PENSION AND FIDUCIARY Service

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

Process a Post Award Audit (PAA) Award Adjustment

Appendix A

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Description

This Appendix A lists the references according to the prerequisite learning objectives. The reference types include the corresponding lesson title, job aids, 38 Code of Federal Regulations (CFR) and M21-1 Adjudication Procedures Manual.

Confirm special claim types

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Flash, Expedited (Priority), Previous, Dual or Reopened/New Claims* |
| Job Aids  | **Pension Systems and Applications** job aid |
| 38 CFR and M21-1 Manual | * M21-1 X.i.1.1.a.  Types of Claims That Require Priority Processing
* M21-1 III.i.2.F.1.b.  Corporate Flashes
 |

Establish periods for calculating income

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Establish Periods for Calculating Income* |
| Job Aids  | * **Initial Year job aid**
* **Income and Net Worth Status job aid**
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.400—3.404 (Effective dates.)
* 38 CFR 3.31 (Commencement of the period of payment.)
* M21-1 V.iii.1.A.4 (Pension and Parents’ DIC Award Effective Dates and Payment Dates)
* M21-1 V.iii.1.A.5 (General Information on the Payment Date Under 38 CFR 3.31)
* M21-1 V.iii.1.A.3.g (Definition of Initial Year for Pension and Time Limit for Establishing Entitlement for the Initial Year)
* M21-1 V.iii.1.H.1.b (Time Limit to Furnish Amended Income Information to Increase the Rate)
* M21-1 V.iii.1.E.7.a (Definition: Initial Period)
* M21-1 V.iii.1.H.1.c (Definition: Same Calendar Year)
* M21-1 V.iii.1.G.4.p (Overlapping Initial Year and Calendar Year Periods)
* M21-1 V.iii.1.E.7.k (Counting the Initial 12 Months of Income for Disallowed Claims)
* M21-1 V.iii.1.E.7.l (Counting the Second 12 Months of Income for Disallowed Claims)
* M21-1 V.i.3.A.3.c (Reporting Period for Current-Law Pension)
 |

Determine the types of income for pension purposes

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Determine Income Types* |
| Job Aids  | * Income and Net Worth Determination EPSS
* **Income and Net Worth Status** job aid
* **SSA Inquiry** job aid
* **Initial Year** job aid
* Veterans Benefits Management System - Awards (VBMS-A) User Guide
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.271 (Computation of income.)
* M21-1 IX.iii.1.I (Improved Pension—Counting Specific Types of Income)
* M21-1 IX.iii.1.B.3 (Computing Monthly SSA and Medicare Benefits)
* M21-1 IX.iii.1.E.6 (Counting Income for Department of Veterans Affairs Purposes)
* 38 CFR 3.272 (Exclusions from income.)
* M21-1 IX.iii.1.I.3 (Income Exclusions)
* M21-1 IX.iii.1.F.2 (Counting the Income of Dependents)
* M21-1 IX.iii.1.K.5 (Hardship Deductions from a Child’s Income)
 |

Determine net worth status

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Determine Net Worth Status* |
| Job Aids  | * **Income and Net Worth Status** job aid
 |
| 38 CFR and M21-1 Manual | * M21-1 V.i.3.A.1.c (Definition: Net Worth)
* M21-1 V.iii.1.J.1.b (Net Worth Criteria)
* M21-1 V.iii.1.A (General Information on the Effect Income and Net Worth Have on Pension and Parents DIC)
* M21-1 V.iii.1.J.4.a (Excessive Net Worth as a Question of Fact)
 |

