

TDVS Benefits Bulletin
20-9

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TDVS Updates

September Lunch and Learn: Program of Comprehensive Assistance for Family Caregivers (PCAFC) Update

September 9, 2020, 11:30 CDT

As highlighted in [last month's Benefits Bulletin](#), VA published a final rule in the Federal Register, which becomes effective October 1, 2020, that will allow VA to standardize the Program of Comprehensive Assistance for Family Caregivers (PCAFC) that will focus on eligible Veterans with moderate and severe need. The first phase, which will begin in October 2020, will expand PCAFC to eligible Veterans who incurred or aggravated a serious injury in the line of duty in the active military, naval, or air service on or before May 7, 1975. This webinar will explain the program, major changes, eligibility and application requirements.

VA and Veteran Benefit Updates

VA Fact Sheets

[VA Fact Sheets](#) can be useful tools in educating clients on available benefits or resources. The Veterans Benefits Administration recently updated its fact sheet on disability compensation and military sexual trauma.

Direct Deposit Process Change – Message from VBA's Office of Field Operations (OFO)

“To improve security and make changes more efficiently, Department of Veterans Affairs' (VA) Veterans Benefit Administration (VBA) is transitioning to an online process for Veterans to initiate or change their direct deposit information. While the process is ongoing, Veterans will be able to use the legacy forms and fax method through the end of the year. As always, we will be able to help any Veteran with questions about the process by calling our helpline at 1-800-827-1000 (TTY: 711), or by going to your nearest VA regional office (if accepting in-person appointments) and change this information in person. The link to update [direct](#)

[deposit information is here.](#)" Below are questions and answers from VBA's Office of Field Operations 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.

Quality Review Insights

Missing Veteran or Claimant Signature

The Appeals Division has received a significant number of forms without the veteran or claimant's signature. With limited exceptions, VA has not relaxed or modified the signature requirements for compensation and pension claims and appeals.

Exceptions exist for certain Vocational Rehabilitation forms such as VBA-28-1900 and VBA-28-8832 and the VA Form 10182 (Decision Review Request: Board Appeal). On these forms, the typed name of the veteran or claimant will suffice for a signature.

All other forms continue to follow existing guidance that requires a wet, electronic or digital signature and is outlined in more detail below.

What forms can a representative sign?

Representatives have the authority to prepare and submit certain types of claims and other claim-related documents on behalf of the represented individual without that individual's signature. These include but are not limited to –

- Intent to file (ITF) a claim
- Supplemental Claim
- Request for higher-level review
- Legacy Substantive Appeal

A POA may prepare, but may not sign, documents that require the claimant's signature, which include –

- Original Applications for Veterans Benefits
- Forms Requiring Claimant Certification

Please review [VA's M-21 Adjudication Procedures Manual](#) – I.3.A.4.b. – for additional information.

Informal Conferences During Higher Level Review

One of the options for disagreeing with a VA decision dated February 19, 2019 or later is by filing a VA Form 20-0996 to request a higher-level review. Claimants can request an informal hearing as part of this option. If the claimant elects an informal hearing, please provide the Appeals Division's contact information in order to ensure appellate representation.

PRACTICE TIP... Complete Block 14 of the VA form 20-0996 by selecting 8 to 10 a.m. and 10 to 12:30 p.m. and provide TDVS's Appeals Division contact information -- 615-695-6385 and tdva.vbanas@va.gov.

Intent to File

A couple of notes related to VA's Intent to File (VA Form 21-0966) based on Appeals Division quality review.

First, avoid packaging an Intent to File (ITF) for a veteran if you will package an application for the specific benefit identified on the intent on the same day. If an intent and application for benefits are filed on the same day, the Appeals Division will file only the application because it would be associated with the accompanying intent making it irrelevant.

For example, a VA Form 21-0966 and VA Form 21-526EZ are packaged on the same day. Block 13 on the VA Form 21-0966 indicates the veteran intends to file for disability compensation. If filed together, VA would likely associate the VA Form 21-526EZ with the ITF making it irrelevant when filed at the same time as the application for benefits.

Second, it's routine for TDVS employees and CSOs to generate a POA and ITF when first seeing a client. Generally, this is the correct course of action. However, please be aware that if an ITF is already active a duplicate ITF – one submitted for the same benefits as an ITF that has already been submitted – will have no effect on benefit entitlement.

For example, if a veteran initiates a disability claim in eBenefits on January 5, 2019 but does not complete, an active ITF for disability compensation is established. On July 5, 2019, the veteran then visits a field office where a second ITF for disability compensation is prepared and filed. This second, or duplicate, ITF will have no effect on benefit entitlement. The veteran has until January 4, 2020 to file for disability compensation in order to receive the benefit of an earlier effective date.

Please see [VA's M-21 Adjudication Procedures Manual](#) for additional information.

III.ii.2.C.2.g. Duplicate ITFs
An ITF remains active for one year or until a claim is received, whichever occurs earlier. A duplicate ITF is an ITF submitted for the same benefit as an ITF which has already been submitted, for which a corresponding claim has not been received.

Any subsequent duplicate ITF submitted for the same benefit during the active period will have no effect on benefit entitlement.

Reference: For more information on the assignment of effective date following the submission of a duplicate ITF, see [M21-1, Part III, Subpart iv, 5.C.2.c.](#)

Digital Filing and Supporting VBA's Mail Automation Efforts

The Appeals Division provides quality review feedback that negatively impacts the Department's ability to file claims and associated materials digitally. Much of this feedback is also applicable to how TDVS can better support VBA's mail automation efforts.

