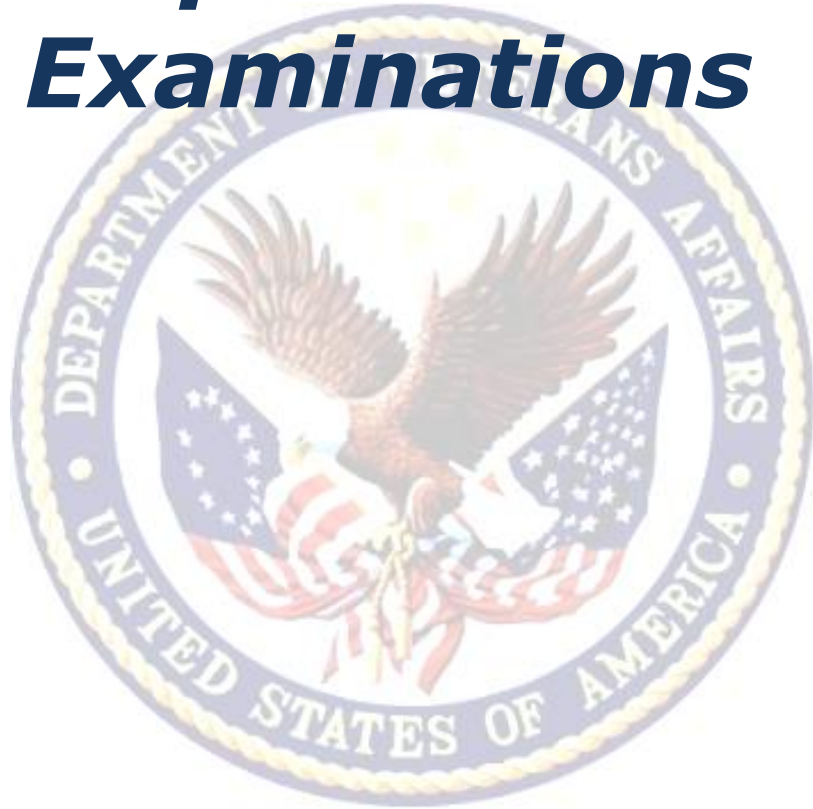


***Updates to Fiduciary  
Program Manual  
Chapter 2 Field  
Examinations***



***Lesson Plan***

February 2017 – Version 1.0

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

### Field Examination Overview (1.5 hours)

#### LESSON OVERVIEW

Purpose of the Lesson:	To update the fiduciary hub staff on general updates to Fiduciary Program Manual (FPM), Chapter 2, Field Examinations.
Prerequisite Training Requirements:	None
Target Audience:	The lesson is designed for all fiduciary hub personnel as a one-time mandated training.
Lesson References:	FPM, Chapter 2, Field Examinations
Lesson Objectives:	Fiduciary Hub Employees and VACO staff will be able to <ul style="list-style-type: none"><li>• identify the overarching changes to FPM Chapter 2 Field Examinations,</li><li>• identify specific changes to the field examination process, and</li><li>• identify updates to clarify policies and procedures.</li></ul>

#### INSTRUCTOR NOTES

**LESSON PLAN CONTENT OVERVIEW:** The rewrite of FPM Chapter 2 focuses on updates to language, inclusion of guidance from fast letters and policy letters, and changes in policy and procedural guidance.

This lesson outlines the major overarching changes and addresses the policy and procedural changes within Chapter 2. As the training is not all encompassing, encourage participants to review the entire FPM, Chapter 2, Field Examinations in conjunction with this training.

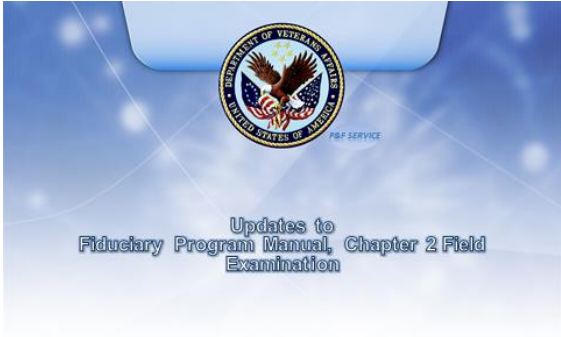
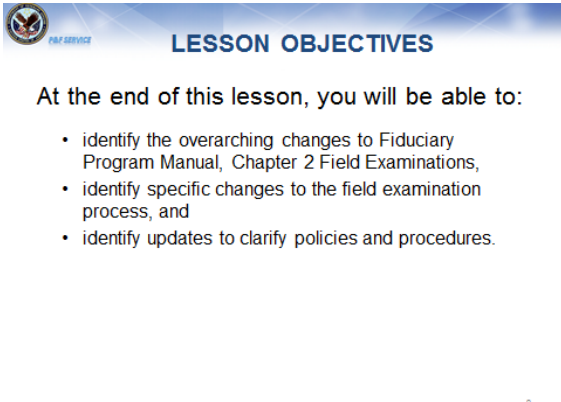
**IDENTIFY AND PREPARE:** Before the lesson, review FPM, Chapter 2, Field Examinations and references with relevance to the chapter.

