 2018 or later version). Since this will be the most common form seen by predetermination VSRs, they should be familiar with the form and how to interpret for whom the Veteran is seeking additional compensation. |

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| Topic 3: Claims Establishment and System Updates | |
| Introduction | This topic will allow the trainee to understand the appropriate EPs used for claims for additional compensation for dependents under differing circumstances. The topic also reinforces the system updates that should be considered when processing a claim for additional compensation for dependents (contentions, FDC status), especially as they apply to an original claim already in progress. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points  Slide 26 | Topic objectives:   * Identify the appropriate end product (EP) control based on given scenarios and claim circumstances * Express the proper contentions needed based on given scenarios and claim circumstances * Discuss the potential changes to fully developed claim (FDC) status based on given scenarios and claim circumstances   The following teaching points support the topic objectives:   * End Product (EP) Control * Dependency Contentions * Dependency Claims and Fully Developed Claim (FDC) Status |
| **End Product (EP) Control**  Slide 27-29  Handout 8-9 | *Ensure the trainees fully understand the following information about EPs:*  Based on the circumstances of the claim being worked, there are several options for EPs that may be used to control a claim for additional benefits for dependents. Determining the correct EP is based on the following rules:  EP 130 (*free-standing dependency EP*) – Establish an EP 130 when VA receives a claim for additional compensation for dependents   * by itself * in conjunction with or while an EP 020 or 040 is pending, or * while an EP 110 or 010 is pending, under the circumstances of the exception listed under the EP 110 or 010 section below.   EP 130 is the most common end product that is used to control claims for additional benefits for dependents. These claims are typically worked by separate special teams and are not typically part of pre-determination development for VSRs. However, there are circumstances in which the issue of entitlement to additional compensation for dependents impacts development.  EP 110 or 010 (*original EP*) – If a claim for additional compensation for dependents is received in conjunction with an original claim for disability compensation or while an EP 110 or 010 is being developed, regardless of whether VA received the claims at the same time, add the contentions to the original EP (110 or 010). *Do not* establish a separate EP 130.  *Exception:* If a rating was completed on an EP 010 or 110, assigning a single or combined evaluation of at least 30%, and at least one issue is deferred for further action (continuing the EP), a separate EP 130 should be established if VA subsequentlyreceives a claim for additional compensation for a dependent(s) while the EP 010 or 110 is still pending.  EP 020 - When a Veteran files a claim for additional compensation for a child the Veteran claims is incapable of self-support, commonly known as a helpless child, the EP used to control the decision for that child must be a rating EP 020 (unless part of an original claim). These claims require the review of medical evidence and completion of a rating decision by an RVSR to make the eligibility determination. |
| Dependency Contentions  Slide 30  Handout 9 | *Explain the following:*  Once the end product (EP) is established, the claimed dependents must be reflected on the contention screen in VBMS. An individual contention must be added for *each* dependent, to include the name of the dependent.  For example:   * dependency claim for [***name of spouse***] * dependency claim for [***name of child***]   **Note**:When adding a contention, enter Administrative Issue in the Classification field and No in the Medical field to indicate that the issue is not medical, but rather administrative, and does not require a rating decision. |
| Dependency Claims and Fully Developed Claim (FDC) Status  Slide 31-32  Handout 9-10 | *Ensure the trainee understands the impact to FDC status that can be caused by receipt of a claim for additional benefits for dependents.*  The receipt of a claim for additional compensation for a dependent may affect the status of a Fully Developed Claim (FDC) for disability compensation.  If an original claim is received as an FDC, and a claim for additional benefits for dependents (on the prescribed form and substantially complete) is received on the same day, the original claim should stay in FDC status (*Fully Developed Claim*), as the claims were received simultaneously.  However, a claim for disability compensation must be excluded from the FDC program under the following circumstances:   * An FDC is pending and a claim for additional compensation for a dependent(s) is subsequently received (*FDC Excluded – Additional Claim Submitted*) * An FDC and claim for additional compensation for a dependent(s) is received simultaneously, but the claim for dependent(s) is incomplete or not on the prescribed form (*FDC Excluded – Necessary Form(s) Not Submitted*) * A claim for additional compensation for a dependent(s) is pending and VA subsequently receives an FDC (*FDC Excluded – Claim Pending*)   Remember, VA does not treat claims for additional benefits for a dependent(s) as an FDC, but such claims can potentially affect the FDC status of other compensation claims. Along with ensuring the correct EP and contentions are reflected in VBMS, the VSR should also ensure that the FDC status is accurate based the timing of receipt of a claim for additional compensation for a dependent(s). For more information about circumstances under which FDC exclusion is necessary, please refer to *M21-1 III.i.3.B.2.a* and *III.i.3.B.2.b*. |
