

Enclosure D – Procedural Table for Fiduciary Hubs Judicial Determination of Incompetency

Responsible Employee	Step	Action
Fiduciary Service Representative 1 (FSR) or designee	1	<p>Establish EP 290- Fiduciary Adjustment in appropriate system.</p> <ul style="list-style-type: none"> - Use the date of the notification as the date of claim - Sets a suspense date for final rating action that is 60 days from the date of claim - Do not use the EP “7” modifier <p><i>Note: Ensure there is not an EP 290 pending from the sending station with a claim label “fiduciary adjustment”. If there is, cancel the EP 290.</i></p> <p>*See the VBMS Claims Exclusion List on the TIP Sheet Webpage for appropriate processing system. *For claims eligible for VBMS processing, see the VBMS User Guide for additional information. *For claims excluded from VBMS processing, see the SHARE User Guide for additional information on claims establishment.</p>
	2	Follow normal procedures to establish the initial appointment field examination.
Field Examiner (FE)	3	Follow normal procedures and timeliness standards to appoint a fiduciary.
Legal Instruments Examiner (LIE) or designee	4	Follow normal procedures and timeliness standards to certify a fiduciary.
	5	<p>Upload VA Form 21-555, Certificate of Legal Capacity to Receive and Disburse Benefits, to the VVA folder.</p> <p>*For instructions on uploading to VVA, see the VVA User guide.</p>
	6	Send notification to the promulgation team to close the EP 290.
FSR 2 or designee	7	Use the table in M21-1MR III.v.9.B.5.d to determine the appropriate authorization actions to take upon receipt of recommendations on the VA Form 21-555 and close the EP 290.
	8	<p>Upload a copy of the award to the VBMS eFolder, or VVA folder if file is not in VBMS.</p> <p>*For instructions on uploading to VVA, see the VVA User guide. *For instructions on uploading to VBMS, see Uploading VETSNET Awards and PCGL Notification Decision Letters into Veterans Benefits Management System (VBMS) TIP Sheet or other current guidance.</p>

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	9	<p>If the beneficiary is a Veteran, refer the case to the co-located VSC for a formal incompetency rating.</p> <p><i>Note: Rating action is not required when a parent, surviving spouse, or adult helpless child is judicially determined to be incompetent.</i></p>
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