Pension and fiduciary service

PMC VSR Advanced Core Course
Phase 6: Practical Application and Exercise

Eligibility Requirements for DIC

Appendix B

June 2024

Review Activity—Eligibility Requirements for DIC

In your groups, read the references listed for your assigned DIC benefit. List the eligibility requirements for the DIC benefit assigned to your group.

Group 1—DIC under 1310(a)

### M21-1 XII.i.1.A.1.a. (Definition: DIC)

* 38 U.S.C. 1310 (Deaths Entitling Survivors to Dependency and Indemnity Compensation)
* 38 CFR 3.5 (Dependency and Indemnity Compensation)
* 38 CFR 3.702 (Dependency and Indemnity Compensation)
* XII.i.1.B.1.e.  (Evidence Required to Determine Entitlement to DIC)

**What are the eligibility requirements for DIC under 1310(a)?**

**­­­­­­­­­­­­­­­­Group 2—DIC under 1318**

* + XII.i.1.B.1.e.  (Evidence Required to Determine Entitlement to DIC)
	+ 38 U.S.C. 1318 (Benefits for Survivors of Certain Veterans Rated Totally Disabled at Time of Death)
	+ 38 CFR 3.22 (DIC Benefits for Survivors of Certain Veterans Rated Totally Disabled at Time of Death)
	+ VII.i.2.D.4 (Marriage Date Requirements and Dependency and Indemnity Compensation [DIC] Claims)

**What are the eligibility requirements for DIC under 1318?**

Group 3—DIC under 1151

* + M21-1 XII.i.1.A.1.j. and XII.i.1.B.2 (DIC under 38 U.S.C. 1151)
	+ 38 U.S.C. 1151 (Benefits for Persons Disabled by Treatment or Vocational Rehabilitation)
	+ 38 CFR 3.358 (Compensation for Disability or Death from Hospitalization, Medical or Surgical Treatment, Examinations or Vocational Rehabilitation Training)
	+ 38 CFR 3.361 (Benefits under 38 U.S.C 1151(a) for Additional Disability or Death Due to Hospital Care, Medical or Surgical Treatment, Examination, Training and Rehabilitation Services, or Compensated Work Therapy Program)

**What are the eligibility requirements for DIC under 1151?**

­­­­­­­­­­­­­­­­­­­­­­­­Group 4—Enhanced DIC (8x8) under 1311(a)(2)

* + M21-XII.i.4.B.1.a. (Additional Allowance if Veteran was Totally Disabled for Eight Years)
	+ 38 U.S.C. 1311(a)(2)

**What are the eligibility requirements for Enhanced DIC under 1311(a)(2)?**