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Training Coordinator’s Module Guide for Issuing a Rating Decision for Ancillary Benefits and Special Purposes

November 5, 2013

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Section 1 - Introduction

Introduction

Welcome to the *Issue a Rating Decision for Ancillary Benefits and Special Purposes* Module of the Basic Ratings Training and Performance Support System. Please read this Module Guide in its entirety. Feel free to highlight certain portions or write down notes as you read through this document.

Within these pages, you will find the information you need to set up and implement this course successfully.

Section 1 of this guide is an introduction designed to present you with a broad overview of the Issue a Rating Decision for Ancillary Benefits and Special Purposes Module.

Section 2 of this guide contains the Module Master Planning Chart which is designed to provide you with the information you need to effectively plan the scheduling for the module. Notes and tips are also provided to let you know key instructional events and activities.

Section 3 of this guide contains summaries for each of the lessons in the Issue a Rating Decision for Ancillary Benefits and Special Purposes Module. You may use this to familiarize yourself with the module contents and also as a review for your students before they complete the posttests.

Who Will Take This Module?

The target population for this module consists of rating personnel with some experience rating original compensation cases.

All students selected to take this module should take each lesson from start to finish in sequence, to ensure that he/she has (or gains) a comprehensive understanding of rating an original claim for ancillary benefits from start to finish.

Students who take this module should have either failed the Issue a Rating Decision for Ancillary Benefits and Special Purposes Module Pretest or opted not to take the pretest.

> **Note:** The pretest is optional. Students who want to take the Ancillary Benefits Module may choose to take the pretest, or may choose to go directly to the lessons.

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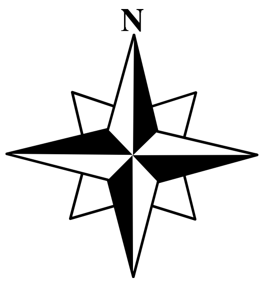
Module Map



To get an overview of how the module is laid out, take a look at the Module Map that follows.

As you can see, the *Issue a Rating Decision for Ancillary Benefits and Special Purposes* Module is comprised of five lessons. The students must take the lessons in the order they are presented. A student may not proceed to the next lesson until he/she has successfully completed the previous lesson's posttest.

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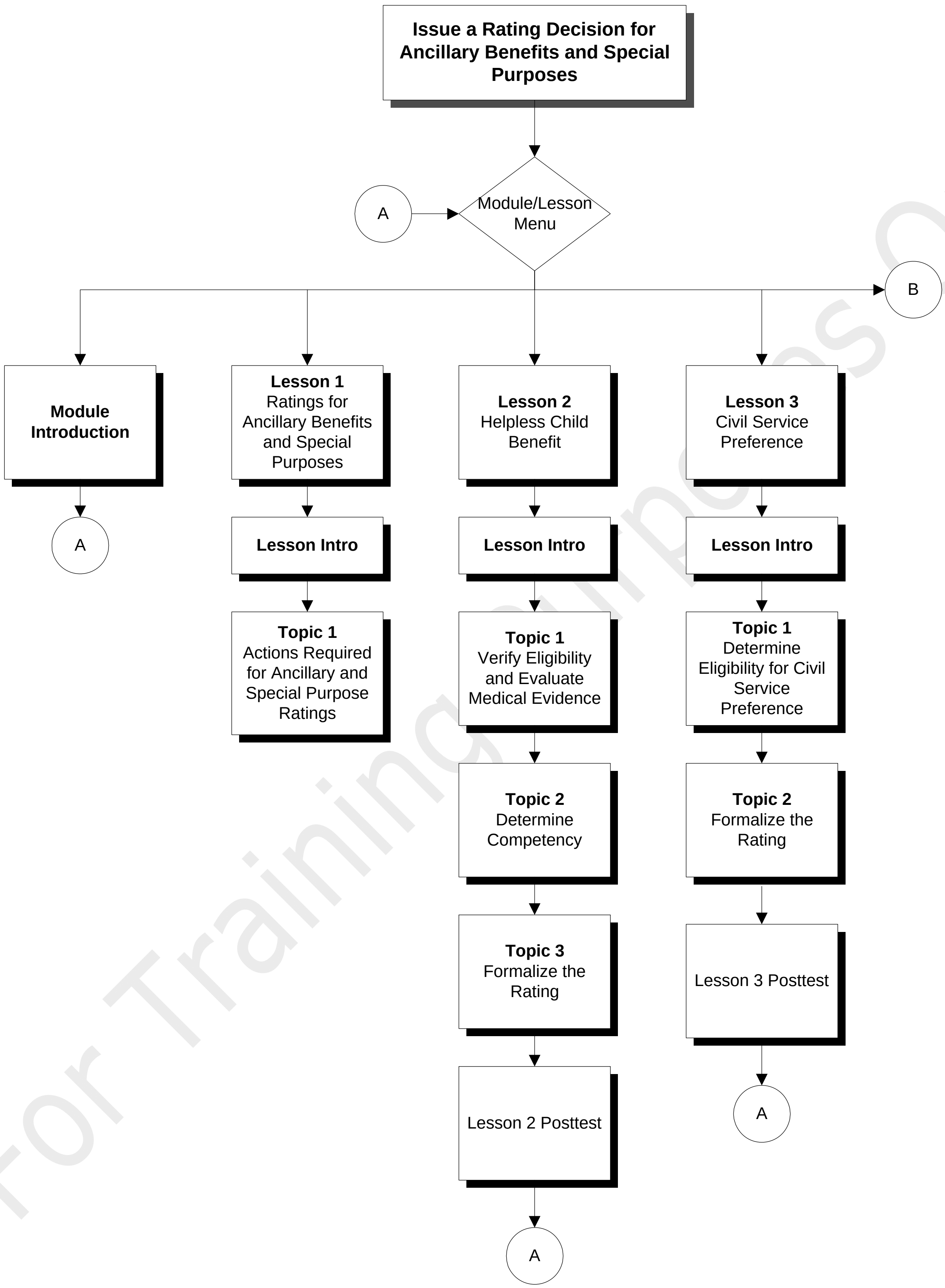

