



PENSION AND FIDUCIARY SERVICE

PMC VSR Advanced Core Course
Phase 5: Stages of a Claim
Part 1: Determine Eligibility

Lesson 7: Introduction to Old Law and Section 306 Programs

Trainee Guide

October 28, 2016

Version 1.0

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Introduction to Old Law and Section 306

Lesson Overview

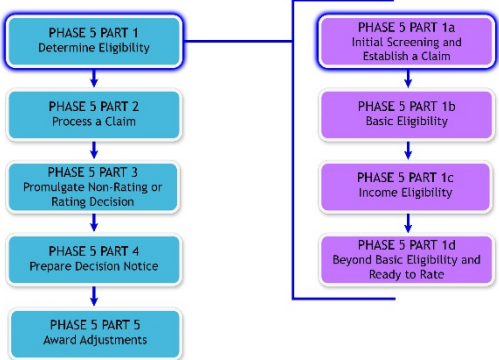
Topic	Description
Time Estimate:	30 minutes
Purpose of the Lesson:	This lesson is part of the entry-level curriculum, Core Course for PMC VSRs. The purpose of this lesson is to prepare you to recognize Section 306 and Old Law Pension related claims.
Prerequisite Training Requirements:	Prior to taking Introduction to Old Law and Section 306 lesson, you must complete PMC VSR Core Course Phases 1–4, and Phase 5, Part 1, lessons 1–6. (Refer to the Master Course Map learning aid for a list of lessons.)
Target Audience:	This lesson is for entry level PMC VSRs.
Lesson References:	<ul style="list-style-type: none"> • Master Course Map learning aid • M21-1 V.iii.1.C (Section 306 Pension and Old Law Pension) • M21-1 V.iii.1.C.1.a (Continuity of Entitlement) • M21-1 V.iii.1.C.1.b (Calendar Year IVAP) • M21-1 V.iii.1.C.1.c (Section 306 Pension Countable Income) • M21-1 V.iii.1.C.1.e (Old Law Pension Countable Income) • M21-1 V.iii.1.E.2.a. (General Information on MAPR) • M21-1 V.iii.5.1.c (When the Right of Continued Entitlement to Old Law or Section 306 Pension Is Not Protected) • M21-1 V.iii.5.1.d (Changing a Beneficiary's Benefit Type) • M21-1 V.iii.5.2.b (Action to Take When an Election is Not In the Claimant's Interest) • Old Law and Section 306 Pension Programs job aid
Knowledge Check:	Phase 5: Stages of a claim, Part 1a: Initial Screening and Claims Establishment Knowledge Check

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Topic	Description
Technical Competencies:	<ul style="list-style-type: none"> • Program Benefits and Eligibility (PMC VSR) • Processing Claims (PMC VSR) • VBA Applications (PMC VSR)
Lesson Objectives:	<p>Recognize an Old Law or Section 306 pension claim.</p> <ul style="list-style-type: none"> • Describe the characteristics of Old Law. • Describe the characteristics of Section 306 pension.
What You Need:	<ul style="list-style-type: none"> • Trainee Guide • Master Course Map learning aid • Access to VBA Intranet • Pen and paper • Access to the following systems: <ul style="list-style-type: none"> ○ SHARE ○ VVA ○ VBMS ○ C&P Awards (VETSNET) ○ BDN • Access to the Old Law and Section 306 Pension Programs job aid from VSR Assistant

PowerPoint Slides	Notes
Lesson 7: Introduction to Old Law and Section 306 Programs	

