

6. Survivors of Servicemembers Who Die on Active Duty

Introduction This topic provides information on the outreach program for survivors of service members who die on active duty.

Change Date Initial content load September 2012

a. Designation of a Casualty Assistance Coordinator (CAC)

Each RO will designate a Primary and an Alternate Casualty Assistance Coordinator (CAC), who should:

- be responsible for working with his/her military counterparts at local military facilities in providing benefits information and assistance to surviving family members.
- establish a strong working relationship with the Casualty Assistance Coordinator Officer (CACO) of military installations located within the RO jurisdictional area.
- be familiar with all potential death benefits, not just DIC.
- report any changes in the Primary and Alternate CAC(s) to the Casualty Assistance Program Manager immediately.

Upon notification of DD Form 1300, [Report of Casualty](#), via the Veterans Tracking Application (VTA) system, the RO CAC will contact the identified military CACO to offer assistance. ***There should be no attempt to contact any survivor unless 30 days have passed since the death of the service member.***

b. CAC Directory

For a complete list of coordinators, go to:

http://vbaw.vba.va.gov/bl/27/outreach/military/casualty_assistance/cac_index.htm.

c. Casualty Assistance Facts

It should be noted that:

- not all Servicemembers have dependents.
-

Continued on next page

6. Survivors of Servicemembers Who Die on Active Duty, Continued

c. Casualty Assistance Facts (continued)

- there may be more than one survivor eligible for benefits (i.e., surviving spouse, children who may not be in the custody of the surviving spouse, and parent(s)).

Some applicants are found to be ineligible (i.e., a parent with countable income exceeding the limit for Parents DIC).

d. Spousal Contact

The military will give direction on when VA contact should be initiated. However, if 30 days has passed, the CAC should write a letter, enclosing a business card to set up an appointment. Usually, the first contact with the survivors will be made by telephone to set up a personal visit at a time and place convenient for the survivor(s).

e. Parental Contact

Contact with surviving parents will be made *only* if there is an indication that Parents DIC entitlement exists.

If entitlement *does exist*, a visit should be made and assistance provided in completing VA Form 21-535 (Application for Dependency and Indemnity Compensation by Parent(s)). The parents should be advised of the availability of bereavement counseling, financial counseling, Chapter 30 refund, Presidential Memorial Certificates and any other state and agency benefits. The VA Form 21-535 (Application for Dependency and Indemnity Compensation by Parents(s)) should be mailed to the Philadelphia RO&IC.

The address is: Department of Veterans Affairs
Attn: Casualty Assistance Officer
P. O. Box 13399
Philadelphia, PA 19101

If entitlement *does not exist*, a visit is not necessary. Process the DD Form 1300 as a First Notice of Death and request a Presidential Memorial Certificate. The military CACO will explain SGLI death claim and Chapter 30 death benefit refund procedures to the parents and the availability of bereavement counseling.

Continued on next page

6. Survivors of Servicemembers Who Die on Active Duty, Continued

f. Potential Needs Regarding Fiduciary Cases

The following is a list of potential needs for a fiduciary for any VA benefits payable.

- If a minor child is *not* in the custody of the natural or adoptive parent or step-parent, a fiduciary arrangement must be certified.
 - If the beneficiary is under an *existing legal disability* such as a Court guardianship, trusteeship or similar arrangement (i.e., may include minors in the custody of a natural or adoptive parent, or step-parent) a fiduciary arrangement must be certified.
-

g. Guidelines for Field Examinations

Guidelines for conducting adult and minor child field examinations are contained in the M21-1 (Part XI) and can be found at:
<http://vbaw.vba.va.gov/BL/21/M21/content/contents.asp?address=M21-1MRXI>

h. Final Action on Fiduciary Cases

If evidence obtained through personal observation and/or interview indicates that the adult beneficiary may not be able to handle VA benefit payments without assistance, the evidence or report of observations should be referred for rating action.

A fiduciary arrangement can be made only after a rating proposing incompetency is completed. The beneficiary is provided a chance to refute the proposal. After all evidence has been received, a formal rating based on all the evidence is prepared by the rating action.

i. During the Visit by the CACO

During the visit the RO CAC will:

- provide full benefits information.
- offer help in completing applications.
- advise the survivor who to contact at the local RO, RPO or Philadelphia Regional Office and Insurance Center (RO&IC) for any follow-up actions or questions.

Give referral information about other agencies, organizations, and support groups, if available.

