



PENSION AND FIDUCIARY SERVICE

PMC VSR Advanced Core Course
Phase 6: Processing Claims

Lesson 18: Process Incarceration/Fugitive Felon Adjustments

Trainee Guide

September 11, 2017

Version 1.0

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

Process Incarceration/Fugitive Felon Adjustments

Lesson Overview

Topic	Description
Time Estimate:	6 hours
Purpose of the Lesson:	This lesson is part of the entry-level course for PMC VSRs. The purpose of this lesson is to prepare you to recognize and process adjustments to the awards of beneficiaries with changes in incarceration and fugitive felon status.
Prerequisite Training Requirements:	Prior to taking the Process Incarceration/Fugitive Felon Adjustments lesson, you must complete the entry-level course Phases 1-5 and Phase 6, lessons 1-17.
Target Audience:	This lesson is for entry-level PMC VSRs.
Lesson References:	<ul style="list-style-type: none"> • Master Course Map learning aid • VA Form 21-4193, Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution • VA Form FFP-3, VA Investigative Summary Form • M21-1 III.v.8.A.1.a (Definition: Incarceration) • M21-1 III.v.8.A.1.b (Regulatory Requirements for Reducing or Discontinuing Benefits During Incarceration) • M21-1 III.v.8.A.1.f (Beneficiaries and Dependents That Are Fugitive Felons) • M21-1 III.v.8.A.2.e (Effect of Incarceration on Payments of DIC) • M21-1 III.v.8.A.2.f (Effect of Incarceration on Pension Awards) • M21-1 III.v.8.A.3.a (Action to Take Upon Receipt of Notice of Incarceration) • M21-1 III.v.8.A.3.d (Verifying the Details of Incarceration) • M21-1 III.v.8.C.1.b (Reducing a Veteran's Pension Rate After a Dependent's Incarceration)

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

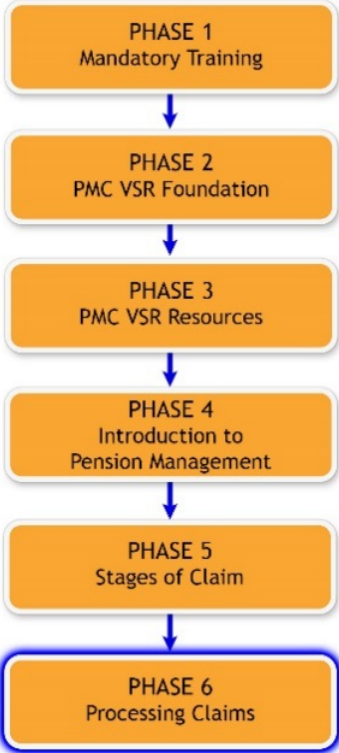
Topic	Description
	<ul style="list-style-type: none"> • M21-1 X.12 (Bureau of Prisons [BOP] Match) • M21-1 X.15 (Social Security Administration [SSA] Prison Match) <ul style="list-style-type: none"> ○ M21-1 X.15.2.g (Processing the SSA Prison Match Case) • M21-1 x.16 (Fugitive Felon Match) <ul style="list-style-type: none"> ○ M21-1 X.16.1.f (VBA Responsibilities With Regard to the Match) ○ M21-1 X.16.2.b (Handling Fugitive Felon Cases That Must Be Processed Manually) ○ M21-1 X.16.2.d (Deciding Whether an Individual Is a Fugitive Felon and Notifying the Beneficiary of the Decision) ○ M21-1 X.16.2.g (Resuming a Beneficiary's Award) • See Lesson 18: <i>Appendix A</i> for references introduced in earlier lessons.
Technical Competencies:	<ul style="list-style-type: none"> • Program Benefits and Eligibility (PMC VSR) • Processing Claims (PMC VSR) • VBA Applications (PMC VSR) • Income Counting and Net Worth • Special Monthly Pension Processes
Knowledge Check:	Phase 6, Lesson 18 Knowledge Check: Process Incarceration/Fugitive Felon Adjustments

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

Topic	Description
Lesson Objectives:	<p>Process evidence of incarceration/fugitive felon status.</p> <ul style="list-style-type: none"> • Determine actions based on the source of the incarceration/fugitive felon notification. • Determine if evidence is sufficient to process adjustment. • Apply the correct development actions for the information/evidence missing from claim. • Decide the award action(s). • Apply due process provisions. • Create decision notice. • Submit the claim to the Authorizer.
What You Need:	<ul style="list-style-type: none"> • Trainee guide • Master Course Map learning aid • Access to VSR Assistant to use the job aids associated with each claim • Access to the following job aids from VSR Assistant: <ul style="list-style-type: none"> ○ Incarceration/Fugitive Felon job aid ○ Processing an Award Adjustment job aid • See Lesson 18: <i>Appendix A</i> for specific job aids from prerequisite lessons • Applicable VBA applications used in job aids and references listed in Appendix A

