



## Pension Automation DIC Off-Ramp Job Aid

### Purpose

The purpose of this job aid is to assist the claim processor with identifying when an off-ramp issue has occurred for Dependency and Indemnity Compensation (DIC) such as “DIC eligibility remarriage history incomplete”. This Job Aid shows what steps are needed to resolve the off-ramp issue.

### What is an off-ramp issue?

An off-ramp issue occurs for a specific business rule or reason. This is caused when information is missing from the application or record at the time of pension automation. The suspense reason will be updated to show cause of failed action such as “Pension Automation Aborted DIC eligibility denied spouse no cohabitation”.

Example of an off-ramp reason shown in Share suspense screen:

Pension Automation Aborted DIC eligibility denied spouse no cohabitation.

**NOTE: the reason for pension automation DIC eligibility off-ramp can be caused by any section in the martial history being incomplete or missing on the VA Form 21P-534EZ application. Therefore, best practice is to review Share and the application to determine what information is missing.**

### How to identify a DIC eligibility off-ramp issue?

1. Check Share to determine what the suspense reason is listed (e.g. pension automation aborted DIC eligibility denied spouse no cohabitation, eligibility marriage end date review, etc.)

### Sample of common DIC eligibility off-ramp causes and off-ramp reasons

Off-Ramp	Off-Ramp Reason
DIC eligibility denied bad marriage date	Marriage dates on the form must match for automation to occur
DIC eligibility denied bad marriage date	Form 534/534EZ is missing one or more marriage dates
DIC eligibility denied invalid marriage term	The claimant's marriage to the Veteran was not terminated for a reason considered valid for automation, which must be death or divorce
DIC eligibility denied invalid marriage type	The claimant's marriage to the Veteran was not a valid type for automation, which



	cannot be common law, tribal, other, or proxy
DIC eligibility denied married helpless child	A child claimed on the form who is rated helpless is married, must be manually reviewed
DIC eligibility denied married less than 1 year	The marriage to the Veteran lasted less than 1 year, and the spouse did not meet requirements to be spouse, must be manually reviewed
DIC eligibility marriage end date review	Claim ID off-ramped because marriage end date is empty or before veteran date of death
DIC eligibility marriage history incomplete	Claim off-ramped because marriage history is incomplete, additional marriages may be found in VA Form 21-4138 or VA Form 21-686c
DIC eligibility remarriage history incomplete	More information is needed on the claimant's marriage(s) that occurred after the marriage to the Veteran
DIC running award no remarriage	When reviewing a running DIC award, no remarriage was found. Automation can only occur if there is an ongoing remarriage
Eligibility denied no marriage found	Claim off-ramped because no marriage record could be found, which would have resulted in a denial
DIC eligibility denied spouse no cohabitation	The spouse claimant did not live continuously with Veteran from the start of their marriage until the Veteran's death
Form 534_534EZ no claimant relationship	Claimant relationship not specified on form 534/534EZ
Form 534_534EZ multiple claimant relationships	Multiple claimant relationships specified on form 534/534EZ

**NOTE 1: The VSR must review SHARE to determine the off-ramp reason for each claim, where pension automation aborted.**

**NOTE 2:** Claims processors should review the payee code to ensure the claim is correctly established and benefits are properly rendered in accordance with manual regulations.

2. Review the application and claims folders to determine if the information is of record that caused the pension automation to abort.



- a. If the information for pension automation to abort is of record, continue processing the claim.
  - b. If the information for pension automation abort is not of record, develop for the missing information. Follow guidance listed in M21-1, Part VII, Subpart I, Chapter 2.
3. If the pension automation off-ramp reason is valid,
- a. Review the VA Form 21P-534EZ application for marital history:
    - i. Was the surviving spouse married to the Veteran for at least one year immediately preceding the Veteran's death?
    - ii. Did the surviving spouse live with the Veteran continuously from the date of marriage until death?
    - iii. Did the spouse provide complete marital history?
    - iv. Does the spouse have a valid marriage? (common law marriages require an administrative decision)
    - v. Did the spouse remarry after the death of the Veteran?
  - b. **All development must be addressed before updating the claim Ready for Decision (RFD) or Ready to Work (RTW)**
4. Example of Pension Automation off-ramp:

Pension automation aborted because DIC eligibility was denied spouse no cohabitation.

- a. Review the VA Form 21P-534EZ application for martial history.
  - i. Did the spouse live continuously with the Veteran from the date of marriage to the date of the Veteran's death?
  - ii. Since this information was left blank on the application development is needed.