**PREFERRED MODE OF INSTRUCTION:** This lesson is instructor led.

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

### RECOMMENDED CLASSROOM RULES:



- The instructor should identify designated points to open the discussion for questions.
- If computers are available, the instructor should request students log off/do not log into their computer.

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
	<p><b>DISPLAY</b> slide 1 "Updates to Fiduciary Program Manual Chapter 2 Field Examination"</p> <p><b>INTRODUCE</b> yourself as the instructor and introduce any fellow instructors.</p> <p><b>INTRODUCE</b> the lesson.</p>
	<p><b>DISPLAY</b> slide 2 "Lesson Objectives"</p> <p><b>PROVIDE</b> an overview of the day's schedule.</p> <p><b>EXPLAIN</b> that students will be learning about updates to the Fiduciary Program Manual Field Examination Chapter today.</p> <p><b>DISCUSS</b> P&amp;F Service designed this as a high level overview of the changes to the manual. Full review of Chapter 2 is recommended to see all the changes.</p>


# Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES																																								
<div style="border: 1px solid #ccc; padding: 5px;"> <h3 style="text-align: center; margin: 0;">UPDATED LANGUAGE</h3> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #4f81bd; color: white;"> <th style="padding: 5px;">Previous Term</th> <th style="padding: 5px;">New Term</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Estate</td> <td style="padding: 5px;">Funds Under Management</td> </tr> <tr> <td style="padding: 5px;">Payee, legal custodian, custodian-in-fact, court-appointed fiduciary</td> <td style="padding: 5px;">Fiduciary, VA-appointed fiduciary or court appointed (VA recognized)</td> </tr> <tr> <td style="padding: 5px;">Commission</td> <td style="padding: 5px;">Fee</td> </tr> <tr> <td style="padding: 5px;">Incompetent</td> <td style="padding: 5px;">Beneficiary unable to manage VA benefits</td> </tr> <tr> <td style="padding: 5px;">Fiduciary-Beneficiary (FB) Field Examination</td> <td style="padding: 5px;">Follow-up Field Examination</td> </tr> </tbody> </table> <p style="text-align: right; font-size: small; margin-top: 10px;">10</p> </div>	Previous Term	New Term	Estate	Funds Under Management	Payee, legal custodian, custodian-in-fact, court-appointed fiduciary	Fiduciary, VA-appointed fiduciary or court appointed (VA recognized)	Commission	Fee	Incompetent	Beneficiary unable to manage VA benefits	Fiduciary-Beneficiary (FB) Field Examination	Follow-up Field Examination	<p><b>DISPLAY</b> slide 3 “Updated Language”</p> <p><b>DISCUSS</b> The rewrite of FPM Chapter 2, Field Examinations uses plain language and easy to understand verbiage to coincide with the direction of the program. These are some examples of language changes but, do not represent all of the language changes throughout the chapter.</p>																												
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<div style="border: 1px solid #ccc; padding: 5px;"> <h3 style="text-align: center; margin: 0;">ORGANIZATION</h3> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #4f81bd; color: white;"> <th style="padding: 5px;">Section</th> <th style="padding: 5px;">Previous Title</th> <th style="padding: 5px;">Section</th> <th style="padding: 5px;">New Title</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">A</td> <td style="padding: 5px;">Field Examination Process</td> <td style="padding: 5px;">A</td> <td style="padding: 5px;">Field Examination Process</td> </tr> <tr> <td style="padding: 5px;">B</td> <td style="padding: 5px;">Field Examination Requests and Reports</td> <td style="padding: 5px;">B</td> <td style="padding: 5px;">Field Examination Requests</td> </tr> <tr> <td style="padding: 5px;">C</td> <td style="padding: 5px;">Issues of Competency and Legal Disabilities</td> <td style="padding: 5px;">C</td> <td style="padding: 5px;">Guidelines for Preparing to Conduct the Field Examination</td> </tr> <tr> <td style="padding: 5px;">D</td> <td style="padding: 5px;">Guidelines for Conducting and Reporting Field Examinations for Adults</td> <td style="padding: 5px;">D</td> <td style="padding: 5px;">Requirements for Conducting and Reporting Initial Appointment and Scheduled Follow-up Field Examinations for Adults</td> </tr> <tr> <td style="padding: 5px;">E</td> <td style="padding: 5px;">Determining Payees and Follow-up Actions for Adults</td> <td style="padding: 5px;">E</td> <td style="padding: 5px;">Special Issues Relating to Field Examinations for Adults</td> </tr> <tr> <td style="padding: 5px;">F</td> <td style="padding: 5px;">Special Issues Relating to Field Examinations for Adults</td> <td style="padding: 5px;">F</td> <td style="padding: 5px;">Requirements for Conducting and Reporting Initial Appointments and Scheduled Follow-up Field Examinations for Minors</td> </tr> <tr> <td style="padding: 5px;">G</td> <td style="padding: 5px;">Guidelines for Conducting and Reporting Field Examinations for Minors</td> <td style="padding: 5px;">G</td> <td style="padding: 5px;">Requirements for Conducting and Reporting Streamlined Field Examinations of Adults and Minors</td> </tr> <tr> <td style="padding: 5px;">H</td> <td style="padding: 5px;">Determining Payees and Follow-up Actions for Minors</td> <td style="padding: 5px;">H</td> <td style="padding: 5px;">Requirements