Select qualifying expenses for calculating income

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Select Qualifying Expenses* |
| Job Aids  | * **Claim Types** job aid
* **Care Expense Guide** job aid
* **Income and Net Worth Status** job aid
* **Initial Year** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.272 (Exclusions from income.)
* M21-1 IX.iii.1.G.1. (Overview of Deductible Expenses)
* M21-1 IX.iii.1.A.3.g (Definition of Initial Year for Pension and Time Limit for Establishing Entitlement for the Initial Year)
* M21-1 IX.iii.1.E.7.a (Definition: Initial Period)
* M21-1 IX.iii.1.E.7.b (Deductible Medical Expenses Paid During the Initial Period)
* M21-1 IX.iii.1.G.2.a (Rules for Deductibility of UMEs)
* M21-1 IX.iii.1.G.3 (Sources of Medical Expenses)
* M21-1 IX.iii.1.G.4.b (Requirements for Medical Expense Deduction Claim)
* M21-1 IX.iii.1.G.4.f (Allowing Medical Expenses Prospectively)
* M21-1 IX.iii.1.G.4.g (Example of Annual Amount vs. Calculated Estimated Actual Amount)
* 38 CFR 3.262.o (Parents’ DIC.)
* M21-1 IX.iii.1.K.1 (Final Expense Deductions—Overview and Definitions)
* M21-1 IX.iii.1.K.2 (Processing Final Expense Deductions)
* 38 CFR 3.272.g (Exclusions from income; medical expenses.)
* 38 CFR 3.272.h (Expenses of last illness, burials, and just debts.)
* 38 CFR 3.272.i (Educational Expenses)
* M21-1 IX.iii.1.K.3 (Educational Expense Deductions)
 |

Determine income status

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | Phase 5, Part 1: *Determine Income Status* |
| Job Aids | * **Income and Net Worth Status job aid**
* **Upfront Verification job aid**
* **Veterans Benefits Management System - Awards (VBMS-A) User Guide**
 |
| 38 CFR and M21-1 Manual | * M21-1 V.iii.1.G (Pension Deductible Expenses)
* M21-1 V.iii.1.B (Social Security Administration (SSA) Benefits Program)
* M21-1 V.iii.1.I (Improved Pension—Counting Specific Types of Income)
* M21-1 V.iii.1.A.3 (Denying a Claim When IVAP Is Excessive)
* M21-1 V.i.3.A (General Information on Income and Net Worth Development)
* M21-1 X.9.A.1 (FTI Match: General Information)
* M21-1 X.9.A.1.d (Upfront Verification)
* 38 CFR 3.271 (Computation of income.)
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Demonstrate how to develop for information/evidence needed to fulfill duty to assist

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | Phase 5, Part 2: *Overview of the Development Process: Requesting Information/Evidence* |
| Job Aids | **Develop for Missing Information/Evidence** job aid |
| 38 CFR and M21-1 Manual | * Public Law (PL) 106-475 (Veterans Claims Assistance Act of 2000)
* 38 CFR 3.159 (Department of Veterans Affairs [VA’s] assistance in developing claims.)
* M21-1 III.i.2.D (Evidence Requested from the Claimant)
* M21-1 I.i.1.A (Description and General Information on the Duty to Notify and Duty to Assist)
* M21-1 III.i.2.D.1.b (Notice of Time Limits to Submit Evidence)
* M21-1 III.i.2.A.1.g (Handling Concurrent Development Actions)
* M21-1 III.i.2.D.1.d (Claims Development by E-Mail, Fax, and Telephone)
* M21-1 III.i.2.D.1.e (Documenting Information Received by Telephone)
* M21-1 III.i.2.D.1.a (Written Requests for Evidence)
* M21-1 III.i.2.C (Duty to Assist with Obtaining Records)
* M21-1 IX.i.3.D.2 (Developing for Unreimbursed Medical Expenses)
* M21-1 IX.i.3.D.3 (Developing for Unreimbursed Funeral and Other Final Expenses)
* M21-1 IX.i.3.D.4 (Developing for Unreimbursed Educational Expenses)
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Determine award adjustment based on amended income

| Reference Type | Reference Name  |
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| Lesson | Phase 5, Part 5: *Determine Amended Income Adjustments* |
| Job Aids | * **Processing an Award Adjustment job aid**
* **Income and Net Worth Status job aid**
* **Initial Year job aid**
* **Time Limit job aid**
* **Annotate the Award Adjustment job aid**
 |
| 38 CFR and M21-1 Manual | * M21-1 IX.i.3 (Income and Net Worth Development)
* M21-1 II.iii.1.A.1.a (Requirements for a Complete Claim Received on or After March 24, 2015)
* M21-1 IX.iii.1.A.1 (Income Reporting for Pension and Parents’ DIC)
* M21-1 IX.iii.1.H.1 (Adjustments Based on Changes in Income)
* M21-1 IX.iii.1.H.2 (Cost-of-Living Adjustments [COLA])
* M21-1 IX.iii.1.E.5 (Income Classifications)
* M21-1 IX.iii.1.A.6.h (Increases Resulting Solely from the Enactment of Legislation)
* M21-1 IX.iii.1.B.1.k (SSI Program)
* M21-1 IX.iii.1.l.1.i (Gains From Gambling)
* M21-1 III.ii.1.B.4.a (Using the SSA Inquiry Command in Share)
* M21-1 IX.iii.1.l.1.g (Gifts and Inheritances of Property or Cash)
* M21-1 I.i.1.B.1.d (Definition: Third Party Information)
* M21-1 IX.iii.1.E.1.a (Changing Rate of Pension)
* M21-1 IX.iii.1.E.1.b (Knowledge Needed to Determine Monthly Rate of Pension)
* M21-1 IX.iii.1.E.7 (Counting Income During the Initial Year)
* M21-1 IX.i.3.C.1.a (General Information on Developing for Recurring Income)
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Process income and net worth adjustment claims