| Knowledge Checks #5-#6  Slide 33-37 | *Knowledge Checks can be found at the end of most topics. Please see the PowerPoint presentation for the specific questions and answers.*  *They are meant to engage the classroom in conversation, reinforce the information taught in that topic, and support the lesson objectives specific to that topic.*  *Notes for each knowledge check can be found in the notes under their respective slides. They will include the correct answer and the objective being supported.*  *Each question slide will also have a respective answer slide that the instructor can move to once class discussion has ended and the answer is ready to be revealed.* |

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| Topic 4: Development Requirements for Pre-Determination | |
| Introduction | This topic will allow the trainee to understand actions to take when claims are not received on a prescribed form; how to handle incomplete claims (substantially and not substantially complete), and the criteria to determine if a claim is substantially complete. |
| Time Required | 0.5 hours |
| OBJECTIVES/ Teaching Points  Slide 38 | Topic objectives:   * Recall the procedures to follow when a Veteran claims entitlement to additional compensation for a dependent using a non-prescribed form * Recall the procedures to follow when a Veteran’s claim for additional compensation for a dependent is not substantially complete   The following teaching points support the topic objectives:   * Claim Not Submitted on a Prescribed Form * Criteria for a Claim to be Substantially Complete * Claim is Not Substantially Complete * Claim is Substantially Complete |
| Claim *Not* Submitted on a Prescribed Form  Slide 39  Handout 11-12 | *Ensure the trainee can identify the prescribed forms and understands the actions to take when the claim is not submitted on one.*  One development action a pre-determination VSR might need to take is notifying the Veteran if the claim for additional compensation for a dependent(s) is not submitted on a prescribed form.  If a request for additional compensation for dependents is not received on a prescribed form, first attempt to contact the Veteran via telephone to complete *VA Form 21-686c* and/or *VA Form 21-674*, on their behalf. The manual reference for prescribed forms is *M21-1 III.ii.2.B.1.b.*  If contact is successful, complete and sign the form, upload it into the VBMS eFolder, and update the systems as appropriate. The date of claim is the day of completion and upload of the form into VBMS. *M21-1 III.iii.5.A.4.n.*  If contact is *unsuccessful*:   * And EP 110 or 010 is pending, establish an EP 400 – *Correspondence* * Use the Letter Creator tool to generate the *Request for Application for Dependency* letter * Upload a copy of the letter into the VBMS eFolder and send via Package Manager * Clear EP 400 – *Correspondence* * Ensure contentions added to reflect dependent(s) claimed on something other than a prescribed form are removed from the EP 110 or 010   *Please Note:* A claim received on a non-prescribed form is considered a request for application (RFA); use the *Correspondence*  claim label and manually send the Dependency RFA letter to the Veteran. If the RFA claim label is used, the Service-Connected Compensation RFA letter will automatically be generated and uploaded into the eFolder instead of the RFA Dependency letter. Additionally, the EP 400 – *RFA* is cleared automatically at establishment. |
| Criteria for a Claim to be Substantially Complete  Slide 40  Handout 12 | *Review the following to ensure the trainees understand what makes a claim for additional compensation for a dependent substantially complete:*  The form a claimant uses to initiate the process of adding a dependent to their award must be “substantially complete,” which means it must contain:   * The claimant’s name * The claimant’s relationship to the Veteran, if applicable * The benefit the claimant is seeking * The claimant’s signature   In the case of a claim for additional benefits for dependents, the Veteran must list the individual dependent(s) for whom they wish to receive additional compensation. It is not enough to simply claim entitlement to additional compensation because they have dependents. Naming the individual(s) fulfills the requirement to identify “the benefit the claimant is seeking.”  Remember, a form may fail to provide all the evidence/information VA requires to add a dependent to a claimant’s award, but this does not mean the claim is not substantially complete. If the criteria listed above is met, even if specific information is missing, the claim is substantially complete and should be placed under EP control. |
| Claim is Not Substantially Complete  Slide 41  Handout 12-13 | Another development action pre-determination VSRs might need to take is notifying the Veteran of receipt of a claim that is not substantially complete. Again, it is important to remember there is a distinct difference between a claim that is simply missing some required information and a claim that is not substantially complete.  If the claim does not meet the requirements of a substantially complete claim as noted in the previous section, follow the steps outlined in *M21-1 III.iii.5.A.4.b.* (referenced in *III.iii.5.A.4.d.* as well):   * Print or make a copy of the form * Highlight the blocks that require completion (may need to print to PDF and highlight missing information electronically) * If an EP 110 or 010 exists, establish an EP 400 – *Correspondence* * If an EP 130 was established based on receipt of the incomplete claim, change it to an EP 400 * Attach the form to a letter that:   + Instructs the claimant to complete the highlighted portions of the form, and   + Informs the claimant that VA will not pay benefits based upon submission of the form unless they complete the form and return it within one year of the date of the correspondence (*Note:* The *Incomplete Application* letter in the Letter Creator tool may be used to generate this letter.) * Combine the PDF version of the letter with the electronically highlighted form using Adobe Pro, then upload them into the eFolder and send them to the Veteran via Package Manager * Clear the EP 400 – *Correspondence* * If an EP 110 or 010 is pending, delete any contentions that were added based on the incomplete claim   VA will take no further action until the claimant returns the form with the required information. |