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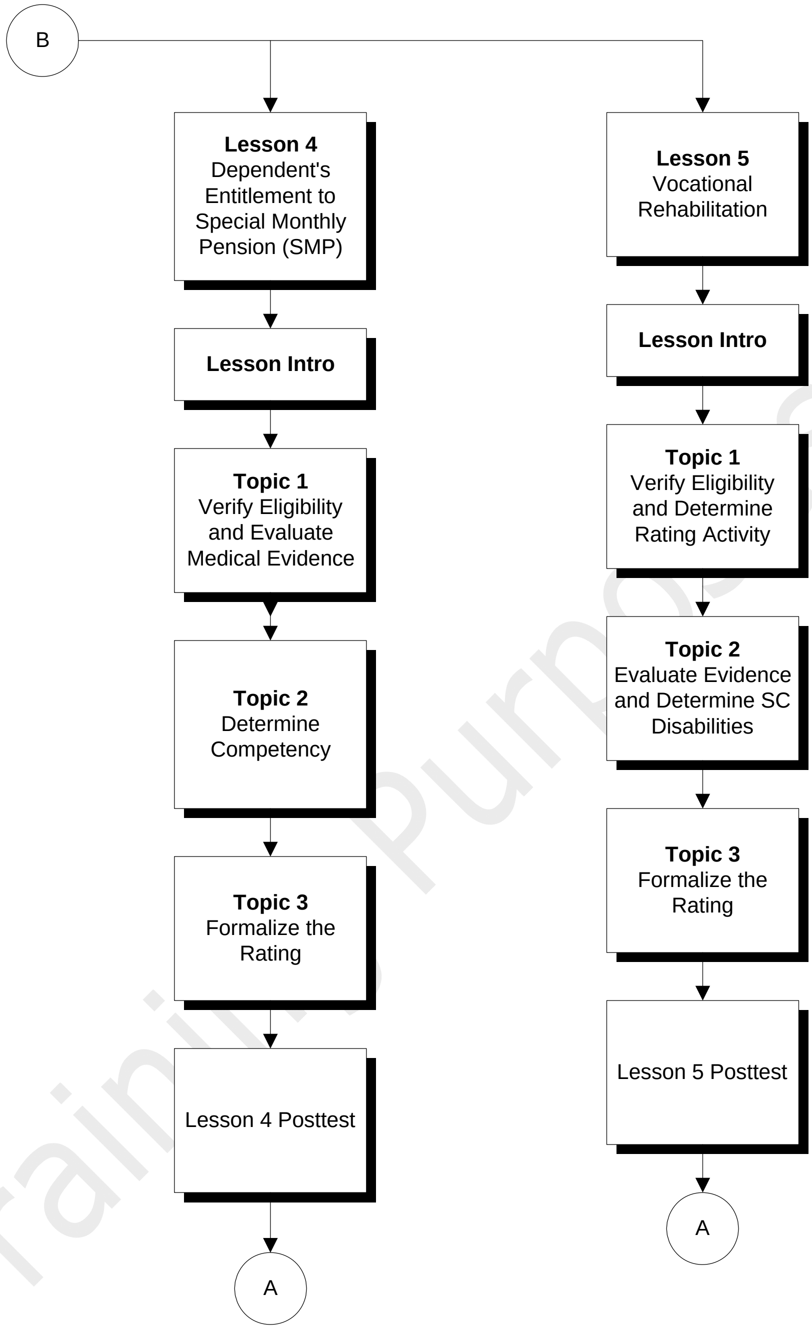

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Learning Objectives

The *Issue a Rating Decision for Ancillary Benefits and Special Purposes* Module is divided into five lessons which have objectives. A lesson objective builds upon the previous lesson's objective. Collectively, the lesson objectives represent the requirements of the module objective.

The module objective details the **action** to be taken (the task), the **conditions** under which the task is to be performed, the **standards** to be met in order to successfully perform the task, and the **time** it should take to complete the task on the job.

Student performance will be assessed based on their ability to meet these standards. It is critical that students understand what is expected of them throughout training. For this reason, they will be asked to read the module objective at the beginning of the module. At the beginning of all lessons, students will also be asked to read the corresponding lesson objectives.

Students will be directed to contact you if they have any questions about what they will be learning and doing in the lesson. Therefore, you should be thoroughly familiar with the objectives, including each of their components and what they mean for the students. Or, identify the person to whom you may refer any specific technical or task-related questions. Ensure this person is available to provide any one-on-one training and/or feedback that may be necessary.

