### Section C. Initial Screening Policies

#### Overview

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| In this Section | This section contains the following topics: |

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| [15](#Topic15) | Claims From Veterans Who Are Receiving Retirement Pay or Received Separation Benefits | 1-C-12 |
| [16](#Topic16) | Claims From Survivor Benefit Plan (SBP) Beneficiaries | 1-C-16 |

#### 10. Recording the Date of Receipt

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| Introduction | This topic contains policies for recording the date of receipt on documents the Department of Veterans Affairs (VA) receives, including   * [requirement to stamp the date of receipt on all incoming documents](#a10) * [placement of the date stamp on incoming documents](#b10), and * [documents requiring special handling](#c10). |

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| a. Requirement to Stamp the Date of Receipt on All Incoming Documents | Each document the Department of Veterans Affairs (VA) receives in any of its facilities or locations where it has a presence must be stamped with the date of receipt. Most of the time, this activity occurs in a regional office’s (RO’s) mailroom.    Upon identification of a document in the Veterans Service Center (VSC) that bears no date stamp, attempt to determine when VA received the document.     * If VA received the document * on the current date, stamp the document with an official date stamp, or * prior to the current date, hand-write the date of receipt on the document. * If the exact date VA received the document is unknown, hand-write the best estimate for the date of receipt and identify it as an estimate on the document. All hand-written annotations must include the employee’s signature, and the current date.   ***Important***: The “received date” on a fax is an acceptable date stamp for documents faxed and directly indexed into Virtual VA. It is not necessary to print out such documents, stamp with the date of receipt and upload back into Virtual VA.    ***Note***: In addition to the date stamp, a Veterans Service Center Manager (VSCM) may instruct VSC employees to hand-write on incoming documents the date the *VSC* received them, if the VSC is experiencing unusual delays in the delivery of incoming documents (from the mailroom, intake sites, other ROs, etc.).  ***Reference***: For more information about the use of date stamps, see [*VBA Letter 20-09-10, VBA Policy to Maintain Accountability of Official Date Stamps*](http://vbaw.vba.va.gov/usb/letters/2009/20-09-10.revised.DOC). |

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10. Recording the Date of Receipt, Continued

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| b. Placement of the Date Stamp on Incoming Documents | Place the date stamp on the front of incoming documents in the bottom, right corner whenever possible, but do not obscure data (e.g. images, hand-written or typed text, etc.).  Date stamp the **first** page of all:   * VA forms * claimant correspondence, and * cover sheets (from designated representatives (powers of attorney (POAs), attorneys, etc.)   Date stamp the **first** and **last** page of all medical evidence.  ***Note***: Do not separate batches of incoming mail. Keep batches together with a staple, rubber band, or binder clip and separately date stamp the evidence items as described above. |

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| c. Documents Requiring Special Handling | Claimants occasionally submit *original* versions of the following in support of their claims:   * court records and papers, and * marriage, birth, death, and discharge certificates.   Such documents may have sentimental value and/or be irreplaceable. Because it would be inappropriate to staple, punch holes, or make marks on them, ROs must take the precautions described in the table below.  ***Exception***: Because original versions of death certificates are readily  available, these documents do not require special handling unless a claimant specifically requests its return. |

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10. Recording the Date of Receipt, Continued

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| c. Documents Requiring Special Handling (continued) | |  |  | | --- | --- | | When an original document requiring special handling is received in the ... | Then ... | | RO mailroom | the mail room must   * stamp the date of receipt on something other than the original document. This may include * a cover letter that accompanied the document * the envelope in which the document was mailed * *Optional Form 41, Routing and Transmittal Slip*, or * a blank piece of paper, and * fasten the two items together in a way that will not damage the original document. | | VSC | the VSC must   * photocopy the original document * stamp or annotate the photocopy as a duplicate of the original document * record the date of receipt on the *photocopy* of the original document, and * return the original document to the claimant, using an envelope of sufficient size to avoid having to fold the document. | |

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| ***References***: For more information about handling original documents, see   * [M21-1MR, Part III, Subpart ii, 3.C.7](imi-internal:M21-1MRIII.ii.3.C.7) * [M23-1, Part I, 1.11 d (3)(a)](http://www.benefits.va.gov/WARMS/docs/admin23/m23_1/part1/ch01.doc), and * [M23-1, Part I, 2.45 and 2.47](http://www.benefits.va.gov/WARMS/docs/admin23/m23_1/part1/ch02.doc). |

