

## PENSION AND FIDUCIARY SERVICE

## PMC VSR Advanced Core Course Phase 6: Processing Claims

# Lesson 18: Process Incarceration/Fugitive Felon Adjustments

Lesson Plan

September 11, 2017 Version 1.0

## **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 trainees 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, trainees 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	Master Course Map learning aid	
References:	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)	

Topic	Description	
	M21-1 X.12 (Bureau of Prisons [BOP] Match)	
	M21-1 X.15 (Social Security Administration [SSA] Prison Match)	
	o M21-1 X.15.2.g (Processing the SSA Prison Match Case)	
	M21-1 x.16 (Fugitive Felon Match)	
	<ul> <li>M21-1 X.16.1.f (VBA Responsibilities With Regard to the Match)</li> </ul>	
	<ul> <li>M21-1 X.16.2.b (Handling Fugitive Felon Cases That Must Be Processed Manually)</li> </ul>	
	<ul> <li>M21-1 X.16.2.d (Deciding Whether an Individual Is a Fugitive Felon and Notifying the Beneficiary of the Decision)</li> </ul>	
	o M21-1 X.16.2.g (Resuming a Beneficiary's Award)	
	See Lesson 18: Appendix A for references introduced in earlier lessons.	
Technical	Program Benefits and Eligibility (PMC VSR)	
Competencies:	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	

Topic	Description
Lesson Objectives:	Process evidence of incarceration/fugitive felon status.  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).
	<ul> <li>Apply due process provisions.</li> <li>Create decision notice.</li> </ul>
	Submit the claim to the Authorizer.

Topic	Description
What You	Lesson Plan
Need:	Master Course Map learning aid
	Additional Instructors to achieve a 1:4 instructor/trainee ratio during the Guided Practice Exercise and Individual Claim Exercise portion of the lesson
	• Slides
	Projector
	Access to VSR Assistant to use the job aids associated with each claim
	Access to the following job aids from VSR Assistant:
	<ul> <li>Incarceration/Fugitive Felon job aid</li> </ul>
	<ul> <li>Processing an Award Adjustment job aid</li> </ul>
	See Lesson 18: Appendix A for specific job aids from prerequisite lessons
	Applicable VBA applications used in job aids and references listed in Appendix A
	Claim 1 for incarceration demonstration—SSA prison match
	Claim 1a (Timeline claim for Claim 1) for incarceration demonstration—add information to allow for reinstatement of benefits
	Claim 2 for fugitive felon demonstration—Fugitive felon match, dependent
	Claim 2a (Timeline claim for Claim 2) for fugitive felon demonstration—Fugitive felon match, dependent
	Claim 3 for incarceration guided practice—Notice received from dependent of beneficiary
	Claim 4 for fugitive felon guided practice—Fugitive felon match, warrant cleared

## **Instructor Notes**

This lesson provides trainees with instruction, practice, and the needed references to process adjustments due to changes in incarceration or fugitive felon status.

Trainees will also be required to demonstrate how to use the systems for processing these types of claims.

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PowerPoint Slides	Instructor Activities	
Lesson 18: Process Incarceration/Fugitive Felon Adjustments	<b>DISPLAY</b> slide  1. "Lesson 18: Process Incarceration/Fugitive Felon Adjustments"	
PHASE 2 PMC VSR Foundation  PHASE 3 PMC VSR Resources  PHASE 4 Introduction to Pension Management  PHASE 5 Stages of Claim  PHASE 6 Processing Claims	DISPLAY slide 2. "You Are Here"  REFER to the Master Course Map learning aid.  DESCRIBE the diagram.  REMIND trainees that all of the lessons in Phase 6 will provide demonstrations and practice of the skills learned in Phases 4 and 5, integrated with new knowledge and skills required to process each claim type.	
<ul> <li>Technical Competencies</li> <li>Program Benefits and Eligibility (PMC VSR)</li> <li>Processing Claims (PMC VSR)</li> <li>VBA Applications (PMC VSR)</li> <li>Income Counting and Net Worth</li> <li>Special Monthly Pension Processes</li> </ul>	3. "Technical Competencies"  REVIEW technical competencies with trainees.	

PowerPoint Slides	Instructor Activities
<ul> <li>Prerequisite References</li> <li>Refer to the references in Lesson 18: Appendix A for additional information learned in previous lessons.</li> </ul>	DI SPLAY slide 4. "Prerequisite References"
Keep the VSR assistant and	<b>REFER</b> trainees to Lesson 18: <i>Appendix A</i> .
M21-1 manual open and ready to use.	<b>EXPLAIN</b> to trainees that references listed in Appendix A have been used in Phase 4 and 5.
	<b>REMIND</b> trainees that the M21-1 manual and the job aids in the VSR Assistant will be used throughout this lesson. They should keep these references open and ready to use.
	NOTE:
	It is critical that you teach the trainees using the procedures presented in the previous lessons and job aids as well as those introduced in this lesson.
	This training is designed to build skills gradually, as well as establish consistent procedures across PMCs.
	Do not confuse the trainees by processing a claim the way you "have always done it."
	The trainees need consistency in order to master the skills to perform the job.

#### **PowerPoint Slides**

#### **Incarceration Example**

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.

#### **Instructor Activities**

#### **DISPLAY** slide

5. "Incarceration Example"



**REFER** to M21-1 III.v.8.A.3.a (Action to Take Upon Receipt of Notice of Incarceration). Point out that this reference contains step by step instructions for processing a notice of incarceration.