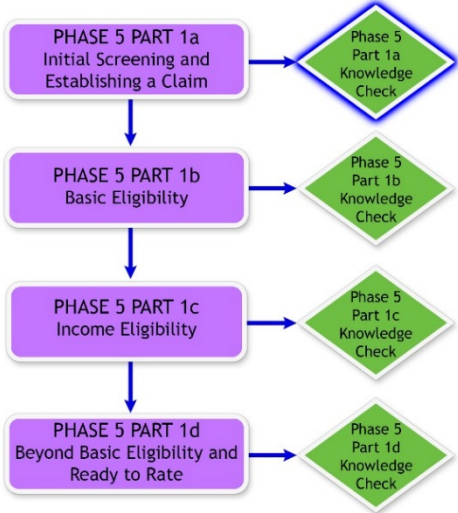
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PowerPoint Slides	Notes
<p>You Are Here</p>  <pre> graph TD P1[PHASE 5 PART 1 Determine Eligibility] --> P2[PHASE 5 PART 2 Process a Claim] P2 --> P3[PHASE 5 PART 3 Promulgate Non-Rating or Rating Decision] P3 --> P4[PHASE 5 PART 4 Prepare Decision Notice] P4 --> P5[PHASE 5 PART 5 Award Adjustments] P1 --> P1a[PHASE 5 PART 1a Initial Screening and Establish a Claim] P1a --> P1b[PHASE 5 PART 1b Basic Eligibility] P1b --> P1c[PHASE 5 PART 1c Income Eligibility] P1c --> P1d[PHASE 5 PART 1d Beyond Basic Eligibility and Ready to Rate] P1d --> P2 </pre>	
<p>Initial Screening</p> <ul style="list-style-type: none"> • Complete or Incomplete Applications for Benefits • Fully Developed Claims • Flash, Expedited (Priority), Previous, Dual or Reopened/New Claims • Date of Claim • Validate POA • End Product Codes • Introduction to Old Law and Section 306 Pension Programs 	

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PowerPoint Slides	Notes
<p>Why You Need to Know about Old Law and Section 306 Pension Programs</p> <ul style="list-style-type: none"> • These types of claims are rare. • Entitlement to these pension programs is restricted to beneficiaries who were continuously entitled to receive benefits from the dates on which the programs were phased out until the present. • Section 306 and Old Law beneficiaries continue to receive the rates to which they were entitled on their respective phase-out dates. 	
<p>Technical Competencies</p> <ul style="list-style-type: none"> • Program Benefits and Eligibility (PMC VSR) • Processing Claims (PMC VSR) • VBA Applications (PMC VSR) 	
<p>Lesson Objectives</p> <p>Recognize an Old Law or Section 306 pension claim.</p> <ul style="list-style-type: none"> • Describe the characteristics of Old Law. • Describe the characteristics of Section 306 pension. 	

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PowerPoint Slides	Notes
<p>Knowledge Check</p>  <pre>graph TD; A[PHASE 5 PART 1a Initial Screening and Establishing a Claim] --> B{Phase 5 Part 1a Knowledge Check}; A --> C[PHASE 5 PART 1b Basic Eligibility]; C --> D{Phase 5 Part 1b Knowledge Check}; C --> E[PHASE 5 PART 1c Income Eligibility]; E --> F{Phase 5 Part 1c Knowledge Check}; E --> G[PHASE 5 PART 1d Beyond Basic Eligibility and Ready to Rate]; G --> H{Phase 5 Part 1d Knowledge Check};</pre> <p>The diagram illustrates the four parts of Phase 5 and their corresponding knowledge checks. It is a vertical flowchart where each part leads to the next part and also has a knowledge check box to its right. The first knowledge check box (for Part 1a) is highlighted with a blue border.</p>	

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PowerPoint Slides	Notes
<p>What You Need to Know about Old Law and Section 306 Pension Claims</p> <ul style="list-style-type: none">• These are most likely to be seen during claim maintenance.• Old Law and Section 306 pension rates are protected.• If a beneficiary of Old Law or Section 306 wants to receive a higher rate of pension, the beneficiary must elect current-law pension.• Old Law and Section 306 pension can be discontinued due to:<ul style="list-style-type: none">○ Fraud○ Treason○ Subversion○ Incarceration○ Exceeding the income limit	