for Conducting and Reporting Unscheduled Follow-up Field Examinations</td> </tr> <tr> <td style="padding: 5px;">I</td> <td style="padding: 5px;">Special Issues Relating to Field Examinations for Minors</td> <td style="padding: 5px;">I</td> <td style="padding: 5px;">Field Examination Documentation</td> </tr> </tbody> </table> </div>	Section	Previous Title	Section	New Title	A	Field Examination Process	A	Field Examination Process	B	Field Examination Requests and Reports	B	Field Examination Requests	C	Issues of Competency and Legal Disabilities	C	Guidelines for Preparing to Conduct the Field Examination	D	Guidelines for Conducting and Reporting Field Examinations for Adults	D	Requirements for Conducting and Reporting Initial Appointment and Scheduled Follow-up Field Examinations for Adults	E	Determining Payees and Follow-up Actions for Adults	E	Special Issues Relating to Field Examinations for Adults	F	Special Issues Relating to Field Examinations for Adults	F	Requirements for Conducting and Reporting Initial Appointments and Scheduled Follow-up Field Examinations for Minors	G	Guidelines for Conducting and Reporting Field Examinations for Minors	G	Requirements for Conducting and Reporting Streamlined Field Examinations of Adults and Minors	H	Determining Payees and Follow-up Actions for Minors	H	Requirements for Conducting and Reporting Unscheduled Follow-up Field Examinations	I	Special Issues Relating to Field Examinations for Minors	I	Field Examination Documentation	<p><b>DISPLAY</b> slide 4 “Organization”</p> <p><b>DISCUSS</b> P&amp;F Service reorganized FPM Chapter 2 into a process-based flow. Each section reflects a step in the field examination process, from the requests for field examinations through the finalization of the field examination in the Fiduciary Hub. New sections include information regarding preparation for a field exam (section C) and finalizing the field examination in the fiduciary hub (section I). Additionally, sections regarding conducting and reporting field exams closely follow the organization of the Felux.</p>
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## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
 <p style="text-align: center;"><b>VA ORDER OF PREFERENCE</b></p> <ol style="list-style-type: none"> <li>1. The preference stated by the beneficiary in the fiduciary program, if the beneficiary has the capacity to state such a preference.</li> <li>2. The beneficiary's spouse;</li> <li>3. A relative who has care or custody of the beneficiary or his or her funds;</li> <li>4. Any other relative of the beneficiary;</li> <li>5. Any friend, acquaintance, or other person who is willing to serve as fiduciary for the beneficiary without a fee;</li> <li>6. The chief officer of a public or private institution in which the beneficiary receives care or which has custody of the beneficiary;</li> <li>7. The bonded officer of an Indian reservation, if applicable;</li> <li>8. An individual or entity who has been appointed by a court with jurisdiction to handle the beneficiary's affairs;</li> <li>9. An individual or entity who is not willing to serve without a fee; or</li> <li>10. A temporary fiduciary, if necessary.</li> </ol> <p style="text-align: right;">12</p>	<p><b>DISPLAY</b> slide 5 "VA Order of Preference"</p> <p><b>DISCUSS</b> VA's long standing practice has been to appoint the least restrictive, most effective fiduciary. FPM now specifically lists VA's order of preference that must be considered in selecting a fiduciary to ensure that the appropriate fiduciary is appointed for a beneficiary.</p> <p>The order begins with the beneficiary's preference and progresses to the most restrictive and least desirable options.</p>
 <p style="text-align: center;"><b>FIDUCIARY TYPES</b></p> <ul style="list-style-type: none"> <li>• Removed the distinction between "Federal" fiduciaries and "court-appointed" fiduciaries, in most cases.</li> <li>• All fiduciaries serve under the titles of:             <ul style="list-style-type: none"> <li>– supervised direct payment (SDP) beneficiary</li> <li>– spouse fiduciary, or</li> <li>– VA-appointed fiduciary</li> <li>– court-appointed fiduciary (VA recognized), in extenuating circumstances only.</li> </ul> </li> <li>• With the exception of court-appointed fiduciaries (VA recognized), all fiduciaries must follow all VA guidelines</li> </ul> <p style="text-align: right;">13</p>	<p><b>DISPLAY</b> slide 6 "Fiduciary Types"</p> <p><b>DISCUSS</b> To ensure a national standard of practice for payment of benefits to or on behalf of VA beneficiaries who cannot manage their benefits, VA removed the distinction between "Federal" fiduciaries and "court-appointed" fiduciaries, in most cases.</p> <p>VA no longer appoints fiduciaries under titles other than SDP, spouse fiduciary, VA-appointed fiduciary or in extenuating circumstances only, court-appointed fiduciary (VA recognized).</p> <p>While VA no longer enters into new court appointments with the exception of extenuating circumstances with VA Hub Manager approval, it will continue to recognize appointments established prior to September 10, 2015. The Hub Manager is required to complete and sign a memorandum approving the appointment before entering into the court appointment.</p> <p>VA Form 21-555 and the Beneficiary Fiduciary Field System (BFFS) will be</p>