Test Design

The tests are performance based and designed to evaluate the student's performance in an authentic or "real life" setting using cases or scenarios. For the lesson posttests, students will demonstrate their understanding of the lesson material by performing specific steps in the process of rating a claim for Ancillary benefits using either cases or scenarios. The lesson posttests measure a portion of the entire rating process from reviewing the claims folder to formalize the rating. The Module Pretest consists of five cases which the student must review and then rate (with a final or deferred decision). Students will be required to use the electronic Pension Rating Template to generate a rating.

The cases used in the tests are derived from actual claims that have been submitted to VBA. For testing purposes, the cases have been modified. These modifications include replacing actual names and information with fictitious names and information to protect privacy; and adding or removing

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elements and issues of the case to ensure criteria are tested. The cases and the answer keys have been reviewed and adjusted by experts in the VBA in a concerted effort to remove any unintentional errors or issues not relevant to the criteria being tested.

Lesson Test Procedures

Before Students take a Lesson Posttest:

- Have students contact you prior to taking the posttest so you can make sure they do not have any unanswered questions.
- Tell students they can use whatever notes they have taken or documents they have printed. They can use any resources they have, but they are not allowed to discuss questions with each other.
- Let students know they must contact you after they have completed the posttest or variant and received their scores.

Test Scoring

Because each case contains thousands of items of data, you or the students may identify items not listed on the answer keys. Consult with a Subject Matter Expert (SME) for guidance on what actions to take in that situation. The answer key does provide options when more than one answer is acceptable.

When you are scoring the tests, keep in mind if you are unsure of a content issue, you should consult the person designated as the SME. If the students have questions, they can also consult the SME for clarification.

Students should be encouraged to contact the SME for difficulties involving the Rating Schedule, or medical terminology and conditions. (The intent is not to have student inexperience in the above areas adversely affect the test scores.)

Important: When you receive a student's answer sheet, BEFORE marking on the test, review it for completeness and accuracy.

- If it appears that the student has made omissions or errors that would result in a failing score, return the test to the student. Without leading the student, simply suggest that "*You may want to take another look at your answers before I grade this.*"
- If the student's answer appears accurate, but incomplete,

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return the test to the student. Suggest to the student to "*be specific*"; "*explain why*"; "*provide more detail.*"

Lesson Test Remediation

If a student requires additional assistance after reviewing the questions he or she missed, you should provide additional training or information to fit each student's individual needs. Some options for remedial training include study of M21-1MR and review of selected topics in the lesson.

Module Pretest

There are four cases and four case excerpts in the module pretest. Students have the option not to take the module pretest.

Refer to the module pretest test scoring instructions/answer keys for more information. You can access the test scoring instructions and answer keys from the VBA Learning Catalog. Search for TMS Item #1380397

The cases in the module pretest are designed to assess the student's ability to perform the process of rating a claim for ancillary benefits or special purposes at the Basic Ratings level. Students need assume that the adjudication process is complete and the case is ready to rate.

While you do need to administer the module pretest, you do not need to enter the test scores. After you score the test answer sheets and provide feedback to the students, you will email the test scores to the TPSS Help Desk (CDSHelpDesk@vba.va.gov). You can email the scores for multiple students at the same time. The email must include the following information for each student: student's TMS student identifier/TMS user name, module name, test name, test score of P or F, and test date.

Lesson Posttests

Once students complete a lesson, they will be prompted by the computer to take the lesson posttest. There are two available variants of each lesson posttest. When administering the lesson posttest you will assign test variants to the students. Instruct the students to take Variant 1 first and then Variant 2, if needed. You may direct a student to take a different variant if he or she fails one variant or when test security may be compromised.

> **Note**: Your Training Coordinator's Guide offers tips and guidelines for providing test feedback, and prescribing remediation.

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The lesson posttests are designed to test the material specifically covered in each lesson. Lesson 1 does not contain a posttest because it is an introductory lesson for the module and the content is tested in the subsequent lesson posttests.

For the most part, instructions for the lesson posttests contain an Assumptions and Conditions section, which informs the student of characteristics inherent to the cases used in the testing environment.

The passing criteria vary for each lesson posttest. Refer to the test scoring instructions/answer keys for more information. You can access the test scoring instructions and answer keys from the VBA Learning Catalog. Search for TMS Item #1380397.

Important: While you do need to administer the lesson test, you do not need to enter the lesson test scores.

Module Posttest

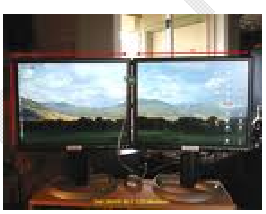
There is no module posttest at the end of this module. In order to pass the Ancillary Benefits Module, the students must pass each lesson posttest.

TPSS Materials

Everything that your students need to complete the Ancillary Module is available to them within the module online. Once you provide the student with a proper briefing, your role, other than monitoring their progress throughout and conducting test briefings, will be to score the test answer sheets that they print from the system and give them feedback.

You can access the test scoring instructions and answer keys from VBA Learning Catalog, where you found this Module Guide. Search for TMS Item #1380397.

TPSS Equipment



The computers for the students should be set up with dual monitors so that they can open the online cases and look at other reference material during the training and testing.

In the Module Introduction, the students are provided with the following information about opening instructional cases with or without dual monitors:

Dual Monitors

"If you have dual monitors, when you select a case using the button, it will open in a new window. You may move it to the other monitor and expand it to fit the entire screen.