#### 11. Claimant Signatures

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| Introduction | This topic contains policies regarding claimant signatures, including   * [signature by mark or thumbprint](#a11) * [signature by pencil](#b11) * [individuals authorized to sign on behalf of a claimant](#c11), and * [unsigned original applications](#d11). |

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| a. Signature by Mark or Thumbprint | Accept signatures by mark or thumbprint *only* if any one of the following individuals (or group of individuals) witness the mark or thumbprint:   * two persons who give their addresses * a VA employee * a service organization representative * an attorney * an accredited agent * a notary public, or * a person having the authority to administer oaths for general purposes.   ***References***: For more information on   * signatures by mark or thumbprint, see [38 CFR 3.2130](http://www.warms.vba.va.gov/regs/38CFR/BOOKB/PART3/S3_2130.DOC), and * representatives, attorneys, or agents, see [M21-1MR, Part I, 3.A.2.a](imi-internal:M21-1MRI.3.A.2.a). |

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| b. Signature by Pencil | Accept signatures (or a mark as a signature) that a claimant makes by pencil. |

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11. Claimant Signatures, Continued

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| c. Individuals Authorized to Sign on Behalf of a Claimant | For claims filed with VA on behalf of claimants who are under age 18, are mentally incompetent, or are physically unable to sign a form, accept signatures from the following individuals:     * a court-appointed representative * a person who is responsible for the care of the claimant, including a spouse or other relative * an attorney in fact or agent authorized to act on behalf of the individual under a durable power of attorney, or * the manager or principal officer of an institution caring for the claimant. |

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| d. Unsigned Original Applications | Treat an unsigned original application as an informal claim.  ***Exception***: Claims filed electronically through Veterans Online Application (VONAPP) do not require a signature.  ***References***: For more information about   * handling unsigned applications, see [M21-MR, Part III, Subpart ii, 2.D.15.b](imi-internal:M21-1MRIII.ii.2.D.15.b), and * claims filed through VONAPP, see [M21-1MR, Part III, Subpart ii, 1.A.3.c](imi-internal:M21-1MRIII.ii.1.A.3.c). |

#### 12. Claims From Foreign Residents

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| Introduction | This topic contains policies regarding claims from foreign residents, including   * [determining which RO has jurisdiction](#a12), and * [claims from dependents residing in a foreign country](#b12). |

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| a. Determining Which RO Has Jurisdiction | Except as noted in [M21-1MR, Part III, Subpart ii, 1.C.12.b](imi-internal:M21-1MRIII.ii.1.C.12.b), upon receipt of a claim from a resident of a foreign country, refer the claim to one of the three ROs listed in the table below. |

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| If the claimant resides in … | Then refer his/her claim to the … |
| * Mexico * Central America * South America, or * the Caribbean | Houston RO. |
| Canada | White River Junction RO. |
| foreign countries *other than* those listed above | Pittsburgh RO. |

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| b. Claims From Dependents Residing in a Foreign Country | The residence of a primary beneficiary’s dependent does *not* dictate which RO has jurisdiction over claims his/her dependent may file. Jurisdiction over such claims is based on the *primary beneficiary’s* place of residence and entitlement.  ***Example***: A Veteran living in Salt Lake City, Utah, files a claim for disability compensation. After the Salt Lake City RO grants entitlement based on a 50-percent disability evaluation, the Veteran’s dependent, who lives in Seoul, Korea, files a claim for an apportioned share of the Veteran’s benefits.  ***Result***: Because the Veteran resides within the jurisdiction of the Salt Lake City RO, this RO – *not the Pittsburgh RO* – is responsible for processing the dependent’s claim. |

#### 13. Claims for Ancillary Benefits

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| a. Handling Claims for Ancillary Benefits | The table below describes the action to take upon receipt of claims for ancillary benefits, which include   * an automobile or other conveyance and adaptive equipment * specially adapted housing or special home adaptation, and * a clothing allowance. |