**Updates to Fiduciary Program Manual Chapter 2 Field Examinations  
Lesson Plan**

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
	<p>updated in the future to reflect this change. Until then, fiduciary personnel should select "Fiduciary" as the fiduciary type on the beneficiary record and continue to select "legal custodian" on the 555, when required. There are no plans to update Share at this time.</p> <p>Citation: FPM 2.D.4.a, FPM 2.D.4.m</p>
 <p style="text-align: center;"><b>SUPERVISED DIRECT PAY</b></p> <ul style="list-style-type: none"> <li>• The first follow-up field examination within six months of appointment.</li> <li>• Subsequent field examinations should be annually or more frequently thereafter.</li> <li>• A beneficiary can remain on Supervised Direct Pay (SDP) for no more than 24 months.</li> </ul> <p style="text-align: center;">24</p>	<p><b>DISPLAY</b> slide 7 "Supervised Direct Pay"</p> <p><b>DISCUSS</b> The Field Examiner must perform the first follow-up field examination within six months of appointment. During the first follow-up field examination, the Field Examiner must attempt to determine whether the beneficiary is capable of managing the VA funds.</p> <p>Subsequent field examinations should be annually or more frequently thereafter.</p> <p>A beneficiary can remain on Supervised Direct Pay (SDP) for no more than 24 months. This timeframe is in line with the proposed fiduciary regulations.</p> <p>Citations: FPM 2.D.4.d, FPM 2.D.6.e</p>

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan



POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
 <p style="text-align: center;"><b>BARS TO SERVING AS A FIDUCIARY</b></p> <ul style="list-style-type: none"> <li>• In addition to the felony convictions, an individual or entity may not serve as a fiduciary for a VA beneficiary if the individual or entity:             <ul style="list-style-type: none"> <li>– misused or misappropriated a beneficiary's VA benefits while serving as a fiduciary,</li> <li>– refuses or neglects to provide the authorization for VA disclosure of information,</li> <li>– is unable to manage his/her own Federal or State benefits and is in a Federal or State agency's fiduciary, representative payment, or similar program,</li> <li>– has been adjudicated by a court with jurisdiction as being unable to manage his/her own financial affairs,</li> <li>– is incarcerated in a Federal, State, local, or other penal institution or correctional facility, sentenced to home confinement, released from incarceration to a half-way house, or on house arrest or in custody in any facility awaiting trial on pending criminal charges,</li> <li>– has felony charges pending,</li> <li>– is under 18 years of age, or</li> <li>– knowingly violates or refuses to comply with VA policies.</li> </ul> </li> </ul> <p style="text-align: right;">13</p>	<p><b>DISPLAY</b> slide 8 "Bars to Serving as a Fiduciary"</p> <p><b>DISCUSS</b> FPM Chapter 2 provides qualification standards for a proposed and presently serving fiduciary. Previously, VA did not have guidance that lists the circumstances under which VA would not consider an individual or entity for fiduciary appointment or for continuation of service. Such guidance is necessary to ensure that VA fiduciary program personnel appoint only the most qualified individuals or entities to manage the funds of VA's most vulnerable beneficiaries. Furthermore, VA has an obligation to remove any fiduciary who no longer meets the requirements for appointment.</p>
 <p style="text-align: center;"><b>FUND UNDER MANAGEMENT PROTECTION</b></p> <ul style="list-style-type: none"> <li>• A fiduciary is required to obtain a bond when the funds under management exceed \$25,000, court-appointed (VA recognized) bonds payable to the court are acceptable.</li> <li>• No "spend downs" are allowed.</li> <li>• The <b>only</b> exceptions are:             <ul style="list-style-type: none"> <li>– existing withdrawal agreements;</li> <li>– trust company or a bank with trust powers organized under the laws of the United States or a State;</li> <li>– the beneficiary's spouse; or</li> <li>– a fiduciary in the Commonwealth of Puerto Rico, Guam, or another territory of the United States, or in the Republic of the Philippines, who has entered into a restricted withdrawal agreement in lieu of a surety bond.</li> </ul> </li> </ul> <p style="text-align: right;">15</p>	<p><b>DISPLAY</b> slide 9 "Funds Under Management Protection"</p> <p><b>DISCUSS</b> FPM Chapter 2 states that a fiduciary is required to obtain a bond any time the funds under management exceed \$25,000.00 court-appointed (VA recognized) fiduciaries with bonds payable to the court are allowable.</p> <p>The Field Examiner is no longer allowed to use spend down situations as a method to avoid funds under management protection. Any case where the retroactive payment is greater than \$25,000 must obtain a bond.</p> <p>The only exceptions are:</p> <ul style="list-style-type: none"> <li>• Existing withdrawal agreements will be grandfathered in;</li> <li>• Trust company or a bank with trust powers organized under the laws of the United States or a State;</li> <li>• The beneficiary's spouse; or</li> <li>• A fiduciary in the Commonwealth of Puerto Rico, Guam, or another</li> </ul>