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If you do not have dual monitors, when you select a case using the button, it will open in a new window, and you must navigate between the case and the courseware by holding down the Alt key and the Tab key at the same time. Using the Alt-Tab feature allows you to toggle back and forth.

Note: The cases have bookmarks for each form, letter, etc., within the case. You may select a bookmark to advance to that document within the case. Or you may scroll up and down throughout the case by using the scrollbar on the right-hand side of the window.

Throughout this module, you will be prompted when to open a given case and when to close it."

You may want to reinforce this information during your briefing and make sure when they come to their first online case, they understand what to do with it.

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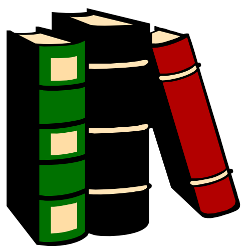
As Students Take the Course

Make sure to carefully observe students as they go through the course to identify any participants who are struggling in a particular area. Early intervention is the key to student success in the course and in the posttests.

Also encourage students to read and follow the directions for the cooperative exercise very carefully.

Publications



Ensure that students have access to Ancillary Benefits or Special Purposes relevant reference materials, such as:

- M21-1MR
- 38 Code of Federal Regulations (38 CFR)
- Rating Schedule
- US Court of Veterans Appeals for Veteran’s Claims
- documentation
- VBA Circulars, "Fast Letters," Training Letters, and
- Policy Letters
- Regional Office Procedures
- Merck Manual
- Dorland's or comparable Illustrated Medical Dictionary
- Diagnostic and Statistical Manual of Mental Disorders
    - (DSM)-latest edition
    - Rating Activity Medical Member (where available)
    - US CAVC Hotline
- Automated Reference Materials System (ARMS)
- Beneficiary Index and Relocator System (BIRLS)

Reporting Feedback

Send in any feedback, reactions, comments (recommendations, additions, deletions) and any pertinent data which may be of use in improving this courseware by accessing the comments database web form. Go to the Compensation Service Home Page (http://cptraining.vba.va.gov). From here, select the “Training” button, then the TPSS button. On the page that appears, select the comments feedback form

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Section 2 - Module Master Planning Chart

Issuing a Rating Decision for Ancillary Benefits and Special Purposes

Note: The estimated range of time required to complete the online content, including cooperative exercises and a single version of the Lesson Posttests, is 23 hours, 15 minutes to 39 hours, 15 minutes.

This Module Master Planning Chart is based on the average time that students required during the validation of this module. Be aware that the actual times for students may be more or less than the time listed here.

- Estimated total Student time for online course and a single version of the Lesson Posttests: **31 hours, 15 minutes**
- Estimated total Student time for Module (aka, total "seat" time): **33 hours**
  (**Note:** All estimated total "seat" times for modules include module orientation, the online courseware and cooperative exercises, if applicable, along with, when given, a single variant of the Lesson Posttest(s), and feedback.)
- Estimated total Training Coordinator Time for administrative duties: **7 hours**
  (**Note:** This total includes the additional time required by the TC to perform briefings, feedback, and any administrative duties such as grading tests and emailing TPSS Help Desk, i.e., those shaded line items that are specifically TC times only. Total time accounts for administration of a single variant of the Lesson Posttest(s), when given. Module Pretest preparation and grading is not included in the total. Although the TC is listed as personnel for all of the online lessons and all tests, the TC does not have to be present for the entire time the students are working in a lesson or taking a test. The TC may be working with other students or even performing other duties while students are working in TPSS. The TC needs to be available to answer questions as needed. That time will vary depending on how familiar with TPSS the students are.)

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Duration		Activity	Notes/Tips
hrs	min		
	15	**Module Pretest Preparation**	Includes giving student access to the Ancillary Benefits Module in TMS.
4	30	**Module Pretest (optional)**	Conducted sometime prior to Day 1 of the training.
2	00	**Module Pretest Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	30	**Administrative Functions**	Includes emailing TPSS Helpdesk with Module Pretest results, if applicable, assigning student privileges, notifying students of course schedule, and preparing a briefing.
	30	**Orientation/Briefing**	Includes setting up students' workstation. Ensure students can log into the courseware, navigate through the course using the buttons and prompts, and understand what on-line "Tools" are available to help.
	15	**Module Introduction**	Students read the module objective. Students are introduced to lessons contained in the module.
3	30	**Lesson 1**	• **Introduction** – Students will read lesson objective(s) • **Topic 1** - Actions required for Ancillary and Special Purpose Ratings **Note:** There is no Lesson Posttest for this lesson.
7	00	**Lesson 2**	• **Introduction** – Students will read lesson objective(s) • **Topic 1** – Verify Eligibility and Evaluate Medical Evidence • **Topic 2** – Determine Competency • **Topic 3** – Prepare the Rating Decision
	25	**Lesson 2 Posttest Variant 1**	Includes time to review the lesson objective and ensure students are ready to take the test.

