#### Department of Veterans Affairs M29-1, Part 1, Chapter 35

**Veterans Benefits Administration June 11, 2019**

**Washington, DC 20420**

#### Key Changes

|  |  |
| --- | --- |
| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Insurance Manual M29-1, Part 1, Chapter 35.  ***Notes***:   * **M29-1, Part 1, Chapter 35** has been rewritten in its entirety for improving clarity and readability. Any substantive changes are itemized in the table below. * Minor editorial changes have also been made to * improve clarity and readability * add references * update incorrect or obsolete references * update obsolete terminology, where appropriate * reorganize/relocate content within **M29-1, Part 1, Chapter 35** so that it flows more logically * reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic * update the labels of individual blocks and the titles of sections and topics to more accurately reflect their content, and * bring the document into conformance with M29-1 standards. |

|  |  |
| --- | --- |
| Reason(s) for Notable Change | Citation |
| Adds entire Chapter 35 Third Party Requests to M29-1, Part 1 | Chapter 35 |
| Explains that an insured’s third-party representatives may include a VA fiduciary, power of attorney, legal guardian; also clarifies that VA employees will not release any information regarding the account, other than premium amounts to a Veterans Service Organization, without prior written authorization | Subchapter 35.01 |
| Explains that any information regarding premium status or existing loans will only be released to the insured or his authorized third-party representatives; however general information on the insurance program may be released to anyone. | Subchapter 35.01 |
| Explains how Insurance will authorize release of information to a third party and communicate with the authorized third party and the insured. | Subchapter 35.01 |
| Explains who Insurance considers an authorized VA fiduciary or legal guardian and what actions they can take on behalf of an insured or beneficiary | Subchapter 35.02 |
| Explains that VA fiduciaries or legal guardians can access the name of the beneficiary but in general cannot name beneficiaries | Subchapter 35.02 |
| Explains that a fiduciary must be verified through VA systems or have submitted VA Form 29-555 before any actions on the account are approved; explains that when a legal guardian requests an action on the account, evidence of his appointment from the court of appropriate jurisdiction must be received | Subchapter 35.02 |
| Explains that a Power of Attorney must be put into effect when the member is competent and must be signed by the insured; explains that some Power of Attorneys grant broad authority but others are limited to specific actions; explains that a Power of Attorney will remain in effect until revoked by the insured | Subchapter 35.03 |
| Explains that a health care Power of Attorney is not acceptable for taking actions on the insurance account | Subchapter 35.03 |
| Explains the language under which a Power of Attorney document will either remain in effect or be revoked upon the occurrence of the mental incapacity of the insured | Subchapter 35.03 |

|  |  |
| --- | --- |
| **Reason(s) for Change** | **Citation** |
| Explains that when an updated VA Form 29-555 or evidence of court appointment is received, it must be updated electronically to the insured’s account | Subchapter 35.02 |
| Explains that when a VA-appointed fiduciary receives a payment of $350 or more, it must be reported to the Veterans Service Center Manager of appropriate jurisdiction; | Subchapter 35.02 |
| Explains that all Power of Attorney documentation must be updated electronically to the insured’s account | Subchapter 35.03 |

|  |  |
| --- | --- |
| Rescissions | None |

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

|  |  |
| --- | --- |
| Signature | Vincent E. Markey, Director  Insurance Service |

|  |  |
| --- | --- |
| Distribution | LOCAL REPRODUCTION AUTHORIZED |