PowerPoint Slides	Notes
Lesson 18: Process Incarceration/Fugitive Felon Adjustments	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>You Are Here</p>  <pre>graph TD; P1[PHASE 1 Mandatory Training] --> P2[PHASE 2 PMC VSR Foundation]; P2 --> P3[PHASE 3 PMC VSR Resources]; P3 --> P4[PHASE 4 Introduction to Pension Management]; P4 --> P5[PHASE 5 Stages of Claim]; P5 --> P6[PHASE 6 Processing Claims];</pre>	
<p>Technical Competencies</p> <ul style="list-style-type: none">• Program Benefits and Eligibility (PMC VSR)• Processing Claims (PMC VSR)• VBA Applications (PMC VSR)• Income Counting and Net Worth• Special Monthly Pension Processes	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Prerequisite References</p> <ul style="list-style-type: none"> • Refer to the references in Lesson 18: <i>Appendix A</i> for additional information learned in previous lessons. • Keep the VSR assistant and M21-1 manual open and ready to use. 	
<p>Incarceration Example</p> <p>You receive a Bureau of Prisons (BOP) work item for Harry Stone, indicating that he was incarcerated at Brinks Prison on January 14, 2017. After calling the prison, you learn that Mr. Stone committed a felony on October 4, 2016, and was sent to his local jail until his court appearance on December 28, 2016. He was convicted on December 28, 2016, and moved to Brinks Prison on January 14, 2017. He was released to the public on August 12, 2017.</p>	
<p>Why It Matters!</p> <p>Under VA regulation, reduction or discontinuance of pension and/or DIC benefits may be required for incarceration or fugitive felon status of a payee.</p>	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Lesson Objectives</p> <p>Process evidence of incarceration/fugitive felon status.</p> <ul style="list-style-type: none"> • Determine actions based on the source of the incarceration/fugitive felon notification. • Determine if evidence is sufficient to process adjustment. • Apply the correct development actions for the information/evidence missing from claim. • Decide the award action(s). • Apply due process provisions. • Create decision notice. • Submit the claim to the Authorizer. 	
<p>Knowledge Check</p> <pre> graph TD P1[PHASE 1 Mandatory Training] --> K1{Lesson Specific} P1 --> P2[PHASE 2 PMC VSR Foundation] P2 --> K2{TPSS Knowledge Check} P2 --> P3[PHASE 3 PMC VSR Resources] P3 --> K3{Phase 3 Knowledge Check} P3 --> P4[PHASE 4 Introduction to Pension Management] P4 --> K4{Phase 4 Knowledge Check} P4 --> P5[PHASE 5 Stages of Claim] P5 --> K5{Multiple Knowledge Check} P5 --> P6[PHASE 6 Processing Claims] P6 --> K6{Multiple Knowledge Check} </pre>	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Incarceration/Fugitive Felon Job Aid</p> <p>The Incarceration/Fugitive Felon job aid will be used throughout this lesson as a guide for processing incarceration/fugitive felon adjustments.</p>	
<p>Lesson Overview</p> <ul style="list-style-type: none"> • Introduction to incarceration and fugitive felon adjustments • Demonstration—Instructor processes evidence of incarceration or fugitive felon status from start to finish with opportunities for questions • Guided Practice Exercise—Trainees process evidence of incarceration or fugitive felon status with questions and feedback/remediation 	
<p>Rules for Incarceration Adjustments</p> <ul style="list-style-type: none"> • Instructions <ul style="list-style-type: none"> ○ Complete the worksheet using the references provided. ○ Be prepared to discuss the answers as a class. • Time allowed: 10 minutes 	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

Rules for Incarceration Adjustments Worksheet

Work with a partner to answer the following questions using the references listed below. Be prepared to discuss the answers with the class.

- M21-1 III.v.8.A.1.a (Definition: Incarceration)
- M21-1 III.v.8.A.1.b (Regulatory Requirements for Reducing or Discontinuing Benefits During Incarceration)
- M21-1 X.15 (Social Security Administration [SSA] Prison Match)
- M21-1 X.12 (Bureau of Prisons [BOP] Match)
- M21-1 III.v.8.A.3.a (Action to Take Upon Receipt of Notice of Incarceration)

Questions

1. Define incarceration for VA purposes.


2. What action do you take if beneficiary in receipt of DIC is incarcerated in a federal correctional facility more than 60 days following conviction of a felony? A misdemeanor?