**EXPLAIN** that based on the information in the scenario, you would issue due process to stop the Veteran's pension benefits on the 61st day following conviction following incarceration. You would propose to stop the Veteran's Pension benefits on February 27, 2017, and then reinstate them on August 12, 2017, the date of the Veteran's release.



**EMPHASIZE** that the following information was used to make the decision:

- Confirmation from the prison facility that Mr.
   Stone was, in fact, incarcerated
- Mr. Stone was convicted
- Mr. Stone was incarcerated for more than 60 days

## Why It Matters!

Under VA regulation, reduction or discontinuance of pension and/or DIC benefits may be required for incarceration or fugitive felon status of a payee.

#### **DISPLAY** slide

6. "Why It Matters!"

**EXPLAIN** that benefits may be reduced or discontinued due to incarceration or fugitive felon status. Benefits can be reinstated upon release or clearing of an arrest warrant.

PowerPoint Slides	Instructor Activities
Lesson Objectives  Process evidence of incarceration/fugitive felon status.	DISPLAY slide 7. and 8. "Lesson Objectives"  PRESENT the objectives for the lesson.
Determine actions based on the source of the incarceration/fugitive felon notification.	PRESERT the objectives for the lesson.
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.	
Knowledge Check	DISPLAY slide
PHASE 1 Lesson	9. "Knowledge Check"
PHASE 1 Mandatory Training Lesson Specific	<b>DESCRIBE</b> the diagram.
PHASE 2 PMC VSR Foundation  PHASE 3 PMC VSR Resources  Phase 3 Knowledge Check	INFORM trainees that they will be assessed on this content in Phase 6 Knowledge Check: Process Incarceration/Fugitive Felon Adjustments. The knowledge check will be given after this lesson.
PHASE 4 Introduction to Pension Management  Phase 4 Knowledge Check	
PHASE 5 Stages of Claim  PHASE 6 Processing Claims  Multiple Knowledge Check	<b>REFER</b> to the <b>Master Course Map</b> learning aid, Lessons by Phase section, to review the lessons included within the Knowledge Check.

PowerPoint Slides	Instructor Activities
Incarceration/Fugitive Felon Job Aid	DISPLAY slide 10. "Incarceration/Fugitive Felon Job Aid"
The Incarceration/Fugitive Felon job aid will be used throughout this lesson as a guide for processing incarceration/fugitive felon adjustments.	REFER trainees to the Incarceration/Fugitive Felon job aid. Give trainees a few minutes to look over the job aid.
	<b>EXPLAIN</b> to trainees that the <b>Incarceration/Fugitive Felon</b> job aid will be used throughout this lesson as a guide for processing incarceration/fugitive felon adjustments.

PowerPoint Slides	Instructor Activities
Lesson Overview  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	DISPLAY slide 11. "Lesson Overview"  TELL trainees that in the first part of this lesson, they will be introduced to the key concepts related to processing evidence of incarceration or fugitive felon status.  INFORM trainees that in the second part of this lesson, they will learn how to process evidence of incarceration or fugitive felon status through:  • Demonstration • Guided Practice Exercise  EXPLAIN to trainees that the purpose of the demonstration is to provide trainees with the opportunity to see the flow of the complete process from beginning to end, as they would do it in the field. They will have opportunities to ask questions for clarification.  EXPLAIN to trainees that the purpose of the guided practice is to allow trainees to perform the
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PowerPoint Slides	Instructor Activities
Rules for Incarceration Adjustments	<b>DISPLAY</b> slide <b>12.</b> "Rules for Incarceration Adjustments"
<ul><li>Instructions</li><li>o Complete the worksheet</li></ul>	<b>REFER</b> trainees to the Rules for Incarceration Adjustments worksheet.
using the references provided.	<b>GIVE</b> trainees 10 minutes to complete the worksheet.
<ul> <li>Be prepared to discuss the answers as a class.</li> </ul>	<b>DISCUSS</b> any references in greater detail if needed.
Time allowed: 10 minutes	
	<b>ASK</b> trainees whether they have any questions or need clarification on the rules for incarceration.

## **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.
  - o M21-1 III.v.8.A.1.a (Definition: Incarceration)
- 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?
  - o For the felony, reduce the benefits.
  - o For the misdemeanor, there is no action necessary.

- 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?
  - o For both the felony and the misdemeanor, discontinue the pension benefit.
- 4. For an SSA prison match, what evidence do you have to obtain from the facility where the beneficiary or dependent is/was incarcerated?
  - o Per M21-1 III.v.8.A.3.d. Verifying the Details of Incarceration:
    - Type of conviction (such as felony, misdemeanor, or infraction)
    - Date (month, day, year) of conviction
    - Date (month, day, year) of incarceration following conviction, and
    - An indication the beneficiary was incarcerated for more than 60 days following the date of conviction.
- 5. For a BOP prison match, what evidence do you have to obtain from the facility where the beneficiary or dependent is/was incarcerated?
  - Consider the worksheet or listing to be official notice the beneficiary or dependent was convicted of a felony or misdemeanor, and
  - o Was imprisoned in a Federal penal institution for more than 60 days, and
  - o Follow the instructions in M21-1 III.v.8.A.3.a.

## **Rules for Fugitive Felon Adjustments Scenario**

Read the following scenario in preparation for the coming slides. Use the scenario below (also repeated on the slides) and the corresponding questions to introduce the concepts and steps for processing evidence of a fugitive felon. Allow time for questions and discussion.

