#### Department of Veterans Affairs M29-1, Part 6, Chapter 23

**Veterans Benefits Administration March 20, 2020**

**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 6, Chapter 23.  ***Notes***:   * **M29-1, Part 6, Chapter 23** has been rewritten in its entirety for the purpose of 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 6, Chapter 23** 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 |
| Clarifies that the Rating Activity of jurisdiction determines competency of the insured prior to death, and the Philadelphia Rating Activity determines competency of the insured after death; explains that the Insurance Live Claims staff retains final authority to determine insurability for ARH program purposes | Subchapter 23.01 |
| Explains that the Live Claims staff must first determine if the insured met basic ARH program eligibility requirements before the case is referred to the Rating Activity for a competency determination; | Subchapter 23.02 |
| Clarifies that a guardian must have been appointed no more than 2 years prior to the insured’s death in order to apply for the benefit on the insured’s behalf | Subchapter 23.02 |
| Explains the eligibility requirements needed to qualify for the ARH benefit and explains that a grant of ARH insurance bars the claimant from receipt of Supplemental Service-Disabled Veterans’ Insurance | Subchapter 23.02 |
| Explains that a widow or widower entitled to payment of the ARH benefit is not excluded from receipt of the benefit, unless they have remarried | Subchapter 23.03 |
| Explains that for the purpose of determining the order of precedence for ARH payment, evidence is required of the insured’s death and if applicable, proof of any alleged remarriage of the widow or widower; for purposes of determining the nature of the relationship of the beneficiary to the insured, evidence should be based on legal requirements from 38 CFR 3.0 and 38 CFR 8.2 | Subchapter 23.03 |
| Eliminates language that refers to filing a claim prior to January 1, 1961, as no longer applicable to the insurance programs | Subchapter 23.04 |
| Clarifies that under federal law payment of the ARH benefit will be made as one sum payment only | Subchapter 23.05 |
| Clarifies that ARH claims processing will follow the procedures outlined in M29-1, Part 1, Chapter 15.06 of the Insurance Manual | Subchapter 23.06 |
| Eliminates Subchapters 23.07 and 23.08 as the procedures are no longer applicable to the insurance programs | Subchapters 23.07and 23.08 |
| Explains that a letter denying the claimant the ARH benefit will include information on appeal rights; clarifies that a decision denying the claimant’s mental incompetency is made by the Rating Activity, but that any appeal of the decision must be submitted to the Regional Office of jurisdiction over the case | New Subchapter 23.07/Prior Subchapter 23.09 |

|  |  |
| --- | --- |
| **Reason(s) for Change** | **Citation** |
|  |  |
|  |  |
|  |  |

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

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

|  |  |
| --- | --- |
| Signature | Timothy Sirhal, Acting Director  Insurance Service |

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