Pension and fiduciary service

PMC VSR Core Course

**Ready to Rate**

Job Aid

June 2024

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**Please note:** ***This job aid is not to serve as a replacement for the manual and should not be considered as an all-inclusive source.*** This job aid lists the types of claims that require a rating and the evidence required for a claim to be ready to rate.

Table 1: Basic Ready to Rate Requirements

| Rating Issues/ClaimTypes (Not all Inclusive) | Evidence Type (Not all Inclusive) | Requirement (Not an Exhaustive List) | References (Not all Inclusive) |
| --- | --- | --- | --- |
| * Permanent Incapacity for Self-Support
* Permanent and total disability
* Accrued
* Service-connected death for burial benefits and DIC
* DIC based on 38 U.S.C. 1151 or 38 U.S.C. 1318
* Competency
* Special Monthly Pension (SMP)
 | Claim for benefit(s) | Must be on the prescribed form. | * **Claim Types** job aid
* M21-1, V.i.1.A.1.b. (Specific Issues Requiring a Rating Decision)
* M21-1, X.ii.6.A (Evaluating and Rating Competency)
 |
| * Permanent Incapacity for Self-Support
* Permanent and total disability
* Accrued
* Service-connected death for burial benefits and DIC
* DIC based on 38 U.S.C. 1151 or 38 U.S.C. 1318
* Competency
* Special Monthly Pension (SMP)
 | U.S.C. 5103 Notice | If development is necessary, confirm that an adequate U.S.C. 5103 notice was provided to the claimant (in the form of an EZ form [most common]) or sent in a development letter if the claim was submitted on a non-EZ form.Confirm that the one-year time limit from the date of 5103 notification has not expired. | * M21-1 III.i.2.B.1. (Duty to Notify Under 38 U.S.C. 5103)
* M21-1, X.ii.6.A (Evaluating and Rating Competency)
* M21-1, IX.ii.2.C (Special Monthly Pension (SMP) Ratings)
* M21-1, XI.ii.3.D (Rating Accrued Claims)
* M21-1, XII.i.1.B (Common Dependency and Indemnity Compensation (DIC) Processing Issues
* M21-1, XII.i.2.A (Ratings for Dependency and Indemnity Compensation DIC)
 |
| * Permanent Incapacity for Self-Support
* Permanent and total disability
* Accrued
* Service-connected death for burial benefits and DIC
* DIC based on 38 U.S.C. 1151
* Competency
* Special Monthly Pension (SMP)
 | Medical | The following types of medical evidence may be accepted for rating purposes. If the evidence is:* A statement from a physician, Certified Nurse Practitioner (CNP), Clinical Nurse Specialist (CNS), or a Physician Assistant (PA)
* A hospital or examination report from any government or private institution
* Adequate Medical Evidence

Per 38 CFR 3.159 (Department of Veterans Affairs assistance in developing claims), *Competent medical evidence* means evidence provided by a person who is qualified through education, training, or experience to offer medical diagnoses, statements, or opinions. Competent medical evidence may also mean statements conveying sound medical principles found in medical treatises. It also includes statements contained in authoritative writings such as medical and scientific articles and research reports or analyses. | * M21-1, IX.ii.2.C (Special Monthly Pension (SMP) Ratings)
* M21-1, IX.ii.1.A.1.f. (Applicable Regulatory References for Certain A&A Status Issues)
* M21-1, IX.ii.2.C.1.b. (Medical Evidence Used for A&A Ratings)
* M21-1, XII.i.2.B.1.b. (Evidence on Which to Base A&A and Housebound Determinations)
* M21-1, X.ii.6.A (Evaluating and Rating Competency)
 |

Table 2: Specific Ready to Rate Requirements

| Rating Issue/ClaimType | When Required (Not all Inclusive)  | Evidence Required (Not all Inclusive) | References (Not an Exhaustive List) |
| --- | --- | --- | --- |
| Permanent Incapacity for Self-Support (Helpless Child) | No prior designation of helpless child under Veteran or Survivors’ award.Do not request evidence or refer a claim to the rating activity more than three months prior to the child’s 18th birthday. | * A statement from child's doctor or medical records that show(s) the date of onset and extent of child's disability, diagnosis, and prognosis to include a description of the present condition, AND

Statements of persons having knowledge of the facts known to them personally in regards to the child, such as teachers, tutors, or social workers, who have observed the child's condition or from institutions where child may have been maintained. The statements should describe child's condition as of age 18 in the detail specified below:* The extent to which child was then physically or mentally deficient, such as the ability to perform self-care functions and the ordinary tasks expected of a child of that age
* Whether or not child attended school and the highest grade attained
* If any material improvement in child's condition has occurred
* If child has ever been employed and, if so, the nature and dates of such employment and the pay received
* Whether or not child has ever been married
* A description of the child's present condition
 | * M21-1 X.ii.6.B.1. (General Information on a Child's Permanent Incapacity for Self-Support)
* M21-1,

X.ii.6.B.2.c. Rating Activity Considerations in Claims Alleging a Child’s Permanent Incapacity for Self-Support  |
| Permanent and total disability | A rating is required if the Veteran is:* 64 years or younger; or
* Unable to secure and follow a substantially gainful occupation by reason of disabilities which are likely to be permanent