#### Scenario:

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.

You establish EP 297 PMC – Fugitive Felon with the Department of Corrections (DOC) reflecting the date the FFP-3 was received. There is no arrest or clear/invalid date listed on the FFP-3 VA Investigative Summary Form. You contact, by phone, the agency issuing the warrant to see if the warrant has been cleared. The agency states that the Veteran's warrant was cleared three months after the issuance.

You PCLR the EP 297 and establish an EP 607 PMC – Fugitive Felon issue due process to terminate the Veteran's award from the date of warrant was issued until the date that the warrant was cleared. 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. You perform the award adjustment and submit the award to the authorizer.

#### **PowerPoint Slides**

## Rules for Fugitive Felon Adjustments—Scenario Pt. 1

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.

## **Instructor Activities**

#### **DISPLAY** slide

**13.** "Rules for Fugitive Felon Adjustments—Scenario Pt. 1"



**REFER** to the following references:

- 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)

**ALLOW** 3-5 minutes for trainees to review the references.

PowerPoint Slides	Instructor Activities
	<b>USE</b> the scenario above and references to discuss the following questions and explanations:
	What is your first step upon receiving the information that Ms. Talman is considered a fugitive felon?
	<ul> <li>Establish an EP 607 PMC – Fugitive Felon with DOC on the Veteran's running award reflecting the date the FFP-3 was received.</li> </ul>
	What action do you take if the FFP-3 VA     Investigative Summary Form does not indicate     a clear/invalid date or arrest?
	<ul> <li>Contact by phone the agency issuing the warrant to determine if the warrant has been cleared.</li> </ul>
	<b>ASK</b> trainees whether they have any questions or need clarification on the questions or answers for this part of the scenario.

PowerPoint Slides	Instructor Activities
Rules for Fugitive Felon Adjustments—Scenario Pt. 2 You contacted the agency and the agency stated that the Veteran's warrant was cleared three months	DI SPLAY slide 14. "Rules for Fugitive Felon Adjustments— Scenario Pt. 2"
after the issuance.	<b>REFER</b> to M21-1 III.v.8.A.1.f (Beneficiaries and Dependents That Are Fugitive Felons).
	<b>USE</b> the scenario to discuss the following questions and explanations:
	Based on the information given, what is the next step?
	<ul> <li>Submit claim to Authorizer and issue due process</li> </ul>
	Would you propose to terminate or reduce the Veteran's running award?
	<ul> <li>You would propose to terminate the award as benefits are not payable to fugitive felons.</li> </ul>
	What information would you use to determine the effective date of the award termination?
	<ul> <li>The effective date for termination of benefits would be the date the warrant of arrest was issued.</li> </ul>
	<b>ASK</b> trainees whether they have any questions or need clarification on the questions or answers for this part of the scenario.

## **PowerPoint Slides**

## Rules for Fugitive Felon Adjustments—Scenario Pt. 3

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.

### **Instructor Activities**

#### **DISPLAY** slide

**15.** "Rules for Fugitive Felon Adjustments—Scenario Pt. 3"



**REFER** to M21-1 X.16.2.d (Deciding Whether an Individual Is a Fugitive Felon and Notifying the Beneficiary of the Decision). Point out that this reference contains steps to follow after due process has expired. Choose a trainee to read the steps while the others follow along.

**USE** the scenario to discuss the following question and explanation:

- What steps would you perform to complete the award adjustment?
  - Refer to the steps in the Processing an Award Adjustment job aid, Fugitive Felon section. The effective date to resume benefits would be the date the warrant was cleared in accordance with M21-1 X.16.2.g (Resuming a Beneficiary's Award).



**ASK** trainees whether they have any questions or need clarification on the questions or answers for this part of the scenario.

**TRANSITION** to the demonstration to show the steps to process an incarceration adjustment.

# PowerPoint Slides Instructor Activities Demonstration Claim 1— Process an Incarceration Adjustment DEMO Instructor Activities DISPLAY slide 16. "Demonstration Claim 1— Process an Incarceration Adjustment"

- Demonstration Claim 1
  - o {Names}
  - o {Other information}

**REMINDER:** Populate this slide with demographic information about Claim 1.

**INTRODUCE** Claims 1.

**SELECT** a trainee to read the Claim 1 information on the slide.

**REMIND** trainees that you will demonstrate how to process an incarceration adjustment from start to finish. You will break after each section to take questions, so trainees should write their questions down and ask at the designated opportunities.



**REFER** trainees to the **Incarceration/Fugitive Felon** job aid. Refer to the job aid when possible during the demonstrations.

**EXPLAIN** that, as the Claim 1 demonstration proceeds, trainees should write down any questions that they have about the process on a sheet of paper or in the notes column of the Trainee Guide—you will answer these questions periodically throughout the demonstrations.



## EXPLANATION OF DEMONSTRATION FOR INSTRUCTOR:

• It is important for you, as the instructor, to "think out loud" so that the trainees understand your thought processes.

