

## PMC VSO Call Follow-Up Notes - November 18, 2020

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## **Pension Automation**

There will be a pause on automation enhancements after an update that is scheduled to take place in December 2020. Currently Service-Connected death decisions, burials, State plot payments, limited Survivor Pension decisions and Month of Death claims are automated. Enhancements for the December 2020 update will focus on income adjustments. While there will be a pause on automation enhancements, updates and automated processes will continue to take place. If at any time you notice an error or issue with a claim that appears to have been automated, please let the PMC know.

## **Fax line Decommissioning**

Details on the USB's goal of Fax Sunsetting by January 4, 2021 are still transpiring. External stakeholders' strategic communication is underway and upon concurrence OFO will commence internal coms with the field. Additional details and updates are forthcoming. Thank you for your patience and understanding as the vetting process continues.

## **Procedures for "Change/Add Direct Deposit"**

Paper based Direct Deposit forms ([VA Form 24-0296](#) and [VA Form 24-0296a](#)) were **discontinued effective October 13, 2020**. As a reminder when a form is discontinued, it is no longer acceptable and there is no one-year grace period to accept. The 572 allows claimants to discontinue direct deposit and change their address but does not allow them to establish new direct deposit. If a claimant does not establish direct deposit on an original claim, they will need to update it on va.gov. This website also allows claimants to change existing direct deposit information instead of relying on VA employees to process their request.

The manual reference **M21-1 III.ii.3.C.1.a. Receiving Notice of a Change of Contact Information or Direct Deposit**, tells us that a change in direct deposit may come in multiple forms including a signed statement from the claimant, from a telephone call where the identity of the caller has been verified, via [VA Form 20-572](#), Request for Change of Address/Cancellation of Direct Deposit, other VA Forms that contain the data, and from claimant data in VIS, eBenefits or Vet360.

The link to update [direct deposit information is here.](#)"

Below are questions and answers from OFO you may find helpful.

**Q. If I am already receiving benefits through direct deposit and don't want to change, what do I do?**

A. Nothing, you will continue to receive benefits to your designated account(s) as before.

**Q. What changes will I see?**

A. VBA will no longer accept VA Form 24-0296 or VA Form 24-0296a forms to set up or make changes to direct deposit after January 1, 2021. If Veterans have questions, they can always call 1-800-827-1000 for help.

Eliminating the use of paper direct deposit forms will enhance the security of Veterans' benefits delivery and streamline the process.

**Q. When is this happening?**

A. This policy is effective from August 1, 2020 with a grace period until January 1, 2021.

**Q. What happens if I submit a VA Form 24-0296 and VA Form 24-0296a after August 1, 2020?**

A. VA will continue to process these forms until the grace period expires on January 1, 2021.

**Q. What happens if I submit a VA Form 24-0296 and VA Form 24-0296a after January 1, 2021?**

A. VA will not process the form. The form will be returned with instructions to use VA.gov self-service capability or our National Call Centers at 1-800-827-1000.

**Q. Who will be affected?**

A. Anyone who wants to use VA Form 24-0296 and VA Form 24-0296a.

**Q. As a VSO, how can I help?**

A. Encourage the use of VA.gov self-service capability and our National Call Centers as a secondary option at 800-827-1000.

**Q. What if I think I'm a victim on fraud?**

A. Safeguarding personally identifiable information (PII) is a Veteran's best defense against being the victim of fraud. Veterans should never disclose their PII to an unknown third party and should regularly change their VA.gov and other account passwords. Veterans who suspect they have been the victim of fraud should call VA at 1-800-827-1000 as quickly as possible.

## Worksheets and Medical Expenses

On September 23, 2020, the expense requirements for accepting nursing home, facility other than nursing home, and in-home sitter fees changed.