| Claim is Substantially Complete  Slide 42  Handout 13 | The last situation to discuss is what to do when a claim for entitlement to additional compensation for a dependent(s) is substantially complete.  Again, it is important to remember several things:   * First, VSRs will typically be dealing with the issue of entitlement to additional compensation for a dependent(s) in the context of original claims (EP 110/010), when no separate EP 130 will be pending. Any EP 130 that is pending will be worked by a separate special team. * Second, the newest *VA Form 686c* describes all evidence, information, and forms a Veteran must submit for each type of dependent claimed. Because of this, M21-1 tells VSRs not to undertake any development to obtain information, evidence, or forms the Veteran failed to submit with *VA Form 21-686c*. It is with this understanding that we discuss the last set of actions.   Based on the steps as outlined in *M21-1 III.iii.5.A.4.d.,* the VSR should do the following:   * Ensure the form is substantially complete (if not, see directions from section above) * Establish EP control based on the benefit claimed, unless the appropriate EP is already pending (in our case, EP 110/010 should be pending)   Part of working every claim is ensuring the systems have been properly updated. So along with checking to ensure the EP is established and correct, VSRs must also check for other system updates discussed in our earlier section that might be necessary: contentions for the dependents and FDC status, if needed.  The manual reference states that if the Veteran has no running award (which would be the case for an original claim), only complete these first two steps.  The steps that follow should be completed by a Post team as they include reviewing the form to determine that VA received all needed information and making grant/denial decisions for the dependents. This function is specifically for the Post team because along with that determination, VA would also need to know if the rating decision has granted the required 30% or more disabling to make the Veteran eligible for the additional benefits for dependents*.* |
| Instructor Demonstrations | There are no knowledge checks for this section, as questions supporting this topic of training are included in the Practical Exercise below.  However, since this section requires the creation of two different letters in Letter Creator, the time usually allotted for knowledge checks should be allotted to live demonstrations of the following Letter Creator letters:   * *Request for Application for Dependency* letter * *Incomplete Application* letter |
| Regional Office Specific Topics | At this time, add any information pertaining to:   * Station quality issues with this lesson * Additional State-specific programs/guidance on this lesson |

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| Practical Exercise | |
| Time Required | 0.75 hours |
| EXERCISE | This exercise is made up of two parts:   * 8 multiple choice questions * 5 scenarios with questions to answer   Allow 20 minutes for trainees to work through the questions and the scenarios. Reconvene to discuss the answers once the trainees have completed the exercises.  Please Note: For smaller classes, the instructor can break the trainees up into five groups, assigning one scenario to each group. Once the group has completed the questions associated with their scenario, one spokesperson for each group can describe the actions they chose based on their scenario. |
| Practical Exercise  Handout 14-24 | The multiple-choice questions begin on Page 14 and the scenarios begin on Page 16. An answer key has also been created and can be found in the VBA Learning Catalog (*for instructor-use only, not to be distributed to trainees*). |

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| Lesson Review and Wrap-up | |
| Introduction  Discuss the following: | The Dependency Development for Pre-Determination lesson is complete.  Review each lesson objective and ask the trainees for any questions or comments. |
| Time Required | 0.25 hours |
| Lesson Objectives | You have completed the (VSR VIP Pre-D) Dependency Development for Pre-Determination lesson.  The trainee should be able to:   * Identify the overall disability rating required for a Veteran to be eligible for additional benefits for dependents * Identify the types of dependents for whom the Veteran may be paid additional compensation * Define the terms *relationship* and *dependency* for the purposes of determining a Veteran’s entitlement to additional benefits for a claimed dependent * Identify the most commonly used VA forms for claiming additional benefits for dependents * Identify the appropriate end product (EP) control based on given scenarios and claim circumstances * Express the proper contentions needed based on given scenarios and claim circumstances * Discuss the potential changes to fully developed claim (FDC) status based on given scenarios and claim circumstances * Recall the procedures to follow when a Veteran claims entitlement to additional compensation for a dependent using a non-prescribed form * Recall the procedures to follow when a Veteran’s claim for additional compensation for a dependent is not substantially complete |