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| **Reference Type** | **Reference Name** |
| Lesson | Phase 6: Process Income and Net Worth Adjustments Claims |
| Job Aid | * Net Worth Corpus of Estate Determination job aid
* Income and Net Worth Status job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.262 (Evaluation of Income)
* 38 CFR 3.272 (Exclusions from Income)
* 38 CFR 3.275 (How VA Determines the Asset Amount for Pension Net Worth Determinations)
* 38 CFR 3.276 (Asset Transfers and Penalty Periods)
* M21-1 VI.i.1.A.2.b. (Effective Date of Payment Under 38 CFR 3.31)
* M21-1 IX.iii.1.J (Net Worth, Asset, Transfers and Penalty Periods
 |

Apply due process provisions to a claim

| Reference Type | Reference Name  |
| --- | --- |
| Lesson | Phase 5, Part 4: *Apply/Issue Due Process Provisions* |
| Job Aids | * **Processing an Award Adjustment job aid**
* **Initial Year job aid**
* **Due Process job aid**
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.103 (Procedural due process and appellate rights.)
* 38 CFR 3.551 (Reduction because of hospitalization.)
* 38 CFR 3.552 (Adjustment of allowance for aid and attendance.)
* M21-1 I.i.1.B.1.a (Due Process and the U.S. Constitution)
* M21-1 I.i.1.B.1.b (Due Process and VA)
* M21-1 VI.1.2.B.1 (Overview of Erroneous Payments)
* M21-1 VI.i.2.B.2.a (Action to Take Upon Discovering Duplicate Payments)
* M21-1 VII.iii.1.B (Adjusting Apportioned Awards)
* M21-1 VII.ii.1.B (Awards and Adjustments Based upon School Attendance)
* M21-1 VII.ii.1.B.6.e (Failure to Certify School Attendance)
* M21-1 VII.i.1.B (Verification of Marital Status and the Status of Dependents)
* M21-1 VII.i.1.B.4 (Failure to Return *VA Form 21-0538* or *VA Form 21P-0537*)
* M21-1 X.iii.1.D.1.f (Due Process and Control Procedures for Hospitalization)
* M21-1 VI.iii.1.A.2 (Benefit-Specific Effects of a Beneficiary’s Incarceration)
* M21-1 X.ii.6.D.3 (Due Process Requirements for Incompetency Determinations)
* M21-1 X.ii.6.A.5.a (Decree by a Court as Notice and Hearing)
* M21-1 XIV.2.B.2.h (DMF Match Identifies Veteran’s Spouse)
* M21-1 XIV.8.2.d (Deciding Whether an Individual Is a Fugitive Felon and Notifying the Beneficiary of the Decision)
* M21-1 XIV.4.D (Federal Tax Information (FTI): Income Verification Match (IVM))
* M21-1 XIV.1.1 (Purpose and Due Process Provisions of Matching Programs)
* M21-1 XIV.7.2 (Processing Worksheets Data-Matching Programs Generate)
* M21-1 XIV.2.A.5.n (Monthly Entitlement Amount is Erroneous)
* M21-1 VI.iii.2.A.1 (General Information About Simultaneous Award Adjustments)
* M21-1 VI.iii.2.A.2 (Processing Simultaneous Award Adjustments)
* M21-1 X.v.1.C.3.g (Sample Format for an Administrative Decision)
* M21-1 X.ii.3.B (Adverse Action Proposal Period)
* M21-1 X.ii.3.A.2.a (Required Elements for a Notice of Proposed Adverse Action)
* M21-1 X.ii.3.C (Contemporaneous Notice)
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