PowerPoint Slides	Instructor Activities
	It is vital that you follow the steps and instructions taught in the job aids and previous lessons to ensure continuity and prevent confusion. You must be familiar with the related lessons from Phases 4 and 5, as specified in Lesson 18: Appendix A.
	Address every step in a process even if it is not relevant to the particular case—these are novice PMC VSRs learning processes that will be applied to all incarceration adjustments.
Claim 1—Determine Appropriate Actions Based on the Source of the Notification	<b>DI SPLAY</b> slide <b>17.</b> "Claim 1— Determine Appropriate Actions Based on the Source of the Notification"
<ul><li>SSA Prison Match</li></ul>	USE the information in the Incarceration/Fugitive Felon job aid to determine what action to take based on the source of the notification.
<ul> <li>BOP Prison Match</li> <li>VA Form 21-4193, Notice to Department of Veterans Affairs</li> </ul>	<b>REFER</b> to the following references for the types of evidence and actions to take up receipt of evidence of incarceration.
of Veteran or Beneficiary Incarcerated in Penal	M21-1 X.15 (Social Security Administration [SSA] Prison Match)
Institution	M21-1 X.12 (Bureau of Prisons [BOP] Match)
Statement received from official source	M21-1 III.v.8.A.3.a (Action to Take Upon Receipt of Notice of Incarceration)
<ul> <li>Prison or law enforcement authority</li> </ul>	<b>EXPLAIN</b> that the following are considered official sources of evidence of incarceration:
o Prosecutor	SSA Prison Match
o Parole officer	BOP Prison Match
Notification from other source	VA Form 21-4193, Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution
	Statement received from official source

PowerPoint Slides	Instructor Activities
	o Prison or law enforcement authority
	o Prosecutor
	o Parole officer
	<b>EXPLAIN</b> that if the evidence is received from a source other that what is listed above, development for evidence from an official source is required.
	<b>EMPHASIZE</b> that they must compare the information in the match worksheet to corporate record to ensure the name and date of birth match. If the facility or program falls into any of the categories below, do not reduce or discontinue benefits:
	Work-release program
	Under community control (per VAOPGCPREC 59-1991)
	Incarcerated in a foreign penal institution
	Residing in a halfway house
	Residential re-entry center or civil commitment center
	SHOW an example of a completed VA Form 21-4193, Notice to Department of Veterans Affairs or Veterans or Beneficiary Incarcerated in Penal Institution that would be sent to the facility where the beneficiary was incarcerated to confirm the information in the prison match.
	DEMO
	<b>DEMONSTRATE</b> , using Claim 1, how a PMC VSR would determine if the source of information is

PowerPoint Slides	Instructor Activities
	considered an official or unofficial source
	<b>ASK</b> if they have any questions about the receipt of official and unofficial evidence of incarceration.
	of official and unofficial evidence of incarceration.

#### **PowerPoint Slides**

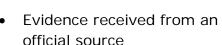
#### **Instructor Activities**

## Claim 1—Determine if Evidence is Sufficient to Process

### **DISPLAY** slide



**18.** "Claim 1—Determine if Evidence is Sufficient to Process"





 Evidence received from the beneficiary or dependent of the beneficiary **REFER** to the **Incarceration/Fugitive Felon** job aid, *Incarceration—Source of Evidence* section. Use the information in this section to determine if the evidence in Claim 1 is considered official and sufficient to begin processing an adjustment.

**EXPLAIN** that, depending on the source of the evidence received, development may be necessary. Evidence must be received from an official source to continue processing the adjustment.



REFER to the **Develop for Missing**Information/Evidence job aid for ways to contact an official source to confirm incarceration.



**DEMONSTRATE**, using Claim 1, what and how a PMC VSR would need to develop to ensure evidence was sufficient to begin processing an adjustment.



**ASK** if they have any questions about how you determined the evidence was sufficient/insufficient.

## Claim 1—Determine if Due

**PowerPoint Slides** 

**Process is Applicable** 

# DEMO

- 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

### **Instructor Activities**

**DISPLAY** slide

**19.** "Claim 1—Determine if Due Process is Applicable"



**REFER** to the **Incarceration/Fugitive Felon** job aid, *Incarceration—Development Actions* section.



**EMPHASIZE** that due process must be conducted before an adverse adjustment can be made on a running award.



**REFER** to the **Due Process** job aid for what to include in the due process letter.



**DEMONSTRATE**, using Claim 1, how a PMC VSR would prepare the due process letter notifying the beneficiary of adverse action on an award due to incarceration.



**ASK** if they have any questions about when to conduct due process and what to provide in the due process letter.

#### **PowerPoint Slides**

#### **Instructor Activities**

## Claim 1—Implement the Award Action



- Reduce benefits
- Discontinue benefits

**DISPLAY** slide

20. "Claim 1—Implement the Award Action"



**REFER** to the **Incarceration/Fugitive Felon** job aid, *Incarceration—Award Actions* for actions to take with a beneficiary's award when incarceration is confirmed.

**REFER** to the following references for specific information regarding the type of benefit:

- 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.C.1.b (Reducing a Veteran's Pension Rate After a Dependent's Incarceration)

**EXPLAIN** that benefits will be discontinued/reduced until the beneficiary's release from incarceration.



**DEMONSTRATE**, using Claim 1 and the **Processing an Award Adjustment job** aid, a discontinuation/reduction of benefits due to incarceration.



**EMPHASIZE** that the effective date of the discontinuation/reduction of benefits is the 61<sup>st</sup> day of the Veteran's incarceration.