The Veterans Benefits Administration (VBA) is working over the next 4 months to automate its mail processes in order to provide faster claims processing for veterans and claimants. In support of this effort VBA identified concrete actions VSOs can take to support faster claims processing:

- Use Electronic Filing
 - TDVS is already supporting this effort by using Digits-to-Digits or Direct Submit for nearly all claims and compensation mail filed through the Appeals Division.
- Double Check Form Completion
 - TDVS is already supporting this effort through its quality review program. We have frequently identified and shared information to support form completion and successful electronic filing.
 - VBA has requested service organizations take the following efforts to speed the delivery of benefits: VBA receives many forms that are incomplete and without signature- this delays claims processing
 - Submit legible, quality documents
 - Ensure all checkboxes are completely filled-in
 - If information is not applicable, leave the field blank; do not use "N/A"
 - Do not use acronyms for Veterans Service Organization names or claimed disabilities
 - Keep handwritten notes clear with BLOCK letters written in dark ink
 - Sign and date forms clearly with dark ink

- Digits to Digits (D2D) program remains the Appeals Division’s preferred method to file eligible forms, which include the VA Form 21-22, VA Form 21-0966 and VA Form 21-526EZ. Tips to help ensure the forms you generate are D2D eligible can be found here - [Digits to Digits and Digital Filing Fact Sheet](#)

**Starting January 1, 2021, VA will no longer be accepting faxed submissions.

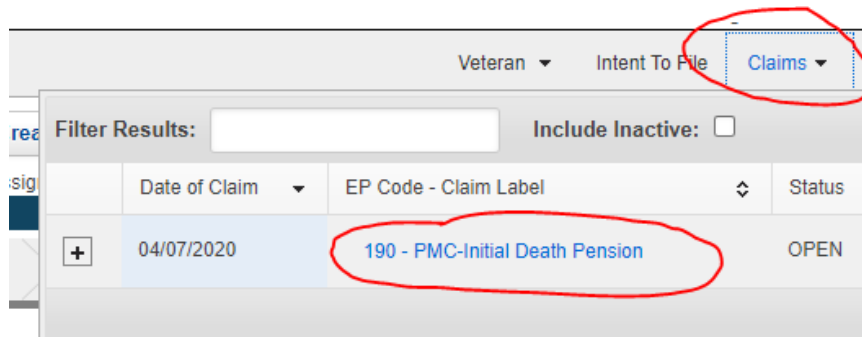
Practice Like a Pro

Viewing VBMS Notes for Surviving Spouses

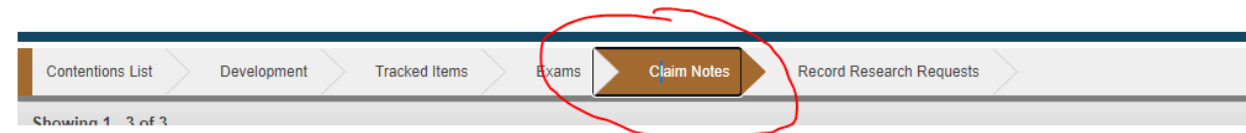
Many of you utilize “Notes” to assist claimants in understanding what actions have been taken on their claim. You can also view “Notes” for survivor claims, but the steps to access are slightly different.

You can view notes for surviving spouses by taking the following steps:

- Click on the “Claims” drop-down at the top of your VBMS screen
- Click the associated surviving spouse end product (EP),



- Click the Notes tab.



Disability Benefit Questionnaires and Private Medical Evidence

In March 2020, the U.S. Department of Veterans Affairs removed the DBQs from its website. The VA cited several reasons for removing its DBQs from the public sphere, including safeguarding against fraud. DBQs, however, are still an important tool that can be used to obtain medical information from private medical examiners to support a veteran’s claim. Information included on a DBQ completed by a private medical examiner is medical evidence that the VA must consider when deciding a claim for disability benefits. As such, NVLSP has

made the DBQs available on their website: <https://www.nvlsp.org/news-and-events/press-releases/nvlsp-offers-va-disability-benefits-questionnaires>

A couple of important notes about the DBQs NVLSP has made available. First, the DBQs that NVLSP has provided were current as of March 2020. If the rating criteria for a disability changes after that date, the DBQs may not elicit all the information necessary for the VA to properly rate the disability. In such cases, NVLSP recommends that you check the VA's Schedule for Rating Disabilities (in Part 4 of Title 38 of the Code of Federal Regulations) to ensure that a private examiner using one of these DBQs supplements the DBQ with any additional information needed for the VA to properly rate the disability in question. Finally, because the VA may initially erroneously reject DBQs submitted by claimants, it may be wise to request that a private medical examiner answer the applicable questions on the DBQ in a different format, such as their own examination report or a letter.

COVID-19 and Service-Connected Death Claim Processing

VA has provided [guidance](#) to its claims processors on how to approach the adjudication of service-connected death claims where COVID-19 is identified as a principle or contributory cause of death on the veteran's death certificate.

COVID-19 and Remote Claims Assistance

As a reminder, additional updates related to COVID-19 and tips on providing remote claims assistance can be found in the [special TDVS Benefit Bulletin](#). TDVS has provided three updates during the evolution of the Novel Coronavirus outbreak.

TDVS Benefits Bulletins Can Be Found on the [VSO Tools](#) Portion of TDVS's Website