#### Department of Veterans Affairs M21-1, Part III, Subpart v

**Veterans Benefits Administration July 11, 2015**

**Washington, DC 20420**

#### Transmittal Sheet

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| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Manual M21-1, Part III, “General Claims Process,” Subpart iii, “General Authorization Issues and Claimant Notifications.” ***Notes***: * Unless otherwise noted, the term “claims folder” refers to the official, numbered, Department of Veterans Affairs (VA) repository – whether paper or electronic – for all documentation relating to claims that a Veteran and/or his/her survivors file with VA.
* Minor editorial changes have also been made to
* update incorrect or obsolete references
* update obsolete terminology, where appropriate
* update fiduciary activity to fiduciary hub
* update helpless child to child incapable of self-support
* remove references to specific claims-processing systems, where doing so does not affect the clarity of the instructions or information provided
* renumber each topic based on the standard that the first topic in each section is Topic 1
* reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic
* update section and topic titles to more accurately reflect their content
* clarify block labels and/or block text, and
* bring the document into conformance with M21-1 standards.
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| Reason(s) for the Change | Citation |
| To update procedures for processing evidence of incompetency based on the creation of the authorization activity at the fiduciary hubs under Fast Letter (FL) 14-07, *Fiduciary Hub Promulgation Teams.* | M21-1, Part III, Subpart v, Chapter 9, Section B, Topic 2, Block b (III.v.9.B.2.b) |
| * To add information about authorization actions for incompetency determinations at the fiduciary hubs.
* To add a note stating that the station of origination (SOO) is not required to send notice to the fiduciary unless an adjustment is made to the beneficiary’s award.
 | III.v.9.B.2.d |
| To remove procedures now under the jurisdiction of the fiduciary hubs. | III.v.9.B.2.e |
| To remove instructions on establishing end product (EP) 290 because this procedure is now under the jurisdiction of the fiduciary hub. | III.v.9.B.2.f |
| To add a column indicating the responsible party for each step when processing a judicial determination of incompetency of a Veteran.  | III.v.9.B.2.g |
| To update that notification to the fiduciary hubs is completed by e-mail. | III.v.9.B.2.j |
| To update the sample language to include language for sending all correspondence to the Centralized mail locations. | III.v.9.B.3.b |
| To add a new Block h with procedures regarding processing additional evidence or a request for a hearing from a beneficiary. | III.v.9.B.3.h |
| To add a new Block j with procedures regarding processing a waiver of due process for proposed incompetency. | III.v.9.B.3.j |
| * To add information stating that the Veteran Service Center (VSC) collocated with the fiduciary hub will handle all appeals of incompetency determinations.
* To add a note stating fiduciary hubs will handle all appeals regarding the selection of a fiduciary.
 | III.v.9.B.3.l |
| To clarify procedures for electronic claims folder (eFolder) processing from procedures for paper claims folder processing. | III.v.9.B.4.c |
| * To update the process for considering an award of relief.
* To add that all evidence considered for the possible award of relief must be included in the request e-mail sent to the National Instant Criminal Background Check System (NICS) mailbox and that the NICS point of contact (POC) will then review the e-mail and the criminal history, and contact the requesting VSR if further review of evidence used in the decision-making is necessary.
* To add that Central Office (CO) must concur on the award of relief.
* To add a note that the SOO Director must sign off on any award of relief.
 | III.v.9.B.4.i |

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| Rescissions | None |

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| Authority | By Direction of the Under Secretary for Benefits |

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| Signature | Thomas J. Murphy, DirectorCompensation Service |

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