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan


POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
	<p>territory of the United States, or in the Republic of the Philippines, who has entered into a restricted withdrawal agreement in lieu of a surety bond.</p> <p>Further guidance on fund under management protection will be provided with the release of FPM Chapter 4, Sections C and D.</p>
 <p style="text-align: center;"><b>INSTRUCTING THE FIDUCIARY- EXPENSES AND STANDARD OF LIVING</b></p> <ul style="list-style-type: none"> <li>• The Field Examiner will not prescribe specific instructions regarding fund usage, but rather provide information about income and expenses to facilitate the beneficiary-fiduciary relationship.</li> <li>• Fiduciary is responsible for: <ul style="list-style-type: none"> <li>– prioritizing bills with the most basic needs being met first.</li> <li>– allowing a standard of living consistent with that of individuals similarly financially situated</li> <li>– not projecting beliefs on to the beneficiary.</li> </ul> </li> </ul> <p style="text-align: right; font-size: small;">17</p>	<p><b>DISPLAY</b> slide <b>10</b> "Instructing the Fiduciary Expenses and Standard of Living"</p> <p><b>DISCUSS</b> Fiduciaries are responsible for monitoring the well-being of the beneficiaries they serve and to disburse funds according to beneficiary needs.</p> <p>The culture of the fiduciary program is shifting to ensure that it is the fiduciary that determines the beneficiary's needs and whether disbursement of funds to address those needs is in the beneficiary's interest. VA is not the fiduciary for the beneficiary and must defer to the fiduciary consistent with VA regulations. However, culture in the program is also shifting to the extent that fiduciaries are unnecessarily conserving beneficiaries' funds and building of substantial reserves for inheritance. A fiduciary must disburse or otherwise manage funds according to the best interests of the beneficiary and the beneficiary's dependents and in light of the beneficiary's unique circumstances, needs, desires, beliefs, and values.</p> <p>Citation: FPM 2.D.3.e</p>



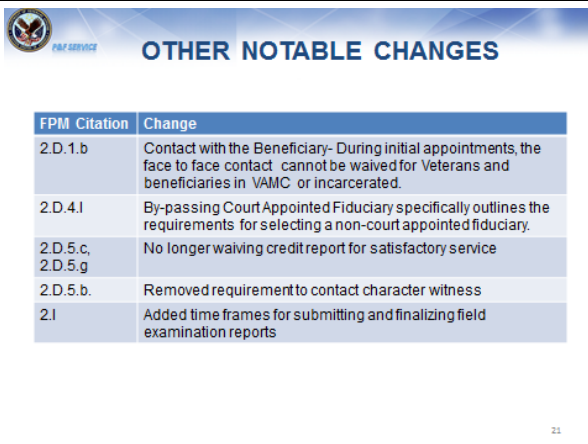
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POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
<div style="background-color: #d9e1f2; padding: 5px; border: 1px solid black;">  <p style="text-align: center; margin: 0;"><b>VERIFICATION OF FUNDS UNDER MANAGEMENT</b></p> </div> <ul style="list-style-type: none"> <li>Funds under management at initial appointments is clarified as \$0, in most cases.</li> <li>Verifying funds under management must be completed prior to closing field examination work item.</li> <li>If not verified by other means, the field examiner must review the VA Form 21-4718a, <i>Certificate of Balance on Deposit and Authorization to Disclose Financial Resources</i> prior to completing the field examination report.</li> </ul> <p style="text-align: right; font-size: small;">18</p>	<p><b>DISPLAY</b> slide <b>11</b> "Verification of Funds Under Management"</p> <p><b>DISCUSS</b> During initial appointments funds under management will typically be \$0. However, if VA appoints a beneficiary as supervised direct pay or a fiduciary holding assets for the beneficiary in a financial account or instrument that reflects the fiduciary relationship, the funds under management will equal that value.</p> <p>The verification requirements are now split out in the manual to ease understanding of the requirements of verification of funds under \$10,000 and over. Verification of the funds under management must take place prior to closing a field examination. If not verified by other means, at minimum, the field examiner must review VA Form 21-4718a, Certificate of Balance on Deposit and Authorization to Disclose Financial Resources, prior to submitting the field examination report for closure.</p> <p>Citation: FPM 2.D.3.h-j</p>
<div style="background-color: #d9e1f2; padding: 5px; border: 1px solid black;">  <p style="text-align: center; margin: 0;"><b>CLAIMS TAKEN IN THE FIELD</b></p> </div> <ul style="list-style-type: none"> <li>Encourage use of VA paperless claims submission tools.</li> <li>Must make appropriate applications and submission information available to the claimant during or following the interview.</li> <li>Must accept and document claims or intent-to-file notifications if provided during the field examination.</li> </ul> <p style="text-align: right; font-size: small;">19</p>	<p><b>DISPLAY</b> slide <b>12</b> "Claims Taken in the Field"</p> <p><b>DISCUSS</b> VA paperless claims submission tools streamline the claims process.</p> <p>If the claimant does not have access or ability to utilize paperless claims submission tools, VA must provide appropriate forms. If the field examiner does not have the appropriate VA claim form available during the field examination, the field examiner must request the Legal Instrument Examiner provide the application to the claimant.</p> <p>If the Field Examiner receives a claim document or intent to file during the field</p>