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PowerPoint Slides	Notes
<p>Overview of Old Law and Section 306 Pension Programs</p> <ul style="list-style-type: none">• Entitlement is restricted to beneficiaries who were continuously entitled to receive benefits from the dates on which the programs were phased out until the present.• Old Law<ul style="list-style-type: none">○ June 30, 1960• Section 306<ul style="list-style-type: none">○ December 31, 1978	
<p>Characteristics of Old Law Pension Program</p> <ul style="list-style-type: none">• Benefits for Old Law are calculated on a calendar year basis.• Claims for Old Law must show that continuous entitlement from June 30, 1960, can be established.• Only certain types of income constitute countable income for Old Law pension benefits.	

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PowerPoint Slides	Notes
<p>Characteristics of Section 306 Pension Program</p> <ul style="list-style-type: none">• Benefits for Section 306 pension are calculated on a calendar year basis.• Income must be below the Maximum Annual Pension Rate (MAPR) to keep the protected rate.• Claims for Section 306 pension must show that continuous entitlement from December 31, 1978, can be established.	
<p>How to Recognize an Old Law or Section 306 Pension Claim</p> <ul style="list-style-type: none">• Review entitlement column on the Award Information tab in the Corporate Record.• Review the rate being received.• Review the date of entitlement.	

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PowerPoint Slides	Notes
<p>Group Practice Exercise— Entitlement to Old Law and 306 Pension Benefits</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ The instructor will read the scenario(s) aloud.○ Access CPKM to use the M21-1.○ Raise your hand when you know the answer.○ Explain the reason for your answer.• Time allowed: 10 min.	
<p>Scenario 1—Is the Claimant Entitled to Old Law or 306 Pension Benefits?</p> <p>You receive a submission of income from a claimant. You review the claim and see that the claimant is receiving entitlement under Section 306 pension. You review the submission of income and determine the income is from unemployment compensation. Based on the type of income received, is the claimant still entitled to receive Section 306 pension?</p>	


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PowerPoint Slides	Notes
<p>Scenario 1—Is the Claimant Entitled to Old Law or 306 Pension Benefits? Answer</p> <p>You receive a submission of income from a claimant. You review the claim and see that the claimant is receiving entitlement under Section 306 pension. You review the submission of income and determine the income is from unemployment compensation. Based on the type of income received, is the claimant still entitled to receive Section 306 pension?</p>	
<p>Scenario 2—Should the Claimant Continue to Receive Old Law Pension Benefits?</p> <p>You receive an election from a claimant who was previously receiving pension under Old Law. After reviewing all information in the claim, you determine the monthly rate of the current-law pension would be less than what the claimant is currently receiving under Old Law pension. Based on your findings, what action would you take?</p>	

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PowerPoint Slides	Notes
<p>Scenario 2—Is the Claimant Entitled to Old Law or 306 Pension Benefits? Answer</p> <p>You receive an election from a claimant who was previously receiving pension under Old Law. After reviewing all information in the claim, you determine the monthly rate of the current-law pension would be less than what the claimant is currently receiving under Old Law pension. Based on your findings, what action would you take?</p>	

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PowerPoint Slides	Notes
<p>Lesson Recap—Old Law and Section 306 Pension Programs</p> <ul style="list-style-type: none">• Protected programs• Most likely to be seen during claim maintenance• Entitlement restricted to beneficiaries who were continuously entitled to receive benefits from the dates on which the programs were phased out until the present• Review date of entitlement and entitlement codes to determine if claimant is currently receiving Old Law or Section 306 pension benefits• Only certain types of income constitute countable income for Old Law and Section 306 pension programs	
<p>Questions?</p> 	
<p>What's Next</p> <ul style="list-style-type: none">• Phase 5, Part 1, Lesson 8: Establish a Claim (CEST)• Review of all job aids and references provided in this lesson	