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| Application for Ancillary Benefit | Action |
| *VA Form 21-4502, Application for Automobile or Other Conveyance and Adaptive Equipment (Under 38 U.S.C. 3901-3904)* | Follow the instructions in [M21-1MR, Part IX, Subpart i, 2](imi-internal:M21-1MRIX.i.2). |
| *VA Form 26-4555, Application in Acquiring Specially Adapted Housing or Special Home Adaptation Grant* | Follow the instructions in [M21-1MR, Part IX, Subpart i, 3](imi-internal:M21-1MRIX.i.3). |
| *VA Form 10-8678, Application for Annual Clothing Allowance (Under 38 U.S.C. 1162)* | Route the application to the Prosthetics Department of the VA medical center of jurisdiction. |

#### 14. Handling Claims From Employees and Their Relatives

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| Introduction | This topic contains information on handling claims from employees and their relatives, including   * [definitions of “employee” and “employee’s relative](#a14)” * [who has jurisdiction over claims from employees and their relatives](#b14) * [Restricted Access Claims Center (RACC) responsibilities](#c14) * [employees who work at an examining facility](#d14) * [temporary transfer of a claims folder to the employing RO](#e14) * [claims folders with no *VA Form 20-0344a, Notification of an Employee or Employee-Relative Claims File*](#f14), and * [handling claims for medical or dental treatment only](#g14). |

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| a. Definitions: Employee and Employee’s Relative | An “employee,” for the purpose of this topic, includes the following:   * Veterans Benefits Administration (VBA) employees or contractors * employees of veterans service organizations (VSOs) who are collocated in an RO * VA employees in non-VBA positions who * are collocated in an RO (such as Veterans Health Administration (VHA) or National Cemetery Administration (NCA) employees), or * interact regularly with VBA employees, (such as VHA physicians who conduct compensation and pension examinations on a regular basis), and * participants in a VA work-study program who work in close proximity to or interact regularly with VBA employees.   An “employee’s relative,” for the purpose of this topic, includes a living *or deceased* spouse, child, parent, or sibling.  ***Important***: No special requirements exist for the handling of claims from, or the claims folders of, relatives of VA employees in ***non-VBA*** positions.  ***Reference***: For information about handling claims folders of employees and their relatives, see [M21-1MR, Part III, Subpart ii, 4.A.3](imi-internal:M21-1MRIII.ii.4.A.3). |

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14. Handling Claims From Employees and Their Relatives, Continued

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| b. Who Has Jurisdiction Over Claims From Employees and Their Relatives | With few exceptions, which are described in [M21-1MR, Part III, Subpart ii, 4.A.3.f](imi-internal:M21-1MRIII.ii.4.A.3.f), claims filed by employees and their relatives must be processed by an RO other than the employing RO. The St. Paul Restricted Access Claims Center (RACC) handles most of these claims.  ***Reference***: For additional information on claims handled by RACCs, see [M21-1MR, Part III, Subpart ii, 4.A.3](imi-internal:M21-1MRIII.ii.4.A.3). |

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| c. RACC Responsibilities | When a RACC receives the claims folder of an employee or an employee’s relative from another RO, it must   * review the claims folder to determine whether a claim is pending, and (if necessary) * continue any claims processing activities initiated by the other RO. |

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| d. Employees Who Work at An Examining Facility | If an employee works at an examining facility and requires an examination in connection with a pending claim, request the examination from a different facility ***unless*** the VSCM determines an examination at the employing facility will not affect its integrity.  When a VSCM chooses to allow an examination of an employee at the same facility where he/she works, the VSCM must   * prepare a signed memorandum explaining the reason(s) for allowing the examination, and * file the memorandum in the claims folder.   ***Important***: An examining facility will reject an examination request if, while processing the request,   * it recognizes the Veteran as an employee of the facility, and * there is no indication in the claims folder (if provided) or the request that the VSCM has * acknowledged the employee-employer relationship, but * approved examination of the employee at the facility. |

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14. Handling Claims From Employees and Their Relatives, Continued

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| e. Temporary Transfer of a Claims Folder to the Employing RO | If a RACC transfers a claims folder back to the employing RO (for an examination, personal hearing, etc.), the employing RO must ensure   * the VSCM is aware of the transfer * the transfer * was for a valid reason, and * is only temporary * the claims folder is secured in locked files * any necessary local action is taken immediately, and * the claims folder is returned to the RACC as quickly as possible. |