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
	<p>examination, the Field Examiner must take appropriate actions outlined in the new manual to accept the claim.</p> <p>Citation: FPM 2.D.3.m-q</p>
 <h3 style="text-align: center;">USE OF VA FORMS</h3> <ul style="list-style-type: none"> <li>• Changes in use of the following forms: <ul style="list-style-type: none"> <li>– <b>VA Form 21-592, Request for Appointment of a Fiduciary, Custodian or Guardian</b>- Initial Request for Appointment Fields are sufficient if rating finalized in Fiduciary hub</li> <li>– <b>VA Form 21-0590, Notice of Fiduciary Commission</b>- Information added to Beneficiary Notification Letter (Freeman letter)</li> <li>– <b>VA Form 21-0520, Certificate of Commissions Approval</b>- Check box in BFFS</li> <li>– <b>VA Form 21-555, Certificate of Legal Capacity to Receive and Disburse Benefits</b>- Check box in BFFS, unless requested by Insurance, VAMC medical director is appointed as fiduciary, or award processing is excluded from fiduciary promulgation team</li> </ul> </li> </ul>	<p><b>DISPLAY</b> slide <b>13</b> "Use of VA Forms"</p> <p><b>DISCUSS</b> The rewrite of FPM Chapter 2 affects the following forms:</p> <p><i>VA Form 21-592, Request for Appointment of a Fiduciary, Custodian or Guardian</i></p> <ul style="list-style-type: none"> <li>• For incompetency determinations completed within the fiduciary hub, completion of VA Form 21-592 will no longer be a requirement</li> <li>• Information found on VA Form 21-592 must be input into the Beneficiary Fiduciary Field System (BFFS). The "Initial Request for Appointment Information" section in the beneficiary record will take the place of the VA Form 21-592.</li> <li>• External requests from Veterans Service Centers (VSCs), Pension Management Centers (PMC), Education, and Insurance will require a VA Form 21-592.</li> </ul> <p>Citation: FPM 2.A.3.c, FPM 2.B.1.b</p> <p><i>VA Form 21-0590, Notice of Fiduciary Commission</i></p> <ul style="list-style-type: none"> <li>• Removes requirement for completion of the form</li> <li>• The update will add the text from this form to the Beneficiary Notification Letter (Freeman letter).</li> </ul> <p><i>VA Form 21-0520, Certificate of Commissions Approval</i></p>