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Duration		Activity	Notes/Tips
hrs	min		
		Briefing	
2	**15**	**Lesson 2 Posttest Variant 1**	Students access the test online.
	45	**Lesson 2 Posttest Variant 1 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 2 Posttest Variant 1 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Variant 2 of the Lesson Posttest, you must provide remediation until the student can demonstrate proficiency in the task.
	15	**Lesson 2 Posttest Variant 2 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.
2	**15**	**Lesson 2 Posttest Variant 2 (if necessary)**	Students access the test online.
	45	**Lesson 2 Posttest Variant 2 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 2 Posttest Variant 2 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Variant 2 of the Lesson Posttest, you must provide remediation until the student can demonstrate proficiency in the task.
5	**15**	**Lesson 3**	• **Introduction** – Students will read lesson objective(s) • **Topic 1** – Determine Eligibility for Civil Service Preference • **Topic 2** – Prepare the Rating Decision
	25	**Lesson 3 Posttest Variant 1 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.

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Duration		Activity	Notes/Tips
hrs	**min**		
2	**15**	**Lesson 3 Posttest Variant 1**	Students access the test online.
	45	**Lesson 3 Posttest Variant 1 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 3 Posttest Variant 1 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until he/she feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the student's results of the variant.
	10	**Lesson 3 Posttest Variant 2 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.
2	**15**	**Lesson 3 Posttest Variant 2 (if necessary)**	Students access the test online.
	45	**Lesson 3 Posttest Variant 2 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 3 Posttest Variant 2 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Variant 2 of the Lesson Posttest, you must provide remediation until the student can demonstrate proficiency in the task.
3	**15**	**Lesson 4**	• **Introduction** – Students will read lesson objective(s) • **Topic 1** – Verify Eligibility and Evaluate Medical Evidence • **Topic 2** – Determine Competency • **Topic 3** – Prepare the Rating Decision
	20	**Lesson 4 Posttest Variant 1 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.

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Duration		Activity	Notes/Tips
hrs	min		
2	15	**Lesson 4 Posttest Variant 1**	Students access the test online.
	45	**Lesson 4 Posttest Variant 1 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 4 Posttest Variant 1 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until he/she feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the student's results of the variant.
	10	**Lesson 4 Posttest Variant 2 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.
2	15	**Lesson 4 Posttest Variant 2 (if necessary)**	Students access the test online.
	45	**Lesson 4 Posttest Variant 2 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 4 Posttest Variant 2 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Variant 2 of the Lesson Posttest, you must provide remediation until the student can demonstrate proficiency in the task.
3	15	**Lesson 5**	• **Introduction** – Students will read lesson objective(s) • **Topic 1** – Verify Eligibility and Determine Rating Activity • **Topic 2** – Evaluate Evidence and Determine SC Disabilities • **Topic 3** – Prepare the Rating Decision
	20	**Lesson 5 Posttest Variant 1 Briefing**	Includes time to review the lesson objective and ensure students are ready to take the test.

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Duration		Activity	Notes/Tips
hrs	min		
2	00	**Lesson 5 Posttest Variant 1**	Students access the test online.
	45	**Lesson 5 Posttest Variant 1 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 5 Posttest Variant 1 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until he/she feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the student's results of the variant.
	10	**Lesson 5 Posttest Variant 2 Briefing** materials together.	Includes time to review the lesson objective and ensure students are ready to take the test.
2	00	**Lesson 5 Posttest Variant 2 (if necessary)**	Students access the test online.
	45	**Lesson 5 Posttest Variant 2 Grading**	Scoring instructions and answer keys are in the VBA Learning Catalog.
	10	**Lesson 5 Posttest Variant 2 Feedback**	Feedback times will vary depending on the number of items a student missed. If a student fails the Variant 2 of the Lesson Posttest, you must provide remediation until the student can demonstrate proficiency in the task.
Note: There are no Module Posttests for the Ancillary Benefits and Special Purposes TPSS Module.			

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Section 3 - Lesson Summary

Training Coordinator Notes:

After all students have completed each lesson, review the entire lesson by reading the following summary (or your own personalized version). Respond to any questions they may have before they continue to the lesson posttest.

After you have presented the lesson review, if a student is unsure about any of the module content, allow him or her some time to review specific topics or issues within the appropriate lesson.

Tell students:

"*Now that you have completed each of the lessons in this module, you should find it easier to understand the multiple actions involved in rating a claim for ancillary benefits and special purposes. There are myriad details that must be checked and rechecked in the course of the rating process. And no detail, regardless of how insignificant it may seem on the surface, can be overlooked. This practice is mandated by law in the duty to assist doctrine*."

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Lesson 1- Ratings for Ancillary Benefits and Special Purposes

Veterans and their family members may be entitled to benefits based on a Veteran's military service or service-connected disability. These benefits include: Helpless Child, Civil Service Preference, Dependent's Entitlement to Special Monthly Pension (SMP), and Vocational Rehabilitation.

Upon receiving a claims folder, the first steps you should take are the same as when processing a claim for any other type of benefit. Ensure that the source documents are associated with the correct claims folder by verifying the file name, file number, and Veteran's Social Security number.

Then, determine the exact type of benefit being sought. Do this by examining the source documents and VA forms submitted with the claim.