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| f. Claims Folders With No VA Form 20-0344a | If an employee or relative of an employee files a claim, but there is no *VA Form 20-0344a, Notification of an Employee or Employee-Relative Claims File*, in his/her claims folder, notify the VSCM. The VSCM is responsible for working with the RO’s Information Security Officer to   * determine whether the employee must complete and submit *VA Form 20-0344, Annual Certification of Veteran Status and Veteran-Relatives*, and * ensure completion of the procedure set forth in [M21-1MR, Part III, Subpart ii, 4.A.3](imi-internal:M21-1MRIII.ii.4.A.3.k). |

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| g. Handling Claims For Medical or Dental Treatment Only | If an employee or relative of an employee, who has never filed a claim for VA disability benefits, files a claim for hospital, outpatient, or dental treatment ***only***, retain his/her claims folder in local locked files.  ***Exception***: If the claim requires a character of discharge or line-of-duty determination, transfer his/her claims folder to the appropriate RACC (unless [M21-1MR, Part III, Subpart ii, 4.A.3](imi-internal:M21-1MRIII.ii.4.A.3) provides for retention of the claims folder in local locked files). |

#### 15. Claims From Veterans Who Are Receiving Retirement Pay or Received Separation Benefits

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| Introduction | This topic contains information on claims from Veterans who are receiving retirement pay or received separation benefits, including   * [prohibition against the duplication of benefits](#a15) * [determining whether a Veteran is receiving retirement pay or received separation benefits](#b15) * [different types of severance pay](#c15), and * [assumptions regarding retirement pay and disability severance pay](#d15). |

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| a. Prohibition Against the Duplication of Benefits | Generally, VA may not pay disability compensation to a Veteran who is receiving retirement pay until the Department of Defense (DoD) reduces the retirement pay by an amount equal to the amount of disability compensation the Veteran is receiving.  With few exceptions, which are described in the references at the end of this block, VA also may not pay disability compensation to a Veteran who received one of the following separation benefits until it withholds from the Veteran’s compensation an amount equal to the separation benefit the Veteran received:   * readjustment pay under former 10 U.S.C. 687 and 3814a * non-disability severance pay * separation pay under [10 U.S.C. 1174](http://law.cornell.edu/uscode/html/uscode10/usc_sec_10_00001174----000-.html) * Reservists’ Involuntary Separation Pay (RISP) * Special Separation Benefit (SSB) * Voluntary Separation Pay (VSP), or * disability severance pay. |

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15. Claims From Veterans Who Are Receiving Retirement Pay or Received Separation Benefits, Continued

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| a. Prohibition Against the Duplication of Benefits (continued) | ***References***: For more information about handling claims from Veterans who received   * retirement pay, see [M21-1MR, Part III, Subpart v, 5.A.1](imi-internal:M21-1MRIII.v.5.A.1) * readjustment pay under former 10 U.S.C. 3814a, see [M21-1MR, Part III, Subpart v, 4.B.5.d](imi-internal:M21-1MRIII.v.4.B.5.d) * readjustment pay under former 10 U.S.C. 687, see [M21-1MR, Part III, Subpart v, 4.B.5.e](imi-internal:M21-1MRIII.v.4.B.5.e) * non-disability severance pay, see [M21-1MR, Part III, Subpart v, 4.B.5.g](imi-internal:M21-1MRIII.v.4.B.5.g) * separation pay under [10 U.S.C. 1174](http://law.cornell.edu/uscode/html/uscode10/usc_sec_10_00001174----000-.html), see [M21-1MR, Part III, Subpart v, 4.B.5.h](imi-internal:M21-1MRIII.v.4.B.5.h) * RISP and Reservists’ Special Separation Pay (RSSP), see [M21-1MR, Part III, Subpart v, 4.B.5.i](imi-internal:M21-1MRIII.v.4.B.5.i) * SSB and Voluntary Separation Incentive (VSI), see [M21-1MR, Part III, Subpart v, 4.B.5.j](imi-internal:M21-1MRIII.v.4.B.5.j) and [k](imi-internal:M21-1MRIII.v.4.B.5.k) * VSP, see [M21-1MR, Part III, Subpart v, 4.B.5.n](imi-internal:M21-1MRIII.v.4.B.5.n), and [o](imi-internal:M21-1MRIII.v.4.B.5.o), and * disability severance pay, see [M21-1MR, Part III, Subpart v, 4.B.7](imi-internal:M21-1MRIII.v.4.B.7). |