PowerPoint Slides	Instructor Activities
	ASK if they have any questions about how to perform the steps in VBMS-A to discontinue benefits.
Claim 1—Create the Decision Notice	DISPLAY slide 21. "Claim 1—Create the Decision Notice"
DEMO	
Create decision notice in PCGL	REFER to the Processing an Award Adjustment
Processing an Award     Adjustment job aid	job aid for what should be included in the decision notice.
rajustinom job ala	DEMO
	<b>DEMONSTRATE</b> , using Claim 1, how a PMC VSR would create the decision notice in PCGL for an
	award adjustment due to incarceration.
	<b>ASK</b> if they have any questions about how to create the decision notice or what to include.

PowerPoint Slides	Instructor Activities
Claim 1—Submit to the Authorizer	DISPLAY slide 22. "Claim 1—Submit to the Authorizer"
DEMO	
Submit completed adjustment	REFER to the following job aids:
and decision notice to the  Authorizer	Processing an Award Adjustment
Annotate the Award	Annotate the Award Checklist
Checklist job aid	
	<b>REMIND</b> trainees that they must submit the award adjustment and the decision notification for authorization to complete processing of the award adjustment.
	DEMO
	<b>DEMONSTRATE</b> , using Claim 1, what a PMC VSR would enter send to authorization for the adjustment of an award due to incarceration.
	<b>ASK</b> if they have any questions about what needs to be submitted to the Authorizer.

PowerPoint Slides	Instructor Activities
Claim 1a—Reinstate Benefits	DI SPLAY slide 23. "Claim 1a—Reinstate Benefits"
A beneficiary may report release from incarceration:         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	STATE: Assume that the incarcerated beneficiary has been released and submits notification in writing of the date of release.  EMPHASIZE that benefits can be granted and/or reinstated upon release from incarceration. See the Incarceration/Fugitive Felon job aid for details regarding actions to take when incarceration has ended.  REFER to Claim 1a for the release information.  ASK if the evidence is sufficient to process the reinstatement of benefits?  No, do not resume benefits without confirming the beneficiary's release through an official source.  DEMONSTRATE how to confirm release through an official source.  DEMONSTRATE how to resume the payment of benefits.  DEMONSTRATE how to resume the payment of benefits.
Demonstration Claim 2— Process a Fugitive Felon	<b>DI SPLAY</b> slide <b>24.</b> "Demonstration Claim 2— Process a Fugitive

## **PowerPoint Slides Instructor Activities Adjustment** Felon Adjustment" TRANSITION from processing notice of incarceration to processing notice of fugitive felon status. **Demonstration Claim 2** o {Names} o {Other information} **REMINDER:** Populate this slide with demographic information about Claim 2. INTRODUCE Claim 2. **SELECT** a trainee to read the Claim 2 information on the slide. **REMIND** trainees that you will demonstrate how to process a fugitive felon adjustment from start to finish. You will break after each section to take questions, so trainees should write their questions down and ask at the designated opportunities. **REFER** trainees to the **Incarceration/Fugitive Felon** job aid. Refer to the job aid when possible during the demonstrations. **EXPLAIN** that, as the Claim 2 demonstration proceeds, trainees should write down any questions that they have about the process on a sheet of paper or in the notes column of the trainee guide—you will answer these questions periodically throughout the demonstrations. **EXPLANATION OF DEMONSTRATION FOR** INSTRUCTOR: It is important for you, as the instructor, to "think out loud" so that the trainees understand

PowerPoint Slides	Instructor Activities
	your thought processes.  It is vital that you follow the steps and instructions taught in the job aids and previous lessons to ensure continuity and prevent confusion. You must be familiar with the related lessons from Phases 4 and 5, as specified in Lesson 18: Appendix A.  Address every step in a process even if it is not relevant to the particular case—these are novice PMC VSRs learning processes that will be applied to all fugitive felon adjustments.

### **PowerPoint Slides**

### **Instructor Activities**

## Claim 2—Review the Fugitive Felon Program Form FFP-3 (VA Investigative Summary Form)

### **DISPLAY** slide

**25.** "Claim 2—Review the Fugitive Felon Program Form FFP-3 (VA Investigative Summary Form)"





- Fugitive Felon Match
- Indicates that it did not meet the criteria for automated processing

**USE** the information in the

Incarceration/Fugitive Felon job aid to determine what action to take based on the source of the notification.



**REFER** to M21-1 X.16.2.b (Handling Fugitive Felon Cases That Must Be Processed Manually).

**SHOW** the FFP-3 for this claim and focus on what would indicate manual processing is required:

- Arrest warrant was deemed invalid
- Individual named on Form FFP-3 has already been arrested



**DEMONSTRATE**, using Claim 2, how a PMC VSR would determine the next step based on the source received claiming fugitive felon.



**ASK** if they have any questions about the source of information received for a fugitive felon.

PowerPoint Slides	Instructor Activities
PowerPoint Slides  Claim 2—Confirm Individual Receiving Benefits  • Compare FFP-3 to corporate record  • Ensure the following information in the corporate record matches the FFP-3:  • Name  • DOB  • SSN  • If information is not a match, notify P&F via email and take no further action	Instructor Activities  DISPLAY slide 26. "Claim 2—Confirm Individual Receiving Benefits"  REFER to M21-1 X.16.2.b (Handling Fugitive Felon Cases That Must Be Processed Manually). Point out that this reference contains step by step instructions for processing the notification of fugitive felon status.  EXPLAIN that the information in Form FFP-3 must match with the individual receiving compensation or pension in the corporate record. If the information does not match up, you must notify P&F via email and take no further action until a response is received.
no further action	EMPHASIZE that if P&F concurs that the individual named on the form is neither the beneficiary nor a dependent, you must clear the work item and take
	DEMONSTRATE, using Claim 1, what information to review on the FFP-3 and what to review in the
	ASK if they have any questions about the matching up the FFP-3 to the corporate record.
Claim 2—Apply Due Process	DISPLAY slide