After determining the benefit being sought, continue with the initial file review. Verify the Veteran's service and status (active duty personnel can apply for Vocational Rehabilitation). Also, verify that the forms and evidence required for the specific benefit being sought are included with the claim and complete. The following types of VA forms and/or other documents are usually submitted with ancillary and special purpose claims, and can be useful during the initial file review to determine the specific benefit being sought and whether or not further development by the VSR is required:

Helpless Child	VA Form 21-526 , Veteran's Application for Compensation or Pension **OR**
	VA Form 21-534, Application for DIC, Death Pension, Accrues Benefits by Surviving Spouse or Child **OR**
	VA Form 21-527, Income-Net Worth and Employment Statement **AND**
	VA Form 21-686c, Declaration of Status of Dependents **OR**
	Other acceptable proof of relationship to the Veteran, such as a birth certificate

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Civil Service Preference	VA Form 21-526 , Veteran's Application for Compensation or Pension **AND** SMRs
Dependent's Entitlement to SMP	VA Form 21-526, Veteran's Application for Compensation or Pension **OR** VA Form 21-534, Application for DIC, Death Pension, Accrues Benefits by Surviving Spouse or Child **AND** VA Form 21-686c, Declaration of Status of Dependents **OR** Other acceptable proof of relationship to the Veteran, such as a marriage certificate
Vocational Rehabilitation	VA Form 28-1900, Disabled Veterans Application for Vocational Rehabilitation

Review any previous rating decisions in the claims folder. You will not need to prepare a special purpose or ancillary rating for any issue previously resolved in a formal rating decision.

Regardless of the specific type of ancillary or special purpose benefit, the outcome will be to either grant or deny the benefit to the claimant. You will then formalize a special purpose or ancillary benefit rating for that decision. In cases where there are two or more different basic entitlement rating issues, you must formalize a separate rating decision for each of them.

Ancillary and special purpose ratings have the same finality on the issues they address as do other disability and death rating decisions. They are binding on all subsequent decisions, unless reversed on appeal or under 38 CFR 3.105 (a) or (b). However, they are different in that an ancillary or special purpose rating is not considered a "Formal Rating". The information in an ancillary or special purpose rating is abbreviated and issue specific, rather than including full coding.

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Lesson 2 - Helpless Child Benefit

Helpless Child is a special purpose benefit for a child who is incapable of self-support due to mental or physical disability. To qualify for the benefit, there must be evidence that the child is permanently incapable of self-support by reason of a mental or physical defect that exists on the date of the child's 18th birthday. This benefit is either granted or denied, there is no percentage level determination involved when it is granted.

A Veteran who is entitled to Compensation benefits at the 30% or greater disability level or Pension benefits, and has a dependent child that meets the eligibility requirements, may initiate a claim for Helpless Child benefits. To be eligible, the child must be unmarried and permanently incapable of self-support due to a mental or physical disability that existed prior to the child's 18th birthday.

The claim must include an acceptable form of documentation that the child is the biological or adopted child of the Veteran or the child of the Veteran's spouse and a member of the Veteran's household. There must also be sufficient current medical evidence to clearly indicate that the child became disabled before the age of 18, is currently disabled, and is permanently incapable of self-support as a result of the disability.

A claim for Helpless Child benefits may also be initiated by a surviving child of a deceased Veteran if the child meets the eligibility requirements. To be eligible, the child must be unmarried, receiving or eligible to receive DIC, Death Pension, or Death Compensation, and permanently incapable of self-support due to a mental or physical disability that existed before age 18. As before, there must be sufficient current medical evidence to clearly indicate that the child became disabled before the age of 18, is currently disabled, and is permanently incapable of self-support as a result of the disability.

Regardless of who initiates the claim, in order for it to be rated the claims folder must contain three things: 1) proof of entitlement or potential entitlement to a monetary benefit which includes payment for a dependent child, 2) information that establishes that the child for whom benefits are being sought is a dependent of the Veteran, and 3) current medical evidence that the child was disabled prior to age 18 and is currently disabled.

A Helpless Child claim may be filed at any time, but will not be considered by the Rating Activity earlier than three months prior to the child's 18th birthday. A child of a Veteran may be considered a

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"child" after age 18 for purposes of benefits if the child is unmarried, not working, and found by a rating determination to have become permanently incapable of self-support prior to age 18.

Rating determinations will be made solely on the basis of whether or not the child is "permanently and totally disabled". There are three criteria against which you must evaluate the evidence prior to formalizing a final decision to grant or deny a Helpless Child claim: 1) current medical evidence must clearly indicate that the child became mentally or physically impaired before his or her 18th birthday, 2) the child must have become mentally or physically incapable of self-support before his or her 18th birthday, and 3) current medical evidence must clearly indicate that it is likely the disability will not improve to the extent that the child may become self-supporting in the future. In order to grant a claim, ALL THREE criteria must have been met.

The inferred issue of competency must be considered whenever Helpless Child benefits are granted for the child of a deceased Veteran on the basis of psychiatric disability or mental impairment. Competency is not an issue when the helpless child is a dependent of a living Veteran. And, a child with no mental impairment may not be rated incompetent even if he or she is paralyzed and confined to bed.

Once entitlement to Helpless Child benefits has been granted, if evidence of record shows that there is a reasonable probability that the child is unable to manage his or her own funds, make a note of it as an inferred issue and proceed to evaluate the child for competency. Unless there is evidence that states or implies that the child is incompetent, he or she is presumed to be competent. Evidence of the need for a competency rating may be lay statements regarding the mental condition of the child or medical evidence that states or suggests that the child cannot handle his or her own financial matters without limitation.

When reviewing evidence to rate incompetency, the types of evidence that must be given the most weight include doctors' statements that directly address the issue of competency, psychological evaluations, related medical evidence, and court orders declaring the child incompetent. Lay statements serve only as an indication that an exam may be needed or that the issue of incompetency should be developed.

