Pension and Fiduciary Service

PMC VSR Advanced Core Course Phase 6: Practical Application and Experience

Process Election Claims

Trainee Guide

July 2024

Lesson Overview

| Topic | Description |
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| Time Estimate: | 3 hours |
| Purpose of the Lesson: | This lesson is part of the entry-level course for PMC VSRs. The purpose of this lesson is to train you to process election claims through demonstration, practice, and feedback. |
| Prerequisite Training Requirements: | Prior to taking the Process Election Claims lesson, you must complete the entry-level course Phases 1–5.6. |
| Target Audience: | This lesson is for entry-level PMC VSRs. |
| Lesson References: | * M21-1 III.i.2.D.1.a. (Written Requests for Evidence) * M21-1 III.i.2.D.2.b. (Next Steps After Sending a Request For Evidence) * M21-1 III.i.2.D.2.c.  (Incomplete Responses That Justify Award Action) * M21-1 VI.i.1.A (Decision Authorization) * M21-1 VI.ii.1 (General Information on Elections)   + M21-1 VI.ii.1.A.1.a.  (Definition: Election)   + M21-1 VI.ii.1.A.1.b.  (Definition: Initial Election)   + M21-1 VI.ii.1.A.1.c. (Definition: Conditional Election)   + M21-1 VI.ii.1.A.1.d. (Definition: Reelection)   + M21-1 VI.ii.1.A.2.a. (Elections Between Compensation and Pension)   + M21-1 VI.ii.1.A.2.b. (Elections Between Other VA Benefits)   + M21-1 VI.ii.1.A.3.a. (Acceptable Forms of Election) * M21-1 IX.iii.1.F.3.a.  (Removing a Veteran’s Spouse Due to Death, Divorce, or Annulment) * M21-1 IX.iii.2.A.9. (Elections Involving Pension Entitlement) * M21-1 IX.iii.2.C.1 (General Information on Entitlement to Old-Law or Section 306 Pension and Current-Law Pension) * M21-1 IX.iii.2.C.2.a. (Applicability of a Veteran's Exercise of Right of Election) * M21-1 IX.iii.2.C.2.b.  (Action to Take When an Election is Not In the Claimant's Interest) * M21-1 IX.iii.2.C.2.c.  (Example: Deferring an Election Until a Future Beneficial Effective Date) |
| Technical Competencies: | * Processing Claims (PMC VSR) * VBA Applications (PMC VSR) * Program Benefits and Eligibility (PMC VSR) |
| Knowledge Check | Phase 6 Process Election Claims Knowledge Check |
| Lesson Objectives: | By the end of this lesson, the trainee should be able to:   * Process election claims * Identify types of elections * Determine change in eligibility based on an election * Determine whether the elected benefit is advantageous to the claimant * Process the election request * Prepare decision notice notifying claimant of the election |
| What You Need: | * Trainee guide * **Access to the Process Election Claims Checklist** job aid from VSR Assistant |