3. What action do you take if a beneficiary in receipt of pension is incarcerated in a state penal institution for more than 60 days following conviction of a felony? A misdemeanor?



4. For an SSA prison match, what evidence do you have to obtain from the facility where the beneficiary or dependent is/was incarcerated?

5. For a BOP prison match, what evidence do you have to obtain from the facility where the beneficiary or dependent is/was incarcerated?




**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Rules for Fugitive Felon Adjustments—Scenario Pt. 1</p> <p>An 840 work item is received indicating that Veteran, Elizabeth Talman, has an active warrant and is considered a fugitive felon. Ms. Talman currently has a running pension award with no dependents. There is no arrest or clear/invalid date listed on the FFP-3 VA Investigative Summary Form.</p>	
<p>Rules for Fugitive Felon Adjustments—Scenario Pt. 2</p> <p>You contacted the agency and the agency stated that the Veteran's warrant was cleared three months after the issuance.</p>	
<p>Rules for Fugitive Felon Adjustments—Scenario Pt. 3</p> <p>After 65 days in suspense, you review the EP 607 and determine no new information was received from the Veteran in response to due process.</p>	
<p>Demonstration Claim 1—Process an Incarceration Adjustment</p>  <ul style="list-style-type: none"> • Demonstration Claim 1 <ul style="list-style-type: none"> ○ {Names} ○ {Other information} 	



Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claim 1—Determine Appropriate Actions Based on the Source of the Notification</p>  <ul style="list-style-type: none">• SSA Prison Match• BOP Prison Match• VA Form 21-4193, Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution• Statement received from official source<ul style="list-style-type: none">○ Prison or law enforcement authority○ Prosecutor○ Parole officer• Notification from other source	
<p>Claim 1—Determine if Evidence is Sufficient to Process</p>  <ul style="list-style-type: none">• Evidence received from an official source• Evidence received from the beneficiary or dependent of the beneficiary	



**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Claim 1—Determine if Due Process is Applicable</p>  <ul style="list-style-type: none"> • Due process must be issued prior to a reduction in benefits each time a beneficiary is incarcerated for more than 60 days • Do not apply due process if the beneficiary has a reopened claim or an original claim • In the case of a reopened or original claim, review the evidence to determine if benefits can be reinstated or granted/denied 	
<p>Claim 1—Implement the Award Action</p>  <ul style="list-style-type: none"> • Reduce benefits • Discontinue benefits 	
<p>Claim 1—Create the Decision Notice</p>  <ul style="list-style-type: none"> • Create decision notice in PCGL • Processing an Award Adjustment job aid 	



Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claim 1—Submit to the Authorizer</p>  <ul style="list-style-type: none">• Submit completed adjustment and decision notice to the Authorizer• Annotate the Award Checklist job aid	
<p>Claim 1a—Reinstate Benefits</p>  <ul style="list-style-type: none">• A beneficiary may report release from incarceration:<ul style="list-style-type: none">○ In writing○ By telephone, e-mail, or fax○ Through eBenefits• Effective date is the date incarceration ended• Do not resume benefits until beneficiary's release has been confirmed by an official source	




**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Demonstration Claim 2— Process a Fugitive Felon Adjustment</p>  <ul style="list-style-type: none">• Demonstration Claim 2<ul style="list-style-type: none">○ {Names}○ {Other information}	
<p>Claim 2—Review the Fugitive Felon Program Form FFP-3 (VA Investigative Summary Form)</p>  <ul style="list-style-type: none">• Fugitive Felon Match• Indicates that it did not meet the criteria for automated processing	


Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claim 2—Confirm Individual Receiving Benefits</p>  <ul style="list-style-type: none">• Compare FFP-3 to corporate record• Ensure the following information in the corporate record matches the FFP-3:<ul style="list-style-type: none">○ Name○ DOB○ SSN• If information is not a match, notify P&F via email and take no further action	
<p>Claim 2—Apply Due Process Provisions</p>  <ul style="list-style-type: none">• Notice of proposed adverse action must state date VA proposes to reduce/discontinue benefits• Effective date will be the later of the following dates:<ul style="list-style-type: none">○ Date of the warrant, or○ December 27, 2001	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Claim 2—Implement the Award Action</p>  <ul style="list-style-type: none">• Reduce benefits• Discontinue benefits	
<p>Claim 2—Create Decision Notice</p>  <ul style="list-style-type: none">• Create decision notice in PCGL• Processing an Award Adjustment job aid	
<p>Claim 2—Submit to the Authorizer</p>  <ul style="list-style-type: none">• Submit completed adjustment and decision notice to the Authorizer• Annotate the Award Checklist job aid	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claim 2a—Reinstate Benefits</p>  <p>Resume benefits for a beneficiary the first of the month following the date the fugitive-felon status ended using the earlier of the following dates:</p> <ul style="list-style-type: none">• The date of arrest for the particular warrant that resulted in the generation of Form FFP-3• The date the warrant is determined to be invalid by the warrant agency, a court, or OIG	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Guided Practice Exercise Overview (1 of 2)</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Divide into two groups○ Group 1 will process Claim 3 from beginning to end and Group 2 will process claim 4 from beginning to end.○ Use the job aids, references, and systems available.○ Consult with instructors and fellow group members for assistance.○ Be prepared to discuss your results with the class.○ Take credit in ASPEN at the completion of the exercise.	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Guided Practice Exercise Overview (2 of 2)</p> <ul style="list-style-type: none">• This exercise includes the following parts of performing and award adjustment for incarceration/fugitive felon:<ul style="list-style-type: none">○ Determine if evidence is sufficient to process adjustment.○ Apply the correct development actions, if applicable.○ Apply due process provisions.○ Decide the award action(s).○ Create Personal Computer Generated Letter (PCGL) decision notification.○ Submit the claim to the Authorizer.	
<p>Guided Practice Exercise Claims 3 and 4—Process Incarceration/Fugitive Felon Adjustments</p> <ul style="list-style-type: none">• Guided Practice Exercise Claim 3:<ul style="list-style-type: none">○ {Name}○ {Other information}• Guided Practice Exercise Claim 4:<ul style="list-style-type: none">○ {Name}○ {Other information}• Time allowed: 2 hours	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Determine if Evidence is Sufficient to Process Adjustment</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Review the evidence in assigned claim to determine if an adjustment can be made.<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Use the job aids, references, and systems available.○ Confer with another member of your group.○ Be prepared to discuss your results with the class.• Time allowed: 20 minutes	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Apply the Correct Development Actions, if Applicable</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Review the evidence in assigned claim to determine if development is needed.<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Use the job aids, references, and systems available.○ Confer with another member of your group.○ Be prepared to discuss your results with the class.• Time allowed: 20 minutes	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Apply Due Process Provisions</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Review the evidence in assigned claim to determine if due process provisions should be applied.<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Use the job aids, references, and systems available.○ Confer with another member of your group.○ Be prepared to discuss your results with the class. <p>Time allowed: 20 minutes</p>	


Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Decide the Award Action(s)</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Review the evidence in assigned claim to determine the final award action.<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Use the job aids, references, and systems available.○ Confer with another member of your group.○ Be prepared to discuss your results with the class. <p>Time allowed: 20 minutes</p>	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Create the Decision Notice</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Perform the steps to prepare the decision notice for assigned claim.<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Use the job aids, references, and systems available.○ Confer with a member of your group to assess each other's decision notice.○ Ask for guidance from the instructor if you identify discrepancies.• Time allowed: 30 minutes	

Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide

PowerPoint Slides	Notes
<p>Claims 3 and 4—Submit the Claim to the Authorizer</p> <ul style="list-style-type: none">• Instructions:<ul style="list-style-type: none">○ Finalize notes for assigned claim:<ul style="list-style-type: none">▪ Group 1: Claim 3▪ Group 2: Claim 4○ Save completed work in appropriate locations for review by the Authorizer.○ Use the job aids, references, and systems available.• Time allowed: 15 minutes	
<p>Questions?</p> 	
<p>Lesson Summary (1 of 2)</p> <p>What is the process when you receive evidence of incarceration or a fugitive felon?</p>	

**Lesson 18: Process Incarceration/Fugitive Felon Adjustments
Trainee Guide**

PowerPoint Slides	Notes
<p>Lesson Summary (2 of 2)</p> <ul style="list-style-type: none"> • <i>Determine actions based on the source of the incarceration/fugitive felon notification.</i> • <i>Determine if evidence is sufficient to process adjustment.</i> • <i>Apply the correct development actions for the information/evidence missing from claim.</i> • <i>Decide the award action(s).</i> • <i>Apply due process provisions.</i> • <i>Create decision notice.</i> • <i>Submit the claim to the Authorizer.</i> 	
<p>What's Next?</p> <p>Knowledge Check: Process Incarceration/Fugitive Felon Adjustments</p>	