If you determine that there is not sufficient evidence to rate the

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competency issue, note the issue as deferred for development and continue with the rest of the Helpless Child claim. If, after reviewing the evidence, you decide that the child should be rated for incompetency, list it as a separate issue with a proposed rating. This must be a proposed rating because it is considered an adverse rating. The child will be notified of the proposed rating by mail and afforded a 60-day due process period to submit evidence of competence before the rating becomes final.

A rating for Helpless Child benefits must include the issues reviewed, evidence reviewed (listed and identified by date or some other means), complete rationale for the decision made on each issue, and a conclusion that includes supporting data. Any inferred issue, such as competency, must be addressed as a separate issue. Any evidence that was requested but not received must also be specifically listed.

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Lesson 3 - Civil Service Preference

Civil Service Preference is a special purpose benefit entitling a Veteran to preference in certain civil service jobs. The preference system awards points to an eligible Veteran, improving his or her standing in the competition with other individuals for certain civil service jobs. This benefit is either granted or denied, there is no percentage level determination involved when it is granted.

A special purpose rating for Civil Service Preference can only be done when a Veteran has a previous rating showing at least one non-compensable (rated at 0%) service-connected disability that is either combat incurred or non-combat incurred but has ascertainable residuals. If a Veteran has a rating of at least 10% for a service-connected disability, no special purpose rating is necessary because the Veteran is automatically entitled to receive Civil Service Preference.

You can usually determine if a non-compensable service-connected disability is combat incurred from the combat status coding on the previous rating. If not, you will need to review the evidence in the claims folder to make this determination.

If you determine that the non-compensable service-connected disability is not combat related, you must next determine if the disability has an ascertainable residual. This is a symptom of the disability that causes some actual impairment. Decide if there is an ascertainable residual based on the previous ratings and other evidence in the claims folder.

A rating for Civil Service Preference must include the issue reviewed, evidence reviewed (listed and identified by date or some other means), complete rationale for the decision made on each issue, and a conclusion that includes supporting data. Any evidence that was requested but not received must also be specifically listed. Be sure to state whether the Veteran's disability is or is not combat related.

Lesson 4 - Dependent's Entitlement to SMP

Dependent's Entitlement to Special Monthly Pension (SMP) is an ancillary benefit. There are two forms of this benefit: Aid and Attendance (A&A) benefits and Housebound (HB) benefits. Aid and Attendance is for an eligible Veteran's spouse or dependent parent who is helpless or so nearly helpless as to require the regular aid and attendance of another person. The eligible surviving spouse of a Veteran may be entitled to Housebound benefits if the spouse is permanently housebound due to a disability. Housebound benefits are NOT available to the spouse of a living Veteran or the surviving parent of a deceased Veteran.

A claim for Dependent's Entitlement to SMP may be initiated in three ways. The first way is by a dependent spouse of a Veteran who has a service-connected disability with a combined evaluation of 30% or greater. The second way is by a surviving spouse who is receiving, or is entitled to receive, Dependency and Indemnity Compensation (DIC), or Death Compensation. And the third way is by a surviving parent who is receiving, or is entitled to receive, Dependency and Indemnity Compensation (DIC) or Death Compensation.

There are three steps involved in processing a claim. They are: 1) verify eligibility, 2) evaluate the medical evidence, and 3) make a final decision.

To verify eligibility, start by identifying whether the claimant is a dependent spouse, surviving spouse, or surviving parent. Next, determine if the claimant is receiving, or entitled to receive, the appropriate qualifying benefit (Death Pension, DIC, or Death Compensation). Then, determine if there is current medical evidence of the claimant's disability.

When you have verified the eligibility of the claimant, evaluate the relevant medical information in the claims folder to determine if the claimant meets the entitlement criteria for the benefit being considered. Relevant medical information includes medical reports, statements from private physicians, and VA exams.

To meet the basic entitlement criterion for Aid and Attendance benefits, the claimant must be unable, due to mental or physical disability, to perform the activities of daily living (ADL) to such an extent that constant assistance of another person is required. ADL include eating, bathing, daily personal hygiene tasks, and protecting oneself from the hazards or dangers incidental to one's daily

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environment. Medical evidence in support of a claim for A&A must specifically describe the claimant's inability to perform ADL, not just the related disability diagnosis. If the medical evidence does not sufficiently address ADL, you may need to request an exam specifically for that purpose.

The criterion for Housebound benefits is much less stringent that that for A&A. To quality for Housebound benefits, the claimant must, as a result of disability, be PERMANENTLY confined to his or her residence. Generally, claimants for this benefit need little or no help performing ADL, but are substantially confined to their residences due to mental or physical disabilities.

The last step involved in processing a claim for Dependent's Entitlement to SMP is to make a final decision. This includes granting or denying the claim and, if benefits are granted, determining the effective date. The effective date will be the date the claim was received or the date the claimant became entitled to the benefits, whichever is later.

For most SMP claims the effective date is the date the claim was received. However, in some cases when the Veteran is deceased an earlier effective date for A&A or Housebound benefits is possible, depending upon the date of the claim, the qualifying benefit, and the medical facts of the case. The earliest effective date ever possible is the first day of the month of the Veteran's death, but this is dependent upon several factors.

