

Service-Connected Death Claims Processing Reminder

Due to the ongoing COVID-19 pandemic, claims processors may see service-connected (SC) death claims where COVID-19 is identified as a principal or contributory cause of death on the Veteran's death certificate. Claims processors are reminded to review all facts and circumstances surrounding the death of the Veteran to determine if there is a reasonable probability of SC death. This includes, in part, a review of the principal and contributory causes of death.

COVID-19 Background

According to the [Centers for Disease Control \(CDC\)](#), the complete clinical picture of COVID-19 is not fully known. Reported illnesses have ranged from very mild (including some people with no reported symptoms) to severe, including illness resulting in death. People with serious underlying medical conditions — like serious heart conditions, chronic lung disease, and diabetes, for example — also seem to be at higher risk of developing severe COVID-19 illness.

Duty to Assist

The submission of a substantially complete claim triggers VA's duty to assist in obtaining relevant federal records, relevant private records adequately identified by the claimant, and a medical opinion, if necessary, to decide the claim. When service connection for the cause of the Veteran's death cannot be granted based on the evidence of record, a medical opinion may be needed as outlined under [M21-1, Part IV, Subpart iii.1.B.1.h](#).

Referral to Rating Activity

All cases where there is reasonable probability of SC death should be forwarded to the rating activity for consideration. [M21-1, Part III, Subpart ii.7.2.c](#) and [M21-1, Part IV, Subpart iii.2.A.1.a](#) provide examples of situations where referral to the rating activity must occur, but these are not exhaustive.

Some of these examples include:

- service connection was granted for a condition affecting any vital organ
- the death certificate lists at least one of the Veteran's SC disabilities as a principal or contributory cause of death
- the Veteran was rated 100 percent for a service-connected disease or disability
- the Veteran was entitled to individual unemployability, or
- the cause of death is a presumptive disability and the evidence shows the Veteran meets the particular presumptive criteria.

The rating activity must ensure VA's duty to assist has been fulfilled and determine if, based on the evidence of record, it is at least as likely as not that the Veteran's death was related to service. Current guidance in [M21-1, Part IV, Subpart iii.2.A.1.b](#) directs that the rating activity will grant SC death when:

- the principal or contributory cause of death shown on the death certificate matches one or more of the deceased Veteran's SC disabilities, or
- the cause of death is a presumptive disability and the evidence shows the Veteran meets the particular presumptive criteria.

References:

For more information on

- rating dependency and indemnity compensation benefits under 38 U.S.C. 1310 and 1318, see [M21-1, Part IV, Subpart iii.2.A.1](#)
- specific situations in which survivors benefits claims should be referred to the rating activity, see [M21-1, Part III, Subpart ii.7.2.c](#)
- duty to assist with obtaining relevant records, see [M21-1, Part I, 1.C.1 and 2](#)
- when a medical opinion is required for SC cause of death, see [M21-1, Part IV, Subpart iii.1.B.1.h](#)
- evidence required to confirm cause of death, see [38 CFR 3.211](#), and
- principal or contributory cause of death and vital organs, see [38 CFR 3.312](#).

Questions regarding these procedures should be directed to FPOLPROC.VBACO@va.gov.

Thank you,

Pension and Fiduciary Service