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| b. Determining Whether a Veteran is Receiving Retirement Pay or Received Separation Benefits | A review of one or more of the following will typically reveal whether or not a Veteran is receiving retirement pay or received separation benefits:   * application for VA compensation or pension * *DD Form 214, Certificate of Release or Discharge From Active Duty* * MILITARY PAYMENTS tab in the corporate record, and/or * the MISCELLANEOUS INFO tab on the VETERANS IDENTIFICATION screen of the Beneficiary Identification and Records Locator Subsystem (BIRLS).   ***Important***: The presence of an amount in the SEPARATION PAY field on the MISCELLANEOUS INFO tab is only an indicator the Veteran received *some type* of separation benefit. It is ***not*** a reliable indicator of whether this benefit is the same “separation pay” described in [10 U.S.C. 1174](http://law.cornell.edu/uscode/html/uscode10/usc_sec_10_00001174----000-.html).  ***Reference***: For more information about accessing information in BIRLS and the corporate record, see the [*Share User’s Guide*](http://css.vba.va.gov/SHARE/). |

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15. Claims From Veterans Who Are Receiving Retirement Pay or Received Separation Benefits, Continued

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| c. Different Types of Severance Pay | Some Veterans received severance pay when they separated from service. It is important to understand there are ***two*** different types of severance pay, because the rules for handling claims from Veterans who received one type are not the same as those for handling claims from Veterans who received the other type.  The table below   * explains the circumstances under which DoD may award each type of severance pay, and * identifies which type of pay VA must recoup. |

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| Type of Severance Pay | Circumstances Warranting Payment | Recoupment Required? |
| disability severance pay | Service member   * has a service-related disability that renders him/her unfit for duty, and * is not eligible for retirement pay based on longevity. | Yes, ***if*** VA   * awards disability compensation for the same disability the Veteran received disability severance pay, and * initially rates the disability at least 10 percent disabling.   ***Exception***: VA does ***not*** recoup disability severance pay that a Veteran received on or after January 28, 2008, for a disability incurred in a combat zone. |

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15. Claims From Veterans Who Are Receiving Retirement Pay or Received Separation Benefits, Continued

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| c. Different Types of Severance Pay (continued) |

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| Type of Severance Pay | Circumstances Warranting Payment | Recoupment Required? |
| non-disability severance pay  ***Note***: [10 U.S.C. 1174](http://law.cornell.edu/uscode/html/uscode10/usc_sec_10_00001174----000-.html) initiated the replacement of non-disability severance pay with separation pay, on September 15, 1981. | Service member is   * involuntarily separated from service, and * not eligible for retirement pay based on longevity. | Only if the Veteran became entitled to disability compensation *on or after* September 15, 1981. |

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| ***Reference***: For more information about   * disability severance pay, see [M21-1MR, Part III, Subpart v, 4.B.7](imi-internal:M21-1MRIII.v.4.B.7), and * non-disability severance pay, see [M21-1MR, Part III, Subpart v, 4.B.5.g](imi-internal:M21-1MRIII.v.4.B.5.g). |

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| d. Assumptions Regarding Retirement Pay and Disability Severance Pay | If service records indicate a Veteran left active duty and is now in a reserve status, it is safe to assume without further development the Veteran did ***not*** receive   * retirement pay, or * disability severance pay. |

#### 16. Claims From Survivor Benefit Plan (SBP) Beneficiaries

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| Introduction | This topic contains information about claims from beneficiaries of the Survivor Benefit Plan (SBP), including   * [background of the SBP](#a16) * [restriction on concurrent payment of Dependency and Indemnity Compensation (DIC) and SBP benefits](#b16) * [identifying survivors to whom SBP benefits are payable](#c16) * [coordinating the payment of DIC with Defense Finance and Accounting Service (DFAS)](#d16), and * [fax template for requesting information from DFAS](#e16). |