### **PowerPoint Slides**

### **Instructor Activities**

**Provisions** 





- Notice of proposed adverse action must state date VA proposes to reduce/discontinue benefits
- Effective date will be the later of the following dates:
  - o Date of the warrant, or
  - o December 27, 2001

27. "Claim 2—Apply Due Process Provisions"



**REFER** to step 3 of M21-1 X.16.2.b (Handling Fugitive Felon Cases That Must Be Processed Manually) for information to be included in the due process letter.



**EMPHASIZE** that the decision notice must also include the date benefits will resume if the FFP-3 contains a "warrant invalid" date.



**DEMONSTRATE**, using Claim 1, how a PMC VSR would prepare the due process letter proposing adverse action due to the beneficiary being a fugitive felon.



**ASK** if they have any questions about creating the due process letter for a fugitive felon.

## **PowerPoint Slides Instructor Activities** Claim 2—Implement the Award **DISPLAY** slide Action 28. "Claim 2—Implement the Award Action" **EXPLAIN** that once the due process period has expired, you can implement the final award action. Reduce benefits Discontinue benefits REFER to the Incarceration/Fugitive Felon job aid, Award Actions section for guidance on when to discontinue benefits or reduce benefits. Refer to the **Processing an Award Adjustment** job aid for how to perform the adjustment in VBMS-A. **DEMONSTRATE**, using Claim 1, how a PMC VSR would perform an award reduction for a beneficiary with a dependent fugitive felon. **ASK** if they have any questions about performing

the award adjustment.

PowerPoint Slides	Instructor Activities
Claim 2—Create Decision Notice	DISPLAY slide 29. "Claim 2—Create the Decision Notice"
DEMO	
Create decision notice in PCGL	REFER to the Processing an Award Adjustment
Processing an Award     Adjustment job aid	job aid for what should be included in the decision notice.
	DEMO
	<b>DEMONSTRATE</b> , using Claim 2, how a PMC VSR would create the decision notice in PCGL for an award adjustment due to a fugitive felon.
	<b>ASK</b> if they have any questions about how to create the decision notice or what to include.

PowerPoint Slides	Instructor Activities
Claim 2—Submit to the Authorizer	DISPLAY slide 30. "Claim 2—Submit to the Authorizer"
DEMO	
Submit completed adjustment	REFER to the following job aids:
and decision notice to the  Authorizer	Processing an Award Adjustment
Annotate the Award	Annotate the Award Checklist
Checklist job aid	
	<b>REMIND</b> trainees that they must submit the award adjustment and the decision notice for authorization to complete processing of the award adjustment.
	DEMO
	<b>DEMONSTRATE</b> , using Claim 2, what a PMC VSR would enter send to authorization for the adjustment of an award due to a fugitive felon.
	<b>ASK</b> if they have any questions about what needs to be submitted to the Authorizer.

#### **PowerPoint Slides**

#### **Instructor Activities**

#### Claim 2a—Reinstate Benefits

# DEMO

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:

- 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

#### **DISPLAY** slide

31. "Claim 2a—Reinstate Benefits"



**REFER** to X.16.2.g (Resuming a Beneficiary's Award).

**STATE:** Assume that the incarcerated beneficiary has been released and submits notification in writing of the date of release.



**EMPHASIZE** that benefits can be granted and/or reinstated upon release from incarceration. See the **Incarceration/Fugitive Felon** job aid for details regarding actions to take when the warrant has been cleared.



**EMPHASIZE** that if the beneficiary submits the request for resumption of benefits within one year of the warrant being cleared or receiving the decision notice, benefits can be resumed back to the date the warrant was cleared. If the beneficiary submits the request after one year from being notified or fugitive felon status ended, resume benefits effective the date of the request from the beneficiary.

**REFER** to Claim 2a for the warrant information.

**ASK** if the evidence is sufficient to process the reinstatement of benefits?

 No, do not resume benefits without confirming the warrant has been cleared.

PowerPoint Slides	Instructor Activities
	DEMO
	<b>DEMONSTRATE</b> how to confirm the warrant has been cleared.
	DEMO
	<b>DEMONSTRATE</b> how to resume the payment of benefits.
	EMPHASIZE the effective date.

# Guided Practice Exercise Overview (1 of 2)

**PowerPoint Slides** 

- Instructions:
  - 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.

### **Instructor Activities**

#### **DISPLAY** slide

**32.** "Guided Practice Exercise Overview (1 of 2)"

**EXPLAIN** that in this portion of the lesson, you will refer to lessons relating to each step of the process and provide answers to the trainee questions they wrote down in the trainee guide or elsewhere during the Claim 1 and 2 demonstrations.

**DIRECT** trainees to divide into two groups. Group 1 will work Claim 3 and group 2 will work claim 4:

- After each person has completed each step of the process individually, the trainees within each group will then confer with each other about their findings, answers, or conclusion.
- Trainees should be prepared to share their results with the class.