TELL US ABOUT YOUR MARRIAGE TO THE VETERAN		
4A. AT THE TIME OF YOUR MARRIAGE TO THE VETERAN, WERE YOU AWARE OF ANY REASON THE MARRIAGE MIGHT NOT BE LEGALLY VALID? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," provide explanation below)		
4B. WERE YOU MARRIED TO THE VETERAN AT THE TIME OF HIS/HER DEATH? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "NO," complete Item 4C)	4C. HOW DID YOUR MARRIAGE TO THE VETERAN END? <input checked="" type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE <input type="checkbox"/> OTHER (Explain)	
4D. DATES OF YOUR MARRIAGE TO THE VETERAN (MM/DD/YYYY) START: 0 1 / 0 5 / 2 0 0 0 END: 0 7 / 2 0 / 2 0 2 4	4E. PLACE OF MARRIAGE (City/State or Country) Philadelphia PA	4F. PLACE OF MARRIAGE TERMINATION (City/State or Country) Philadelphia PA
4G. TYPE OF MARRIAGE (Ceremonial, Common-Law, Proxy, Tribal, etc.) <input checked="" type="checkbox"/> CEREMONIAL <input type="checkbox"/> OTHER (Explain):		
4H. WAS A CHILD BORN TO YOU AND THE VETERAN DURING YOUR MARRIAGE OR PRIOR TO YOUR MARRIAGE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	4I. ARE YOU EXPECTING THE BIRTH OF THE VETERAN'S CHILD? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	4J. DID YOU LIVE CONTINUOUSLY WITH THE VETERAN FROM THE DATE OF MARRIAGE TO THE DATE OF HIS/HER DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," skip to Item 4L)
4K. WAS THE SEPARATION DUE TO MARITAL DISCORD, MEDICAL, OR FINANCIAL REASONS? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," provide explanation in space provided) NOTE: Give, the reason, date(s), and duration of the separation (If the separation was by court order, attach a copy of the order)		
TELL US ABOUT YOUR REMARRIAGE AFTER THE VETERAN'S DEATH		
4L. HAVE YOU REMARRIED SINCE THE DEATH OF THE VETERAN? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "NO," skip to Item 5A)	4M. WHAT ARE THE DATES OF YOUR REMARRIAGE? (MM/DD/YYYY) START: / / END: / /	
4N. HOW DID YOUR REMARRIAGE END? <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE <input type="checkbox"/> DID NOT END <input type="checkbox"/> OTHER (Explain)		
4O. DID YOU HAVE ADDITIONAL MARRIAGES AFTER THE VETERAN'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES," please submit a VA Form 21-4138, Statement in Support of Claim, as needed to provide the information for each marriage)		

### Why does this matter?

The marriage dates requirement of **38 CFR 3.54** states that benefits may not be paid to the surviving spouse unless *one* of the following requirements is met:

- the claimant was married to the Veteran for at least one year immediately preceding the Veteran's death
- a child was born of the marriage or born to them before the marriage, or
- the marriage occurred before a certain delimiting date.

A claimant filing for survivors benefits as the surviving spouse of a Veteran must establish that the claimant and the Veteran had a valid marriage for Department of Veterans Affairs (VA) purposes.

### What Constitutes a Valid Marriage for VA Purposes

Before paying benefits for a Veteran's spouse or to a Veteran's surviving spouse, determine whether the marriage between the Veteran and his/her spouse is valid for Department of Veterans Affairs (VA) purposes.



A marriage is valid for VA purposes if the marriage was valid under the law of the locality where the parties to the marriage resided

- at the time of marriage, or
- when the claimant filed a valid claim (or became eligible for benefits, if eligibility arose after the date of claim).

For more information on please see M21-1 Part VII, Subpart i, Chapter 2, Section A

**As DIC offramps are being reviewed for specific marital statuses, the surviving spouse may be eligible to the 8x8 benefit which is also subject to marriage requirements. Below is information pertaining to the additional DIC 8x8 allowance.**

### **How does the 8x8 monthly allowance apply?**

For a Veteran who died on or after January 1, 1993, an additional monthly allowance is payable under [38 U.S.C. 1311\(a\)\(2\)](#) if, at the time of the Veteran's death,

- the Veteran was in receipt of, or entitled to receive, compensation for a service-connected (SC) disability rated totally disabling (including a rating based on individual unemployability) for a continuous period of at least eight years immediately preceding death, and
- the surviving spouse was married to the Veteran for those same eight years.

**Important:** Both requirements must be met in order to establish entitlement to this supplemental allowance.

**Note:** Entitlement to this additional benefit must be identified during Veterans Benefits Management System (VBMS)-Awards processing by recording, in order, the

- eligible for Dependency and Indemnity Compensation (DIC) decision to establish basic eligibility, and
- 8x8 Criteria is met from original eligibility date decision to record the additional benefit payable.

**Reference:** For more information on processing DIC awards, see the VBMS Awards User Guide

M21-1, Part XII, Subpart I, Chapter 4, Section B.1.a. Additional Allowance if Veteran Was Totally Disabled for Eight Years

### **Scenario 1**



The VA received a claim for DIC benefits from Jane Doe. A VSR reviewed the SHARE suspense screen and determined that pension automation was aborted and DIC eligibility was denied as “spouse no cohabitation.” The VSR then reviewed the application and claims folders to determine if the information was of record that caused the pension automation to abort.

## Questions

1. If the information for pension automation to abort **is of record**, what should happen with the claim?

**Answer 1:** Continue processing the claim.

2. If the information for pension automation abort **is not of record**, what should happen with the claim?

**Answer 2:** Develop for the missing information. Follow guidance listed in M21-1, Part VII, subpart I, Chapter, 2.

## Scenario 2

1. The VA received an application for DIC benefits. The VSR assigned to the claim notes that the deceased Veteran was in receipt of, or entitled to receive, compensation for a service-connected (SC) disability rated totally disabling (including a rating based on individual unemployability) for a continuous period of at least eight years immediately preceding death, and the surviving spouse was married to the Veteran for those same eight years.

**Question:** If it is determined that the claimant is entitled to DIC, what supplemental allowance should be granted?

**Answer: Additional 8x8 allowance.** Follow guidance listed in M21-1, Part XI, I Subpart I, Chapter 4, Section B.1.a