- [V.iii.1.G.3.j.](#) Medical Expense Deduction for Nursing Home Fees
- [V.iii.1.G.3.k.](#) Medical Expense Deduction for Care Facility Other Than Nursing Home Fees
- [V.iii.1.G.3.n.](#) Verification of In-Home Attendant Fees Required
- The worksheets included with the new applications and [VA Form 21P-8416](#) are the official VA forms for in-home attendant expenses, and care facilities other than nursing homes or medical foster homes
- VA may accept information submitted by the claimant in any form or method, as long as the initial claim is submitted on a prescribed form
- **VA is no longer allowed to send out any locally-created instruments for collecting information from claimants (i.e., Attendant Affidavit), but we can review/consider the info if they are submitted to us.**
- A separate document from each in-home attendant specifying the following information in addition to the worksheet is required:
  - Amount paid
  - Date payment was made
  - Purpose of the payment (nature of the product or service provided)
  - Name of the person to or for whom the product or service was provided, and
  - Identification of the provider to whom payment was made
- Payments for in-home attendants must be commensurate with the number of hours that the provider attends to the claimant.
- The claimant is required to submit verification of these different fees when:
  - The expense is over \$5,000 monthly and reported for the first time, or
  - When the claimed expenses are questionable. Questionable medical expenses are those that raise doubt of validity. (The amount of claimed annual medical expenses exceeds the claimant's annual income (including VA pension) and liquid assets)
- We need to know the Hourly Rate paid to the in-home attendant and the Number of Hours the in-home attendant provides services. If a monthly rate is reported and either the hourly rate or number of hours is also reported then that is acceptable as well since we can do the math to determine the missing amount (hourly rate x number of hours = monthly rate)
- If a claimant is in a nursing home, VA Form 21-0779 is required. No additional worksheet is required.
- If the claimant submits a [VAF 21-0779](#) and is in assisted living, the information on the worksheet will still be required; however, the information on the [VAF 21-0779](#) may also be taken into consideration to satisfy the requirement of documentation of fees.
- For facilities other than nursing homes, VA Form 27-0820b is necessary if the facility did not verify expense information along with the worksheet
- If a spouse of a veteran is receiving payment from the VA Caregiver Support Program Stipend, the payments are countable as income for VA purposes because the program is not specific to pension recipients. We will count the income when the claimant reports it.

## Signature Issues - Reminder

Appointed representatives such as VSOs may sign the new forms for decision review requests (VA Form 20-0995, 20-0996, or 10182), but they cannot sign a prescribed form for initial entitlement to benefits, such as a VA Form 527EZ or 534EZ, unless they would meet the requirements of an alternate signer. A fully complete [VA Form 21-0972, Alternate Signer Certification](#), allows VA to accept the signature of an alternate signer on behalf of certain claimants or beneficiaries without further development. The requirements for an alternate signer are found below.

**III.ii.1.C.3.b. Requirements for an Alternate Signer** [38 U.S.C. 5101](#) requires an *alternate signer* be at least one of the following:

- a court-appointed representative
- an individual responsible for the care of the claimant or beneficiary, including a spouse or other relative
- an attorney-in-fact or agent authorized to act on behalf of the claimant or beneficiary under a durable POA, or
- a manager or principal officer acting on behalf of an institution caring for the claimant or beneficiary.

**Note:** When the evidence of record includes documentation reflecting that a court or VA finding has been made concerning the claimant's competency status, accept a signature of any of the following on behalf of a claimant without following the procedures for alternate signers:

- a court appointed guardian
- a court appointed fiduciary (with an associated finding of incompetency), or
- a VA appointed fiduciary.

### **III.ii.1.C.3.a. Individuals Authorized to Sign on Behalf of a Claimant**

*Public Law (PL) 112-154*, Section 502, amended [38 U.S.C. 5101](#) to authorize VA to accept an alternate signature on behalf of claimants or beneficiaries who

- are under age 18
- lack the mental capacity to provide substantially accurate information needed to complete a form or to certify that the statements made on a form are true and complete, or
- are physically unable to sign a form.

**References:** For more information on

- requirements for alternate signers, see [M21-1, Part III, Subpart ii, 1.C.3.b](#), and
- actions to take upon receipt of a form or application with an alternate signature, see [M21-1, Part III, Subpart ii, 1.C.3.c](#).