**ENCOURAGE** trainees to consult with the instructors if they need assistance.

**REMIND** instructors to provide direction, but not the outcomes.



**NOTE:** Recall that you will need additional instructors to achieve a 1:4 instructor/trainee ratio during this portion of the lesson.



**REFER** to *Lesson 18: Appendix A* for prerequisite references and job aids.

**ENCOURAGE** trainees to keep this and all other job aids used during this Guided Practice Exercise handy as the trainees will refer to them later in the lesson as they practice processing an incarceration/fugitive felon award adjustment.

Po	owerPoint Slides	Instructor Activities
	uided Practice Exercise verview (2 of 2)	DISPLAY slide 33. "Guided Practice Exercise Overview (2 of 2)"
•	This exercise includes the following parts of performing and award adjustment for incarceration/fugitive felon:	TELL trainees that they will now be working through the same steps to process incarceration and fugitive felon adjustment claims as they viewed in the demonstration, but using a different
	<ul> <li>Determine if evidence is sufficient to process adjustment.</li> </ul>	claim.
	<ul> <li>Apply the correct development actions, if applicable.</li> </ul>	
	<ul> <li>Apply due process provisions.</li> </ul>	
	o Decide the award action(s).	
	<ul> <li>Create Personal Computer Generated Letter (PCGL) decision notification.</li> </ul>	
	<ul> <li>Submit the claim to the Authorizer.</li> </ul>	
CI In	uided Practice Exercise laims 3 and 4—Process ncarceration/Fugitive Felon djustments	DISPLAY slide 34. "Guided Practice Exercise Claims 3 and 4— Process Incarceration/Fugitive Felon Adjustments"
•	Guided Practice Exercise Claim 3:	DEMINDED. Deputate this slide with demographic
	o {Name}	<b>REMINDER:</b> Populate this slide with demographic information about Claims 3 and 4.
	o {Other information}	INTRODUCE Claims 3 and 4.
•	Guided Practice Exercise Claim 4:	<b>SELECT</b> a trainee from each group to read the corresponding claim information on the slide.
	o {Name}	<b>REMIND</b> trainees to access the necessary job aids
	o {Other information}	using the VSR Assistant.
•	Time allowed: 2 hours	

## **PowerPoint Slides Instructor Activities** Claims 3 and 4—Determine if **DISPLAY** slide **Evidence is Sufficient to 35**. "Claims 3 and 4—Determine if Evidence is Sufficient to Process Adjustment" **Process Adjustment** Instructions: Review the evidence in assigned claim to determine **REFER** to the following job aids: if an adjustment can be Incarceration/Fugitive Felon made. Group 1: Claim 3 Processing an Award Adjustment **DIRECT** trainee groups to Claims 3 and 4. • Group 2: Claim 4 **DIRECT** trainees to perform this step individually Use the job aids, before comparing their outcome with another references, and systems member of their group. Trainees should be available. prepared to share their answers with the class. o Confer with another **ASSIST** trainees by pointing them to the relevant member of your group. job aids, references, and systems. Do NOT provide o Be prepared to discuss your the outcomes until a majority of the trainees have results with the class. completed the steps. Time allowed: 20 minutes **SELECT** a trainee from each group to share if the evidence is sufficient to continue processing the adjustment request for Claims 3 and 4. **ASK** if they have any questions about determining if evidence is sufficient. **DISCUSS** answers to the trainees' questions.

## **PowerPoint Slides Instructor Activities DISPLAY** slide Claims 3 and 4—Apply the **Correct Development Actions, 36.** "Claims 3 and 4—Apply the Correct if Applicable Development Actions, if Applicable" Instructions: Review the evidence in assigned claim to determine **REFER** to the following job aids: if development is needed. Incarceration/Fugitive Felon Group 1: Claim 3 Processing an Award Adjustment Group 2: Claim 4 **DIRECT** trainee groups to Claims 3 and 4. Use the job aids, **DIRECT** trainees to perform this step individually references, and systems before comparing their outcome with another available. member of their group. Trainees should be o Confer with another prepared to share their answers with the class. member of your group. **ASSIST** trainees by pointing them to the relevant o Be prepared to discuss your job aids, references, and systems. Do NOT provide results with the class. the outcomes until a majority of the trainees have Time allowed: 20 minutes completed the steps. **SELECT** a trainee from each group to share if development is needed and what needs to be developed for Claims 3 and 4. **ASK** if they have any questions about either claim

needing development.

**DISCUSS** answers to the trainees' questions.

## **PowerPoint Slides Instructor Activities DISPLAY** slide Claims 3 and 4—Apply Due **Process Provisions** 37. "Claims 3 and 4—Apply Due Process Provisions" Instructions: o Review the evidence in assigned claim to determine if due process provisions **REFER** to the following job aids: should be applied. Incarceration/Fugitive Felon • Group 1: Claim 3 Develop for Missing Information/Evidence Group 2: Claim 4 • Due Process Use the job aids, Processing an Award Adjustment references, and systems available. **DIRECT** trainee groups to Claims 3 and 4. o Confer with another **DIRECT** trainees to perform this step individually member of your group. before comparing their outcome with another o Be prepared to discuss your member of their group. Trainees should be results with the class. prepared to share their answers with the class. Time allowed: 20 minutes **ASSIST** trainees by pointing them to the relevant job aids, references, and systems. Do NOT provide the outcomes until a majority of the trainees have completed the steps. **SELECT** a trainee from each group to share if development is needed and what needs to be developed for Claims 3 and 4. **ASK** if they have any questions about either claim needing due process. **DISCUSS** answers to the trainees' questions.

