

PMC VSR Intermediate Core Course

**Phase 5.6: Knowledge Enhancer (KE) Prep Worksheet**

**Appendix A**

July 2024

**Part 1 – Contested Claims**

**Directions**: Read each scenario and provide a response and rationale, then **draft notices to both claimants.**

Scenario 1:

Jessica married the Veteran on February 9, 2017, but left the Veteran in June 2021 due to abuse from the Veteran.  It is determined that Jessica was also with fault in the separation.  The Veteran married again on August 29, 2022.  The marriage to Jessica was never dissolved. The Veteran died on July 9, 2023.  Both Jessica and Denise, the new spouse, filed claims for Survivors Pension as the surviving spouse of the Veteran.

**What is your determination/result:**

**Rationale:**

**Part 2 – SMP, A&A, and HB Claims**

**Directions**: Read each scenario and provide a response**.**

|  |  |
| --- | --- |
| **Scenario** | **Response** |
| Billy Veteran’s, father Roger, who is in receipt of DIC, was in domiciliary care on July 18, 2020. A claim for Roger’s need for A&A was submitted November 10, 2021, after Roger was discharged from the domiciliary on March 29, 2021. **What would be the effective date?** |  |
| A non-VA nursing home under contract with VA to provide nursing home care at VA expense for a specified period of time is known as a what? |  |
| The condition which, through its essential character, requires that the claimant remain in bed is known as being what? |  |
| What allowance is part of SMP and paid due to an individual’s mental or physical disability, who requires the regular A&A of another person in conducting the basic activities of daily living. |  |
| What is considered to be need for personal health-care services provided on a daily basis in the veteran's home by a person who is licensed to provide such services or who provides such services under the regular supervision of a licensed health-care professional? |  |
| Which form can be used as a standalone form to claim spousal or survivors’ A&A or housebound benefits when there is an active claim and/or running DIC or Survivors Pension award and the benefit sought is adequately identified. |  |
| (Yes, or No?) In instances such as a beneficiary being entitled to SMP by rating decision because they require A&A due to chronic invalidism, would an expedited determination of entitlement to SMP be warranted? |  |
| If A&A is denied, the rating decision (should or should not) address HB status?   * What if HB was previously granted, should HB be addressed for potential increase and/or continued in the rating decision? | **Answer 1:**  **Answer 2:** |
| You received VA Form 21-2680 from Kim, who is now claiming A&A; however, the form was incomplete as the beneficiary did not check any boxes in Section III of the form. Should you develop, and if so, how long should you allow the suspense date to run? |  |

**Part 3 – Apportionment Claims**

**Directions**: Read each scenario and provide a response to indicate if apportionment is payable (P) or not payable (NP)**.**

|  |  |
| --- | --- |
| **Scenario** | **P/NP** |
| Henry is a competent Veteran who is physically living apart from his spouse due to marital discord, and his spouse is living someone else, and believed to be married to that person. |  |
| Agnes Veteran’s spouse has been found guilty of conjugal infidelity by not by a court having proper jurisdiction. Agnes is in receipt of Veteran’s pension, with one dependent spouse; however, she has requested that her spouse be removed from the award as they are now divorced. |  |
| Mark Veteran is estranged from his spouse but provides financial support. The spouse files a claim for apportionment, but the evidence submitted by Mark shows he indeed provides financial support, and any additional funds would cause hardship. His spouse is claiming hardship. |  |
| Kim submitted a claim for an apportionment, and upon review of the file, it is determined the total benefit payable to the Veteran is so small that it does not allow payment of a reasonable amount to an apportionee. Kim reports that she and the Veteran have a son, who lives with her and she needs the support. |  |
| Roger is a competent Veteran and he and his spouse reside together but do not cohabit. |  |
| Timothy Veteran is entitled to pension; however, his wife Charity lives with another person, but does not openly hold herself out as the other person’s spouse. |  |
| Ronnie, is aged 18 and incapable of self-support, and is in receipt of VA education benefits and requests an apportionment of survivors’ benefits. |  |