A rating is NOT required if the Veteran is:* **65 years or older; or**
* **D**isabled, as determined by the Commissioner of SS for purposes of any benefits administered by the Commissioner, such as SS disability benefits or Supplemental Security Income (SSI); or
* Presumed to be totally and permanently disabled because he/she is a patient in a nursing home or VA-approved medical foster home
 | Medical evidence of current permanent disability.Evidence of current disability may be contained in reports from a VA or a non-VA medical facility, or it may be in evidence already of record showing the existence of a chronic condition likely to interfere with employability. If such evidence is obtained, or is already of record, submit the claim to the rating activity. The medical evidence of record may be located in Virtual VA, VBMS, CAPRI, and/or claims folder. | * M21-1, IX.i.2.2.a. (When a Rating Determination of P&T Disability is Not Required)
* M21-1, IX.i.2.2.e. (When a Rating Determination of P&T Disability is Required)
 |
| Accrued |  | * If treated at a private medical facility include private treatment records related to the claimed conditions. This includes reports or statements from doctors, hospitals, laboratories, medical facilities, mental health clinics, X-rays, physical therapy records, surgical reports, etc. These should include the dates of treatment, findings, and diagnoses.
* Additional evidence may be included, such as personal statements or statements from people who have witnessed how the claimed disabilities affected the Veteran.
 | * M21-1, XI.ii.3.D (Rating Accrued Claims)
 |
| * Service-connected death for burial benefits
* Service-connected death for DIC
* DIC based on 38 U.S.C. 1151
* DIC based on 38 U.S.C. 1318
* Survivors Pension
 | * If the cause of death indicated on death certificate was due to SC or presumptive SC disability
* Claimant has specifically raised the issue of SC for the cause of death on the application
* Veteran was rated totally disabled at time of death
* The Veteran had one or more SC conditions with a combined 100 percent evaluation
* The Veteran was in receipt of individual unemployability benefits
 | Proof of death must include specific cause of death and should be established by one of the following types of evidence: * A copy of the public record of the state or community where death occurred.
* A copy of a coroner's report of death or a verdict of a coroner's jury of the state or community where death occurred, provided such report or verdict properly identified the deceased.
* Where death occurs in a hospital or institution under the control of the United States government:
	+ A death certificate signed by a medical officer, or
	+ A clinical summary or other report showing fact and date of death signed by a medical officer
 | * M21-1, XII.i.2.A (Ratings for Dependency and Indemnity Compensation DIC)
* M21-1, XII.i.1.B (Common Dependency and Indemnity Compensation (DIC) Processing Issues
* M21-1, XII.i.1.B.1.n. Developing for Proof of Death
* M21-1, XII.i.1.B.1.g. (Obtaining Evidence Relating to Cause of Death)
* M21-1, V.ii.2.B (Presumptive Service Connection (SC)
 |
| Competency | Received:* VAF 21-2680 (Examination for Housebound Status or Permanent Need for Regular A&A),
* Medical evidence indicating incompetency, and/or
* Judicial finding (e.g., court decree of incompetency or a court appointment of a fiduciary by reason of incompetency)
 | If received judicial findings or medical evidence raises a question as to the mental capacity of the VA beneficiary to contract or to manage his/her own affairs, including disbursement of funds without limitation, ensure that the following medical evidence addressing competency is included, but not limited to: * An examination,
* Hospital observation, or
* A field examination
 | * 38 CFR 3.353 (Determinations of incompetency and competency)
* M21-1, X.ii.6.A (Evaluating and Rating Competency)
* M21-1, IX.ii.1.A.1.f. (Applicable Regulatory References for Certain A&A Status Issues)
* M21-1, IX.ii.2.C.1.b. (Medical Evidence Used for A&A Ratings)
* M21-1, IX.ii.2.C.1.g. (When No Rating Decision is Required to Grant A&A
 |
| Special Monthly Pension (SMP) | Received VAF 21-2680 and/or any other medical evidence indicating that the Veteran or surviving spouse/parent: * Met all basic eligibility requirement
* Received notification that claimant was recently discharged from a nursing home and does not have an A&A rating
 | * If Veteran or surviving spouse/parent, any of the following medical evidence is required:
	+ VA Form 2680 completed and signed by a licensed health care professional
	+ VAMC examinations
	+ Statements by licensed health care professionals
* If surviving spouse/parent, proof of death of the Veteran is required.
 | * M21-1, IX.ii.2.C.1.b. (Medical Evidence Used for A&A Ratings)
* M21-1, IX.ii.2.C.1.g. (When No Rating Decision is Required to Grant A&A
* M21-1, IX.ii.2.C (Special Monthly Pension (SMP) Ratings)
 |
| Reopen, New, or Reconsideration Claim | Received new and material evidence  | Ensure that evidence is complete for any of the rating/claim types listed above.Refer additional medical evidence to the rating activity if:* It does not duplicate the evidence already of record, or
* There is a question as to whether rating activity review is warranted
 | * M21-1 (X.ii.2.A.2.c. (Definitions: New and Relevant)
* M21-1 X.ii.2.A.2.d. (Action Required on Evidence Submitted With Supplemental Claims)
 |