## **PowerPoint Slides Instructor Activities** Claims 3 and 4—Decide the **DISPLAY** slide Award Action(s) 38. "Claims 3 and 4—Decide the Award Action(s)" Instructions: o Review the evidence in assigned claim to determine **REFER** to the following job aids: the final award action. Incarceration/Fugitive Felon • Group 1: Claim 3 Develop for Missing Information/Evidence Group 2: Claim 4 Due Process Use the job aids, Processing an Award Adjustment references, and systems available. **DIRECT** trainee groups to Claims 3 and 4. Confer with another **DIRECT** trainees to perform this step individually member of your group. before comparing their outcome with another member of their group. Trainees should be o Be prepared to discuss your results with the class. prepared to share their answers with the class. **ASSIST** trainees by pointing them to the relevant Time allowed: 20 minutes job aids, references, and systems. Do NOT provide the outcomes until a majority of the trainees have completed the steps. **SELECT** a trainee from each group to share the final award actions for Claims 3 and 4. **ASK** if they have any questions about how the award actions were determined. **DISCUSS** answers to the trainees' questions.

## **PowerPoint Slides Instructor Activities** Claims 3 and 4—Create the **DISPLAY** slide **Decision Notice 39**. "Claims 3 and 4—Create the Decision Notice" Instructions: o Perform the steps to prepare the decision notice **REFER** to the following job aids: for assigned claim. Incarceration/Fugitive Felon • Group 1: Claim 3 Processing an Award Adjustment Group 2: Claim 4 **DIRECT** trainee groups to Claims 3 and 4. Use the job aids, **DIRECT** trainees to perform this step individually references, and systems before comparing their outcome with another available. member of their group. Trainees should be Confer with a member of prepared to share their answers with the class. your group to assess each other's decision notice. **ASSIST** trainees by pointing them to the relevant job aids, references, and systems. Do NOT provide o Ask for guidance from the the outcomes until a majority of the trainees have instructor if you identify completed the steps. discrepancies. **SELECT** a trainee from each group to share their Time allowed: 30 minutes decision notices for Claims 3 and 4. **ASK** if they have any questions about how to determine what goes in the decision notice for each claim. **DISCUSS** answers to the trainees' questions.

PowerPoint Slides	Instructor Activities
Claims 3 and 4— Submit the Claim to the Authorizer	DISPLAY slide 40. "Claims 3 and 4—Submit the Claim to the Authorizer"
• Instructions:	Admonzer
<ul><li>Finalize notes for assignd claim:</li></ul>	
<ul><li>Group 1: Claim 3</li></ul>	REFER to the following job aids:
■ Group 2: Claim 4	Incarceration/Fugitive Felon
<ul> <li>Save completed work in appropriate locations for review by the Authorizer.</li> <li>Use the job aids, references, and systems available.</li> <li>Time allowed: 15 minutes</li> </ul>	Processing an Award Adjustment
	DIRECT trainee groups to Claims 3 and 4.
	<b>DIRECT</b> trainees to perform this step individually before comparing their outcome with another member of their group. Trainees should be prepared to share their answers with the class.
	ASSIST trainees by pointing them to the relevant job aids, references, and systems. Do NOT provide the outcomes until a majority of the trainees have completed the steps.
	SELECT a trainee from each group to share their submission to Authorization for Claims 3 and 4.
	<b>ASK</b> if they have any questions about what to submit to Authorization for each claim.
	<b>DISCUSS</b> answers to the trainees' questions.
Questions?	DISPLAY slide 41. "Questions?"
	<b>ASK</b> if there are any final questions about the Guided Practice Exercise or anything covered in this lesson.

PowerPoint Slides	Instructor Activities
Lesson Summary (1 of 2) What is the process when you receive evidence of incarceration or a fugitive felon?	DISPLAY slide 42. "Lesson Summary (1 of 2)"  REVIEW the main objective of this lesson: to process incarceration/fugitive felon adjustments.  REVIEW the key points of the lesson by asking the trainees to answer the following question: What is the process when you receive evidence of incarceration or a fugitive felon?
<ul> <li>Lesson Summary (2 of 2)</li> <li>Determine actions based on the source of the incarceration/fugitive felon notification.</li> <li>Determine if evidence is sufficient to process adjustment.</li> <li>Apply the correct development actions for the information/evidence missing from claim.</li> <li>Decide the award action(s).</li> <li>Apply due process provisions.</li> <li>Create decision notice.</li> <li>Submit the claim to the Authorizer.</li> <li>What's Next?</li> </ul>	<ul> <li>DISPLAY slide</li> <li>43. "Lesson Summary (2 of 2)"</li> <li>PROVIDE the following answers as listed on the slide:</li> <li>Determine actions based on the source of the incarceration/fugitive felon notification.</li> <li>Determine if evidence is sufficient to process adjustment.</li> <li>Apply the correct development actions for the information/evidence missing from claim.</li> <li>Decide the award action(s).</li> <li>Apply due process provisions.</li> <li>Create Personal Computer Generated Letter (PCGL) decision notification.</li> <li>Submit the claim to the Authorizer.</li> </ul>
Knowledge Check: Process Incarceration/Fugitive Felon Adjustments	44. "What's Next?"  EXPLAIN the upcoming Knowledge Check: Process Incarceration/Fugitive Felon Adjustments