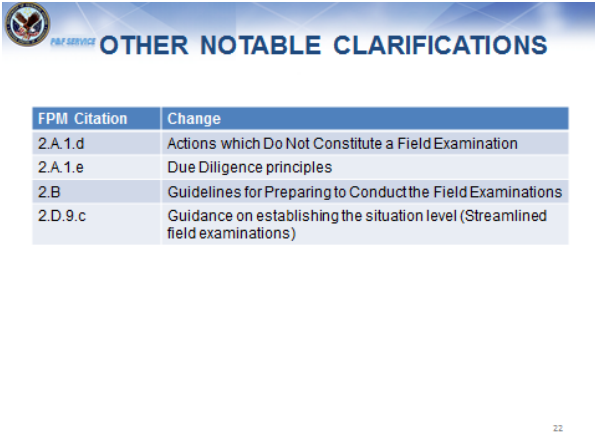
## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES												
	<ul style="list-style-type: none"> <li>Removes requirement for completion of the form</li> <li>This update will allow the FE to request fee concurrence in BFFS.</li> </ul> <p>VA Form 21-555, <i>Certificate of Legal Capacity to Receive and Disburse Benefits</i></p> <ul style="list-style-type: none"> <li>Removes requirement for completion of the form, if the change in fiduciary is completed internally within the hub.</li> <li>Any cases where the hub does not make the changes require the generation of the form. For example, insurance cases.</li> <li>This update will allow the Fiduciary Hub to certify a fiduciary in BFFS.</li> </ul>												
 <p><b>OTHER NOTABLE CHANGES</b></p> <table border="1"> <thead> <tr> <th>FPM Citation</th> <th>Change</th> </tr> </thead> <tbody> <tr> <td>2.D.1.b</td> <td>Contact with the Beneficiary- During initial appointments, the face to face contact cannot be waived for Veterans and beneficiaries in VAMC or incarcerated.</td> </tr> <tr> <td>2.D.4.i</td> <td>By-passing Court Appointed Fiduciary specifically outlines the requirements for selecting a non-court appointed fiduciary.</td> </tr> <tr> <td>2.D.5.c, 2.D.5.g</td> <td>No longer waiving credit report for satisfactory service</td> </tr> <tr> <td>2.D.5.b.</td> <td>Removed requirement to contact character witness</td> </tr> <tr> <td>2.i</td> <td>Added time frames for submitting and finalizing field examination reports</td> </tr> </tbody> </table> <p style="text-align: right; font-size: small;">21</p>	FPM Citation	Change	2.D.1.b	Contact with the Beneficiary- During initial appointments, the face to face contact cannot be waived for Veterans and beneficiaries in VAMC or incarcerated.	2.D.4.i	By-passing Court Appointed Fiduciary specifically outlines the requirements for selecting a non-court appointed fiduciary.	2.D.5.c, 2.D.5.g	No longer waiving credit report for satisfactory service	2.D.5.b.	Removed requirement to contact character witness	2.i	Added time frames for submitting and finalizing field examination reports	<p><b>DISPLAY</b> slide 14 "Other Notable Changes"</p> <p><b>DISCUSS</b></p> <p>Contact with the beneficiary- VA must conduct the investigation prescribed by Congress in 38 U.S.C. 5507, which includes conducting a face-to-face interview with the proposed fiduciary to the extent practicable. In any situation where the beneficiary is not interviewed the Field Examiner must document due diligence in making the visit occur.</p> <p>When by-passing the court-appointed fiduciary VA must:</p> <ul style="list-style-type: none"> <li>provide notice to the court regarding VA's action to by-pass a guardianship must be made by, or with the concurrence of, the Regional Counsel.</li> <li>document if the court appointment remains in effect for other assets during every subsequent field</li> </ul>
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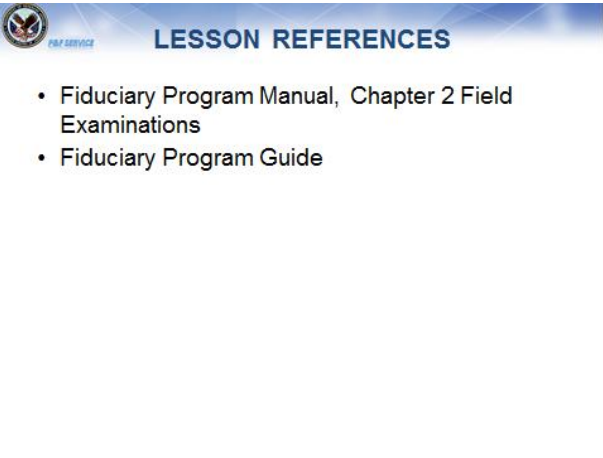
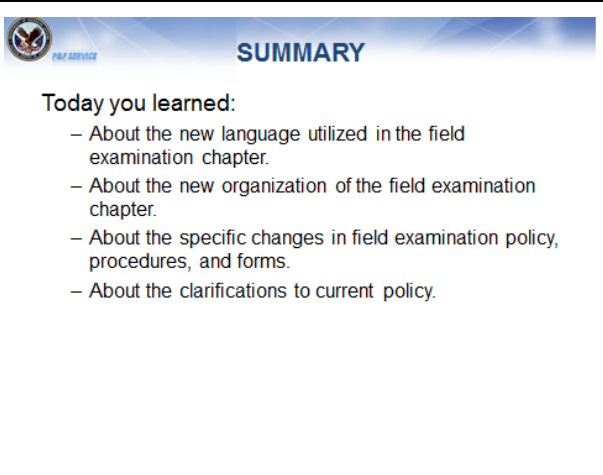
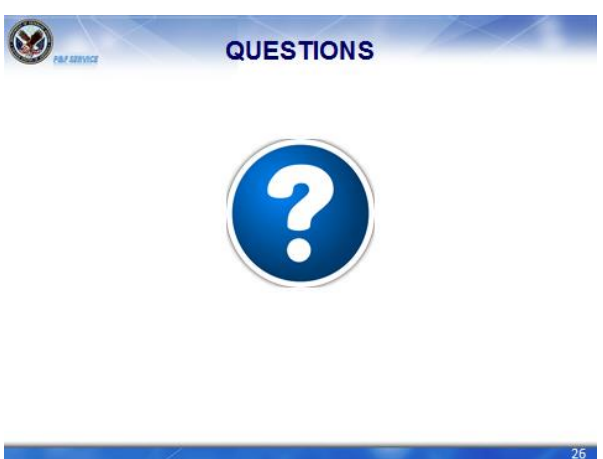