Continued on next page

6. Survivors of Servicemembers Who Die on Active Duty,

Continued

j. DIC Claims Processing

DIC claims processing is centralized in the Philadelphia RO&IC using a completed and signed VA Form 21-534a, *Application for Dependency and Indemnity Compensation by a Surviving Spouse or Child – In Service Death Only*.

Hard copies of the DD Form 1300 will be provided to Philadelphia for processing the DIC claims in accordance with the Data Sharing Agreement with the Department of Defense.

The VA Form 21-534a should be faxed to 215-381-3084. Philadelphia RO&IC will process in accordance with M21—1, Part IV, subpart iii, Chapter 1.3.b.

k. Chapter 35

VA Form 22-5490, *Dependents' Application for VA Education Benefits*, for survivors' and dependents' education assistance (Chapter 35), should be completed and faxed to the Regional Processing Office of jurisdiction.

l. Chapter 33 Fry Scholarship

The RO CAC(s) shall assist children of an active duty member of the Armed forces who died in the line of duty after September 10, 2001 with obtaining the education benefits under the Post 9/11 GI Bill – Marine Gunnery Sergeant John D. Fry Scholarship.

m. Chapter 30 Refund

In some cases, the service department is required to collect \$100 per month for the first 12 months of active duty unless the service member declined chapter 30 in writing.

VA will refund to the designated SGLI beneficiary(ies) any Chapter 30 pay reductions less benefits previously paid to the deceased service member, or the deceased service member's unused Chapter 32 contributions.

The request will not need to be on a particular form. The following written statement will suffice: *"I wish to claim the Chapter 30/Chapter 32 death benefit."*

Continued on next page

6. Survivors of Servicemembers Who Die on Active Duty,

Continued

**m. Chapter 30
Refund**
(continued)

Hard copies of the DD Form 1300 (Report of Casualty) will be provided to St. Louis for processing the educational refund claim in accordance with the Data Sharing Agreement with the Department of Defense. The statement must contain the name and SSN of the deceased service member.

The request should be faxed to the St. Louis Regional Processing Office:
314-552-9444.

**n. CAC
Handling of
SGLI Claims**

SGLI death claims processing is usually handled by the military, however, there may be cases where the RO CACO is asked to provide assistance in completing and submitting the Claim for Death Benefits (SGLV Form 8286).

In those cases, the RO CACO should submit the claim to OSGLI by fax to the following number: 877-832-4943.

**o. Loan
Guaranty**

The surviving spouse should complete Part I of VA Form 26-1817, *Request For Determination of Loan Guaranty Eligibility - Unmarried Surviving Spouses*.

The RO CAC should then complete Section B of Part II of the form verifying the surviving spouse's basic eligibility, and fax the completed form to the Eligibility Center, which is located in Atlanta, George. Fax number is 404-929-5401.

The Eligibility Center will make a formal determination of loan guaranty eligibility within one workday of receipt and notify the surviving spouse by mail.

**p. CAC
Reporting**

For each in-service death, the RO CAC must complete the *In-Service Casualty – Case Assistance Report* that is a part of the casualty VTA reporting system.

Each completed report can be viewed on the VTA system after all required actions have been completed.

**q. CAC Report
Form**

The In-Service Casualty Assistance Case Report contains detailed information that must be completed by the CAC in the VTA system. It contains free text with up to 200 characters to explain contacts with survivors.

Continued on next page

6. Survivors of Servicemembers Who Die on Active Duty, Continued

r. Bereavement Counseling

VA offers bereavement counseling provided at community-based Vet Centers. Services are obtained by calling Readjustment Counseling Service (RCS) at (720) 874-1031, or by e-mail to vet.center@hq.med.va.gov, both of which are dedicated for this specialized service. RCS staff will assist families in contacting the nearest Vet Center.

s. Information and Websites for Casualty Assistance

BAS has an Intranet site that provides information, forms and procedures for the casualty assistance program. It is located on the VBA BAS [Casualty Assistance Intranet web page](#).

VBA Letter 20-07-45, dated October 17, 2007, Subject: Casualty Assistance Program Procedures may be found at: [Under Secretary for Benefits Letters \(VBA 20 Letters\)](#).

t. Pamphlets and Application Forms for Casualty Assistance

Benefits and Services for Survivors of Servicemembers Who Die on Active Duty, VA Pamphlet 21-02-1, December 2005, is large tri-fold color brochure with a document pocket. RO CACs will give the brochure to survivors only when it is evident that it was not previously given to them.

The proper form for this type of claim is [VA Form 21-534a, Application for Dependency and Indemnity Compensation by a Surviving Spouse or Child – In-Service Death Only](#)