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| a. Background of the SBP | The Survivor Benefit Plan (SBP) was established under *Public Law 92-425* for the purpose of providing an annuity for surviving spouses of   * active and retired service personnel, and * commissioned officers of the * Public Health Service (PHS), and * National Oceanic and Atmospheric Administration (NOAA). |

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| b. Restriction on Concurrent Payment of DIC and SBP Benefits | Generally, VA cannot pay Dependency and Indemnity Compensation (DIC) to a surviving spouse who is receiving SBP benefits.  In order to avoid an overpayment of VA benefits to a surviving spouse with entitlement to DIC, review the claims folder to determine whether the surviving spouse is potentially eligible for SBP benefits. Potential eligibility exists if the deceased Veteran was   * retired, or * on active duty but eligible for retirement.   ***Important***: On those occasions when a surviving spouse’s claim for DIC is processed *without* the Veteran’s claims folder, follow the instructions in [M21-1MR, Part III, Subpart ii, 1.C.16.d](imi-internal:M21-1MRIII.ii.1.C.16.d) for contacting the Defense Finance and Accounting Service (DFAS) before awarding benefits. |

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16. Claims From Survivor Benefit Plan (SBP) Beneficiaries Beneficiaries, Continued

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| c. Identifying Survivors to Whom SBP Benefits Are Payable | If there is documentation of record, to include correspondence from DFAS, indicating SBP benefits are payable to the spouse of a deceased Veteran, reverse-file the document in the center section of the claims folder until   * the surviving spouse files a claim for DIC, and * VA makes a decision on the claim.   ***Note***: Establish a notice-of-death (NOD) folder in which to reverse-file the document if   * VA never established a claims folder for the Veteran, or * the claims folder is located at the RMC.   ***References***: For information about   * establishing a claims folder, see [M21-1MR, Part III, Subpart ii, 3.B.3.a](imi-internal:M21-1MRIII.ii.3.B.3.a) * establishing a NOD folder, see [M21-1MR, Part III. Subpart ii, 8.C.13.b](imi-internal:M21-1MRIII.ii.8.C.13.b), and * accessing service data through the Veterans Information Solution (VIS), see the [*VIS User Guide*](http://vbaw.vba.va.gov/bl/21/publicat/docs/visug2001.doc). |

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16. Claims From Survivor Benefit Plan (SBP) Beneficiaries Beneficiaries, Continued

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| d. Coordinating the Payment of DIC With DFAS | Before paying DIC to a surviving spouse with potential eligibility for SBP benefits, contact DFAS to determine   * whether the surviving spouse is receiving SBP benefits, and (if so) * whether payment of DIC will create an overpayment.   Many Pension Management Center (PMC) employees have access to DFAS’s Annuity Pay System (APS). This system often contains the information required to make the determinations referenced above without making direct contact with DFAS. When it does not, or when access to APS does not exist, either the finance activity or a Veterans Service Representative (VSR) must fax a request to DFAS at 800-982-8459, using the template shown in [M21-1MR, Part III, Subpart ii, 1.C.16.e](imi-internal:M21-1MRIII.ii.1.C.16.e).  If a request is faxed to DFAS, postpone payment of DIC until DFAS responds.   * If DFAS does not respond within five workdays, follow up by telephone with an * Annuity Pay Analyst, at 216-204-2120, or * Annuity Pay Supervisor, at 216-204-2097. * If attempts to contact DFAS using either of the telephone numbers above are unsuccessful, call the Annuity Pay Manager at 216-204-4171.   ***Notes***:   * It is acceptable to * send multiple requests to DFAS in a single fax, as long as a separate template is prepared and included for each request, and * request information from DFAS by telephone, using the numbers provided above, but ***only*** when an expeditious response is required. * Document any telephone contact with DFAS on *VA Form 27-0820, Report of General Information*.   ***Reference***: For more information on processing DIC claims from surviving spouses with SBP eligibility, see [M21-1MR, Part IV, Subpart iii, 3.I](imi-internal:M21-1MRIV.iii.3.I). |

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16. Claims From Survivor Benefit Plan (SBP) Beneficiaries Beneficiaries, Continued

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| e. Fax Template for Requesting Information from DFAS | Use the template below when faxing a request to DFAS for information about the payment of SBP benefits to a surviving spouse. |

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