When DIC is the qualifying benefit, to be assigned that earliest possible effective date the claim must be received within one year of the Veteran's death and the claimant's entitling need must be documented to have existed on that date. If the claim is filed within one year of the Veteran's death but the claimant's entitling need for the benefit did not exist until sometime later, the date of the claimant's factual need for the benefit will be the effective date. Whenever the claim is filed more than one year after the Veteran's death, the earliest possible effective date is the date that the claim is received.

When nonservice-connected Death Pension is the qualifying benefit, for awards based on a claim received on or after October 1, 1984, the effective date will be the first of the month in which the Veteran's death occurred if the claim is received within 45 days after the Veteran's death; otherwise the effective date will be the date of receipt of the claim. If the Veteran's date of death is on or after

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December 10, 2004, the effective date will be the first day of the month of death if application is received within one year of the date of death. If the claim is received more than one year from the date of death, entitlement will be from the date of receipt of claim. When a surviving parent is granted Aid and Attendance benefits, to be assigned the earliest possible effective date the claim must be received within one year of the Veteran's death and the claimant's entitling need must be documented to have existed on that date. If the claim is filed within one year of the Veteran's death but the claimant's entitling need for the benefit did not exist until sometime later, the date of the claimant's factual need for the benefit will be the effective date. Whenever the claim is filed more than one year after the Veteran's death, the earliest possible effective date is the date that the claim is received.

The inferred issue of competency must considered whenever A&A or Housebound benefits are granted for the spouse or parent of a deceased Veteran on the basis of psychiatric disability or mental impairment. Competency is not an issue when the claimant is the spouse of a living Veteran. And, a claimant with no mental impairment may not be rated incompetent even if he or she is paralyzed and confined to bed.

Once entitlement to A&A or Housebound benefits has been granted, if evidence of record shows that there is a reasonable probability that the claimant is unable to manage his or her own funds, make a note of it as an inferred issue and proceed to evaluate the individual for competency. Unless there is evidence that states or implies that the claimant is incompetent, he or she is presumed to be competent. Evidence of the need for a competency rating may be lay statements regarding the mental condition of the claimant or medical evidence that states or suggests that the claimant cannot handle his or her own financial matters without limitation.

When reviewing evidence to rate for incompetency, the types of evidence that must be given the most weight include doctors' statements that directly address the issue of competency, psychological evaluations, related medical evidence, and court orders declaring the claimant incompetent. Lay statements serve only as an indication that an exam may be needed or that the issue of incompetency should be developed.

If you determine that there is not sufficient evidence to rate the competency issue, note the issue as deferred for development and continue with the rest of the claim. If, after reviewing the evidence,

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you decide that the claimant should be rated for incompetency, list it as a separate issue with a proposed rating. This must be a proposed rating because it is considered an adverse rating. The claimant will be notified of the proposed rating by mail and afforded a 60-day due process period to submit evidence of competence before the rating becomes final.

A rating for Dependent's Entitlement to SMP benefits must include the issues reviewed, evidence reviewed (listed and identified by date or some other means), complete rationale for the decision made on each issue, and a conclusion that includes supporting data. Any inferred issue, such as competency, must be addressed as a separate issue. Any evidence that was requested but not received must also be specifically listed.

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Lesson 5 - Vocational Rehabilitation

Rehabilitation leading to suitable employment is the outcome of the Vocational Rehabilitation and Employment Program. This program exists to provide Veterans with programs and assistance to allow them to achieve maximum independence, become employable, and obtain suitable employment.

First determine the status of the claimant. Eligibility requirements are different for a Veteran and a service person.

In the case of a Veteran, the first step is to review the claims folder for previous rating decisions for SC compensation for VR benefits. If a previous rating decision is found, send a copy to Vocational Rehabilitation & Employment. If a previous rating decision is NOT found, search for an original claim for compensation. If a claim is found, process the original disability compensation claim first.

In the case of a service person, verify active duty status by looking for the DTAP on VA Form 28-1900. If evidence found, continue to evaluate the claim accordingly.

Once the status of the claimant is verified, you are ready to review and evaluate the evidence to be able to assign the appropriate percentage evaluations. Limit your review of evidence to the information that will decide entitlement to Vocational Rehabilitation benefits. Start with the most severely symptomatic disability. Once 20% or more disability is found, no further development is needed. Your goal is only to develop enough to grant entitlement.

You also need to know and review the criteria by which you will establish whether a Veteran or service person is entitled to Vocational Rehabilitation benefits.

The criteria used to establish when a Veteran is entitled to VR benefits are:

- any given disability already meeting the 20% or more disabling criteria,
- combined disabilities reaching 20% (effective November 1, 1990) and
- SC disabilities evaluated at 10% disabling and VR&E determines that the Veteran has a serious employment handicap (effective October 1, 1993).

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The criteria to establish when a service person is entitled to VR benefits are:

- Any given disability already meeting the 20% or more disabling criteria
- Combined disabilities reaching 20%
- Service person rated at least 20% disabled - 10% evaluation does not qualify under any circumstances.

Once you have evaluated the evidence and determined entitlement to Vocational Rehabilitation benefits, you are ready to formalize the rating.

All ratings must contain the issues reviewed, evidence reviewed, complete rationale of the decision, and a conclusion to include supporting data.

A complete rationale for all issues and decisions made must be provided while rating the claim. Diagnostic codes for each disability listed as an issue, individual percentage evaluations for each disability, and combined evaluations must also be included.

You should now be prepared to conduct your review of a case, from start to finish, and to prepare a rating decision for ancillary benefits.

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