



## PENSION

## FIDUCIARY PROGRAM

# WHAT IS THE DEPARTMENT OF VETERANS AFFAIRS FIDUCIARY PROGRAM?

The fiduciary program provides oversight of VA’s most vulnerable beneficiaries who are unable to manage their VA benefits because of injury, disease, the infirmities of advanced age, or under 18 years of age. VA appoints fiduciaries who manage VA benefits for these beneficiaries and conducts oversight of VA-appointed fiduciaries to ensure that they are meeting the needs of the beneficiaries they serve.

### WHAT IS A FIDUCIARY?

A fiduciary is an individual or entity who has been appointed by VA to receive VA benefits on behalf of a beneficiary for the use and benefit of the beneficiary and the beneficiary’s dependents.

### WHEN IS A FIDUCIARY NEEDED?

It is VA’s policy that every beneficiary has the right to manage his or her VA benefits. However, in cases where medical evidence indicates that the beneficiary cannot manage their VA benefits, VA may decide that the beneficiary needs the assistance of a fiduciary. This determination may also be made based upon notice that a court has appointed a guardian for the beneficiary. VA’s decision that a beneficiary needs a fiduciary may be appealed to the Board of Veterans Appeals.

### WHAT IS THE FIDUCIARY APPOINTMENT PROCESS?

Prior to appointment of a fiduciary, VA will assess the well-being and needs of the beneficiary and the beneficiary’s dependents in light of their funds. This assessment is based, in part, upon a face-to-face meeting with the beneficiary at the beneficiary’s home.

An assessment of the qualification of a proposed fiduciary includes, but is not limited to:

- The willingness to serve and fulfill the responsibilities of a fiduciary
- A face-to-face meeting with the prospective fiduciary

Disabilities determined by VA to be related to your military service can lead to monthly non-taxable compensation, enrollment in the VA health care system, a 10-point hiring preference for federal employment and other important benefits. Ask your VA representative or Veterans Service Organization representative about Disability Compensation, Pension, Health Care, Caregiver Program, Career Services, Educational Assistance, Home Loan Guaranty, Insurance and/or Dependents and Survivors’ Benefits.



U.S. Department of Veterans Affairs



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- A credit history check
  - A criminal background check
  - Character witness interviews

In some cases, VA may require the appointed fiduciary to submit annual accountings and/or obtain a surety bond. , VA instructs the fiduciary regarding the duties and obligations of the position, and provides information regarding the beneficiary's needs, to include recurring monthly bills.

After the initial appointment of a fiduciary, VA conducts follow-up visits with beneficiaries and fiduciaries to monitor the beneficiary's well-being and fiduciary's performance. If VA identifies unmet needs or adverse conditions, VA may remove the fiduciary and appoint a new fiduciary for the beneficiary.

#### **WHO MAY SERVE AS A FIDUCIARY?**

In deciding who should act as fiduciary for a beneficiary, VA will always select the most effective and least restrictive fiduciary arrangement. This means that VA will first consider whether the beneficiary can manage their VA benefits with limited VA supervision under supervised direct pay. VA will consider the choice of the beneficiary, then the beneficiary's spouse, family members, friends, caregivers who are qualified and willing to provide fiduciary services for the beneficiary without a fee or, a temporary fiduciary, if necessary. As a last resort, VA will consider appointment of a paid fiduciary.

#### **HOW DO I BECOME A FIDUCIARY?**

If you are interested in serving as a fiduciary without a fee for a family member, friend, or person for whom you are a caregiver, please submit a request with the beneficiary's name and VA file number, and your name and contact information, to the VA Regional Office nearest you. You may obtain the address of the office nearest you by calling 1-800-827-1000.

If you are interested in being considered to serve as a fiduciary who may receive a fee, please submit your resume with a cover letter to the following e-mail address: [VA\\_Fiduciary@va.gov](mailto:VA_Fiduciary@va.gov). Please include your name, the name of your organization or business (if applicable), and your mailing and e-mail addresses with your request.





You can find [additional information about becoming a fiduciary.](#)