| PowerPoint Slides | Notes |
| --- | --- |
| Process Election Claims |  |
| Lesson Objectives   * Process election claims * Identify types of elections * Determine change in eligibility based on an election * Determine whether the elected benefit is advantageous to the claimant * Determine if development is required * Process the election request Prepare decision notice notifying claimant of the election |  |
| Why It Matters!  The Process Election Claims course is important because the election chosen may not always be in the best interest of the claimant, financially. You must always choose the option that is the most beneficial to the claimant. |  |
| Scenario—Elections Claim  Carol Veteran in receipt of Section 306 Pension, submits VA Form 21P-527EZ on May 13, 2022. A review of her application shows she may be eligible for Veterans pension and it would be a greater benefit than her Section 306 Pension entitlement.   * What type of election is this scenario? * Is Veterans pension the more advantageous choice for the Veteran? * Are you able to process an election? |  |
| Review—Old Law/Section 306 Pension Claim   * Calculated on a calendar year basis * Must show that continuous entitlement can be established * Review countable income (Old Law) and MAPR (Section 306) |  |
| Review—Calculating IVAP   * Subtract IVAP from MAPR and divide by 12 to determine the monthly pension amount |  |
| Review—Award Adjustments   * Completing adjustments for changes in:   + Expenses   + Net worth   + Income   + Dependency |  |
| Review—Processing Original Claims for Veterans Pension/Survivors Pension   * + Sufficient evidence to process for Veterans pension/survivors pension   + Entitlement to Veterans pension/survivors pension   + May or may not require a rating |  |
| **Overview of Processing Election Claims**   * Many of the steps required to process election claims are done simultaneously by PMC VSRs in the field. * For the purpose of instruction, the steps are broken out individually. |  |
| **Types of Elections**   * What is an election? * Types of Elections   + **Initial**   + **Conditional**   + **Reelection** |  |
| **Acceptable Forms of Election**   * Accept as an election any statement on a formal claim or in correspondence that   + indicates an intent to apply for a particular benefit, and   + is signed by the claimant or their fiduciary. |  |
| **Most Common Elections**   * **Electing Veterans Pension from:**   + **Compensation**   + **Section 306** |  |
| ****Claim 1—Identify the Type of Election and Change in Eligibility Based on Election Requested****  Indicates a demonstration should be performed   * Initial * Conditional * Reelection * Electing Veterans pension from:   + Compensation   + Section 306 |  |
| ****Claim 1—****Determine if Benefit Elected is Advantageous to the Claimant (1 of 2)  Indicates a demonstration should be performed   * Estimate payment of award of the benefit sought   + Identify current monthly payment of existing benefit within the Awards and Ratings tab in SHARE Corporate Awards   + Calculate the IVAP   + Subtract IVAP from MAPR and divide by 12 to get the monthly pension rate   + If the calculated monthly payment is higher, process the election |  |
| ****Claim 1—****Determine if Benefit Elected is Advantageous to the Claimant (2 of 2)   * Defer the election if:   + The monthly rate of Veterans/survivors pension would be less than the current monthly rate under the prior law   + The election is not otherwise in the claimant’s financial interest * Deny the benefit * Continue with existing benefits |  |
| ****Claim 1—**** Determine if Development is Required  Indicates a demonstration should be performed   * Locate claim in VBMS and review corresponding documents * Can be any statement on a formal claim or in correspondence indicating intent to elect the benefit and is signed by the claimant or fiduciary * May be filed on behalf of claimant by POA or member of congress * Determine if development is required |  |
| ****Claim 1—Process the Election Request****  Indicates a demonstration should be performed   * Compensation to pension/pension to compensation * Section 306 or Old Law pension to Veterans Pension (no SMP rating required) * Survivor’s pension $90 Medicaid rate to DIC * DIC to survivor’s pension $90 Medicaid rate (adjustment) * Section 306/Old Law pension to Veterans pension at $90 Medicaid nursing home rate (adjustment) * Compensation to pension that requires a rating for Special Monthly Pension (SMP) |  |
| ****Claim 1—Prepare the Decision Notice****  Indicates a demonstration should be performed   * **Processing a Grant of Benefits job aid** * **Processing a Denial of Benefits job aid** * **Processing an Award Adjustment job aid** |  |
| ****Scenario—Is the Election in the Best Financial Interest of the Claimant?****  **Jackson Veteran in receipt of Section 306 pension, reports in August 2016 that his wife died on July 16, 2015. At that time, he also elects Veterans pension. Mr. Veteran’s Section 306 pension rate as a married Veteran is greater than his Veterans pension rate as a married Veteran. However, his Veterans pension rate as a single Veteran will be greater than his Section 306 Pension rate as a single Veteran.**  **You would continue his current Section 306 pension as a married Veteran through December 31, 2016 and award the Veterans pension rate for a single Veteran starting January 1, 2017.** |  |
| Guided Practice Exercise Overview (1 of 2)   * Instructions:   + Process Claim 2 from beginning to end.   + Use the job aids, references, and systems available.   + Select a partner before beginning the exercise to confer with after completing each step individually.   + Consult with instructors for assistance.   + Be prepared to discuss your results with the class. |  |
| Guided Practice Exercise Overview (2 of 2)   * This exercise includes the following parts of the claim process:   + Identify types of elections.   + Determine change in eligibility based on an election.   + Determine if development is required   + Determine whether the elected benefit is advantageous to the claimant.   + Process the election request.   + Prepare decision notice notifying claimant of the election. |  |
| ****Claim 2—****Identify the Type of Election and Change in Eligibility Based on Election Requested   * Instructions:   + Perform the steps to identify the type of election for Claim 2.   + Use the job aids, references, and systems available.   + Confer with your partner.   + Be prepared to discuss your results with the class. * Time allowed: 5 minutes |  |
| ****Claim 2—****Determine Whether the Elected Benefit is Advantageous to the Claimant   * Instructions:   + Perform the steps to determine whether the elected benefit is advantageous to the claimant for Claim 2.   + Use the job aids, references, and systems available.   + Confer with your partner.   + Be prepared to discuss your results with the class. * Time allowed: 30 minutes |  |
| ****Claim 2—Process the Election Request****   * Instructions:   + Perform the steps to identify missing information/evidence for Claim 2.   + Use the job aids, references, and systems available.   + Confer with your partner.   + Be prepared to discuss your results with the class. * Time allowed: 15 minutes |  |
| ****Claim 2—Prepare the Decision Notice Notifying the Claimant of the Election****   * Instructions:   + Perform the steps to prepare the decision notice for Claim 2.   + Use the job aids, references, and systems available.   + Confer with your partner to assess each other’s decision notice.   + Ask for guidance from the instructor if you identify discrepancies. * Time allowed: 20 minutes |  |
| ****Claim 2—Submit the Claim to the Authorizer****   * Instructions:   + Finalize notes for Claim 2 and save completed work in appropriate locations for review by Authorizer.   + Use the job aids, references, and systems available. * Time allowed: 10 minutes |  |
| Knowledge Check: Lesson Summary Review    ****Time Allowed: 10 minutes**** |  |
| What’s Next?   * Complete **Process Election Claims** evaluation, **TMS #4408417** |  |