**Updates to Fiduciary Program Manual Chapter 2 Field Examinations  
Lesson Plan**

<b>POWERPOINT SLIDES</b>	<b>INSTRUCTOR ACTIVITIES</b>
	<p>examination, and</p> <ul style="list-style-type: none"> <li>• notify the court-appointed fiduciary of the benefits payable and be provided a copy of all future notices related to the beneficiary’s case.</li> </ul> <p>No longer waiving credit report for satisfactory service- Appointment of fiduciaries must be based upon the best available and most relevant information. The Field Examiner’s decision to recognize a fiduciary must be based, in part, on a review of a credit report issued within 30 days prior to the proposed appointment.</p> <p>Removed requirement to contact character witness- While information regarding a character witness is required, contact with the character witness for the purpose of obtaining a reference is not.</p> <p>Added time frames for submitting and finalizing field examination reports- Timeframes provide Fiduciary Hubs with reasonable timelines that ensure acceptable level of service to our beneficiaries.</p> <ul style="list-style-type: none"> <li>• The Field Examiner must submit completed reports within 10 days of the meeting with the fiduciary, however, the Field Examiner may request additional time from hub management.</li> <li>• Notification to the beneficiary and fiduciary of appointment is required within 5 days of the appointment. The date of the appointment is considered the completion of the appropriate BFFS fields that constitute VA Form 21-555 or the date on VA Form 21-555 if completed.</li> </ul>


## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES										
 <p>The slide content is as follows:</p> <table border="1"> <thead> <tr> <th>FPM Citation</th> <th>Change</th> </tr> </thead> <tbody> <tr> <td>2.A.1.d</td> <td>Actions which Do Not Constitute a Field Examination</td> </tr> <tr> <td>2.A.1.e</td> <td>Due Diligence principles</td> </tr> <tr> <td>2.B</td> <td>Guidelines for Preparing to Conduct the Field Examinations</td> </tr> <tr> <td>2.D.9.c</td> <td>Guidance on establishing the situation level (Streamlined field examinations)</td> </tr> </tbody> </table>	FPM Citation	Change	2.A.1.d	Actions which Do Not Constitute a Field Examination	2.A.1.e	Due Diligence principles	2.B	Guidelines for Preparing to Conduct the Field Examinations	2.D.9.c	Guidance on establishing the situation level (Streamlined field examinations)	<p><b>DISPLAY</b> slide <b>15</b> "Other Notable Changes"</p> <p><b>DISCUSS</b> Actions which do not constitute a field examination and Due Diligence Principles- Clarification on the elements of inquiry, search, and investigation required to constitute a field examination, particularly when the whereabouts of a party is unknown.</p> <p>With the publishing of Chapter 5, a FPG articles was created that assists in determining if due diligence has been met.</p> <p>Preparing for Field Examinations-</p> <ul style="list-style-type: none"> <li>• Previous manual lacked information on what a Field Examiner should do to prepare for a field examination</li> <li>• Provides Field Examiners with guidance on how to prepare for the field examination</li> <li>• Places related information together</li> <li>• New section: "Reviewing Beneficiary Information Prior to the Field Examination"</li> <li>• Moved "Scheduling Field Examination Interviews" section from chapter 1</li> </ul> <p>Establishing the situation level- provides additional guidance to help FEs determine when streamlined field examination is appropriate</p>
FPM Citation	Change										
2.A.1.d	Actions which Do Not Constitute a Field Examination										
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## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
 <p><b>LESSON REFERENCES</b></p> <ul style="list-style-type: none"> <li>• Fiduciary Program Manual, Chapter 2 Field Examinations</li> <li>• Fiduciary Program Guide</li> </ul>	<p><b>DISPLAY</b> slide <b>16</b> "References"</p> <p><b>Note:</b> For a complete view of updated Fiduciary Program Manual, 2. Review Knowledge Management (KM), Fiduciary Program Manual.</p> <p><b>IDENTIFY</b> all references can be found on KM, including up to date job and process aids.</p>
 <p><b>SUMMARY</b></p> <p>Today you learned:</p> <ul style="list-style-type: none"> <li>– About the new language utilized in the field examination chapter.</li> <li>– About the new organization of the field examination chapter.</li> <li>– About the specific changes in field examination policy, procedures, and forms.</li> <li>– About the clarifications to current policy.</li> </ul>	<p><b>DISPLAY</b> slide <b>17</b> "Summary"</p> <p><b>REVIEW</b> the information in the day's lesson.</p>
 <p><b>QUESTIONS</b></p> <p style="text-align: center;"></p> <p style="text-align: right;">26</p>	<p><b>DISPLAY</b> slide <b>18</b> "Questions?"</p> <p><b>ASK</b> students if they have any questions about the day's lesson.</p> <p><b>RESPOND</b> to all questions before tasking students to complete the survey.</p>

## Updates to Fiduciary Program Manual Chapter 2 Field Examinations Lesson Plan

POWERPOINT SLIDES	INSTRUCTOR ACTIVITIES
 <p>The screenshot shows a slide with the title 'TMS SURVEY' and a list of two bullet points: 'The survey has been assigned to you in TMS.' and 'Be sure to complete the survey in TMS to receive credit for this training.'</p>	<p><b>DISPLAY</b> slide <b>19</b> "TMS Survey"</p> <p><b>TELL</b> students how to access the survey in TMS.</p> <p><b>REMIND</b> them that they must complete the survey in order to receive credit in TMS for their training.</p> <p><b>TELL</b> students that the survey provides them an opportunity to improve the training and that their feedback is welcome.</p>