PENSION AND FIDUCIARY Service

**PMC VSR Intermediate Core Course**

**Phase 5: Proficiency Development**
**Part 1(d): Beyond Basic Eligibility**

Determine Burial Benefits Eligibility

Appendix A

May 2024

**Table of Contents**

[Burial Benefits Training Prerequisites 3](#_Toc133920509)

[Description 3](#_Toc133920510)

[Determine Whether the Application for Benefits is Complete or Incomplete 3](#_Toc133920511)

[Confirm Special Claim Types 3](#_Toc133920512)

[Confirm the Date of Claim (DOC) is correct 4](#_Toc133920513)

[Establish Veteran Status 4](#_Toc133920514)

[Determine Dependency Eligibility for a Spouse of a Veteran 5](#_Toc133920515)

[Determine Dependency Eligibility for a Child of a Veteran 5](#_Toc133920516)

[Establish Parental Relationship to a Veteran for the Purpose of Receiving DIC Benefits 6](#_Toc133920517)

[Verify Proof of Death of Veteran 6](#_Toc133920518)

[Determine if an Accrued Claim Meets Time Requirements 7](#_Toc133920519)

Burial Benefits Training Prerequisites

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.

Determine Whether the Application for Benefits is Complete or Incomplete

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Establish a Claim* |
| Job Aids  | **None**  |
| 38 CFR and M21-1 Manual | * M21-1 I.i.1.A (Description and General Information on Duty to Notify and Duty to Assist)
* M21-1 II.iii.1.A.1 (Applications for Benefits)
* M21-1 II.iii.2.A (Intent to File)
 |

Confirm Special Claim Types

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Types of Claims and Priority Processing* |
| 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 X.i.1.4.b. (Management of Claims from VSI/SI Claimants)
* M21-1 X.i.1.7.c. (Flashing a Veteran’s Record to Expedite Based on Receipt of the Medal of Honor or Purple Heart)
 |

Confirm the Date of Claim (DOC) is correct

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Date of Claim* |
| Job Aids  | None |
| 38 CFR and M21-1 Manual | * 38 CFR 3.400
* 38 CFR 3.114 (Change in Law or DVA Issue)
* M21-1 II.i.2.C (Mail Management)
* M21-1 II.i.2.A.4 (Individual an Group Responsibilities for Division Mail Management)
* M21-1 II.iii.1.A.4.c (Determining the Proper DOC for Claims Establishment Purposes)
 |

Establish Veteran Status

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Establish Veteran Status* |
| Job Aids  | None |
| 38 CFR and M21-1 Manual | * 38 CFR 3.2 (Periods of war.)
* 38 CFR 3.12 (Character of discharge.)
* 38 CFR 3.12(a) (Minimum active-duty service requirement.)
* M21-1 III.i.1.A (Establishing Veteran Status)
* M21-1 IX.i.1.1.d. (Overview of Pension Entitlement Requirements)
* M21-1 IX.i.1.2.a. (Wartime Service Requirement for Veterans Pension)
* M21-1 III.ii.6.A.1.f (Deciding Claims Based on Qualifying Service)
* M21-1 X.iv.1.A.2.d. (Discharge for UA or AWOL)
 |

Determine Dependency Eligibility for a Spouse of a Veteran

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Determine Dependency Eligibility: Spouse* |
| Job Aids  | * **Dependency Eligibility Requirements** job aid
* **Dependency Eligibility: Spouse** job aid
 |
| 38 CFR and M21-1 Manual | * 38 CFR 3.5 (Dependency and Indemnity Compensation)
* 38 CFR 3.10 (Dependency and Indemnity Compensation Rate for a Surviving Spouse)
* 38 CFR 3.20 (Surviving spouse's benefit for month of veteran's death)
* 38 U.S.C. 1311(a)(2) (Dependency and Indemnity Compensation to a Surviving Spouse)
* 38 U.S.C. 1318 (Benefits for Survivors of Certain Veterans Rated Totally Disabled at Time of Death)
* M21-1 VII.i.2.D (Establishing Marital Relationships in Survivors Cases)
* M21-1 VII.i.2.E.13 (Remarriage of a Surviving Spouse)
 |

Determine Dependency Eligibility for a Child of a Veteran

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | *Dependency Eligibility: Child* |
| Job Aids  | **Dependency Eligibility Requirements** job aid |
| 38 CFR and M21-1 Manual | * 38 CFR 3.24 (Improved Pension Rates-Surviving Children)
* 38 CFR 3.57 (Child.)
* 38 CFR 3.209 (Birth)
* M21-1 IX.iii.1.E.4.d. (Child Not in Custody)
* M21-1 IX.iii.1.E.4.a. (General Information on a Surviving Child Entitled to Survivors Pension in Their Own Right)
 |

Establish Parental Relationship to a Veteran for the Purpose of Receiving DIC Benefits

| Reference Type | Reference Name |
| --- | --- |
| Lesson  | ***Establish Parental Relationship for DIC*** |
| Job Aids  | **Establish Parental Relationship** job aid |
| 38 CFR and M21-1 Manual | * 38 CFR 3.25 (Parents’ Dependency and Indemnity Compensation (DIC) – Method of Payment Computation)
* 38 CFR 3.59 (Parent)
* 38 CFR 3.250 (Dependency of Parents; Compensation)
* M21-1 VII.i.4.A. (Establishing Parental Relationship)
* M21-1 IX.iii.1.A.4. (Pension and Parent’s DIC Award Effective Dates and Payment Dates)
* M21-1 IX.iii.1.D (Parents’ Dependency and Indemnity Compensation (DIC) Authorization)
 |

Verify Proof of Death of Veteran

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | *Verify Proof of Death of Veteran for Survivors’ Benefits* |
| Job Aids | None |
| 38 CFR and M21-1 Manual | * 38 CFR 3.211 (Death)
* 38 CFR 3.212 (Unexplained Absence for 7 Years)
* M21-1 X.iv.2.B (Considering Eligibility When Homicide is Involved)
* M21-1 XII.i.3.B.1.a. (Acceptable Proof of Death)
* M21-1 XI.iii.1.A.4.e. (Proof of Death)
 |

Determine if an Accrued Claim Meets Time Requirements

| Reference Type | Reference Name  |
| --- | --- |
| Lesson  | *Determine Accrued Benefits Eligibility* |
| Job Aids | **Accrued Benefits** job aid |
| 38 CFR and M21-1 Manual | * 38 CFR 3.1000 (Entitlement under 38 U.S.C. 5121 to benefits due and unpaid upon death of a beneficiary.)
* M21-1 XI ii.3. (Accrued and Substitution)
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