

THE NEXT STEPS

WHAT TO DO WHEN
YOUR VETERAN IS GONE

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Veteran Retirees

Notifying DFAS of Retiree Death

Retirees have a couple of special circumstances that must be addressed. The first is their retirement which is received from the Defense Finance Accounting Service (DFAS). The Surviving spouse or a member of the family will need to call DFAS and let them know that the Veteran has passed away. When you call DFAS, you will need the following information:

- Retiree's name, social security number and date of death
- Manner of death: natural, suicide, accident or homicide
- Retiree's marital status upon death
- Names and Addresses of retiree's designated beneficiaries or next of kin, living and deceased

DFAS can be notified in two ways. The first is with an online form. The form can be found from the website <https://www.dfas.mil/retiredmilitary/survivors/Retiree-death/>. The other method is to call the Customer Care Center for DFAS at 1-800-321-1080. You will need the same information for either method. The above webpage also contains information on claiming the Arrears of Pay that a retiree is due.

Survivors Benefit Plan

If the retiree was enrolled in the Survivors Benefit Plan (SBP), the DFAS will mail the necessary forms after they have been notified of the Retiree's death. The monthly amount will depend on the amount that the Retiree had selected upon leaving service. SBP will pay 55% of the base amount they selected each month. More information may be found on the above webpage.

Survivors Benefits

It is understandable that this is a difficult time. The death of a spouse is always difficult, and the last thing people want to deal with is more paperwork. However, there are certain compensations that survivors may be entitled to upon the death of a Veteran. The easiest way to learn what may be available is to contact your local Veteran Service Officer (VSO). By law, each county in each state is supposed to have a Department of Veteran Services with a VSO who is paid by the

county and assists Veterans with filing paperwork with the VA. The service is totally free to the Veteran and their family.

Following are circumstances which apply in a majority of cases. However, there are differences in the Regulations in several instances including when parents are the survivors of a child who is a Veteran, or benefits for children born with spina bifida and certain other birth defects to a Vietnam Veteran. Again, your local VSO will be able to help you with special circumstances.

Documents Needed

In order to file for any survivors benefits, you will need to bring certain documents with you to the meeting.

- DD214
- Marriage Certificate
- Death Certificate
- Previous marriage and divorce information for both Veteran and Spouse. This includes dates, places, and names for both marriages and divorces.

Possible Benefits

There are two different forms of compensation, and a few different burial benefits that survivors may be entitled to. We will examine each one. They include:

- Dependency and Indemnity Compensation (DIC)
- Survivors Pension
- Plot allowance in lieu of a space in a National Cemetery
- Headstone
- Medallion marker
- United States Flag

Dependency and Indemnity Compensation (DIC)

As a surviving spouse, child or parent of a Service Member who died in the line of duty OR a Veteran who died from a service-related injury or illness, you MAY be entitled to DIC. DIC is a tax-free compensation from the VA. There are certain requirements regarding both the Veteran and the survivor in order to be

eligible for DIC. In order to file a claim, you will need to provide evidence with your claim showing that one of the following descriptions is true for the Veteran. This can include military service records and doctors reports. Bear in mind if the Veteran was receiving disability compensation the VA may already have the evidence needed and you just have to fill out the form and apply for the benefit.

DIC Eligibility

For Surviving Spouses –

One of these must be true. **You:**

- Married the Veteran or Service Member before January 1, 1957, **or**
- Married the Veteran or Service Member within 15 years of their discharge from the period of military service during which the qualifying illness or injury started or got worse, **or**
- Were married to the Veteran or Service Member for at least 1 year, **or**
- Had a child with the Veteran or Service Member, aren't currently remarried, and either lived with the Veteran or Service Member without a break until their death or, if separated, weren't at fault for the separation

You will also need to provide evidence showing that one of these descriptions is true for the Veteran or Service Member:

- The Service Member died while on active duty, active duty for training, or inactive-duty training, **or**
- The Veteran died from a service-connected illness or injury, **or**
- The Veteran didn't die from a service-connected illness or injury, but was eligible to receive VA compensation for a service-connected disability rated as totally disabling for a certain period of time

IF the Veteran's eligibility was due to a rating of totally disabling (the last bullet above), they must have had this rating:

- For at least 10 years before their death, **or**
- Since their release from active duty and for at least 5 years immediately before their death, **or**

- For at least 1 year before their death if they were a former prisoner of war who died after Sept 30, 1999

NOTE: Totally disabling means the Veteran's injuries made it impossible for them to work.

The VA website has the requirements for surviving children and surviving parents to apply for DIC. You must be able to meet these requirements in order to be eligible to receive DIC. For any questions, contact your local VSO and they can explain further.

Survivors Pension Eligibility

The VA Pension program is primarily based upon financial need. As such, the Surviving spouse's income must meet certain requirements in order to be eligible. Congress sets a Maximum Annual Pension Rate (MAPR) as the limit which the VA pays for pension. If you qualify for a pension, the VA will base your payment amount on the difference between your countable income and the MAPR.

Your countable income is how much you earn in a year. It includes your salary (if any), your investment and retirement payments, and any income you may have from your dependents. Some expenses like non-reimbursed medical expenses may help to reduce your countable income.

In order to be eligible for a VA Survivors Pension as a surviving spouse:

At least one of these must be true. The Veteran:

- Entered active duty on or before September 7, 1980, and served at least 90 days on active military service, with at least 1 day during a covered wartime period*, or
- Entered active duty after September 7, 1980 and served at least 24 months or the full period for which they were called or ordered to active duty (with some exceptions), with at least 1 day during a covered wartime period*, or
- Was an officer and started on active duty after October 16, 1981, and hadn't previously served on active duty for at least 24 months.

And as noted above, your yearly family income and net worth must meet certain limits as set by Congress.

*VA Recognized Wartime Periods

Mexican Border period	May 9, 1916 to April 5, 1917 (for Veterans who served in Mexico, on its borders, or in adjacent waters)
World War I	April 6, 1917 to November 11, 1918
World War II	December 7, 1941 to December 31, 1946
Korean Conflict	June 27, 1950 to January 31, 1955
Vietnam War Era	February 28, 1961 – May 7, 1975 (for Veterans who served in the Republic of Vietnam during that period) August 5, 1964 – May 7, 1975 (for Veterans who served outside the Republic of Vietnam)
Gulf War	August 2, 1990 – through a future date to be set by law or presidential proclamation.

Burial Benefits

There are several different benefits and allowances that Survivors may apply for when a Veteran dies. Included among these is:

- Military Honors for Funeral
- Claim Pending when Veteran Died
- Monetary Burial Benefits
- American Flag
- Presidential Memorial Certificate VA Form 40-0247
- Standard Government Headstone or Marker VA Form 40-1330
- Government Medallion for Installation in a Private Cemetery VA Form 40-1330M

In addition to the above benefits, there are other possible benefits for survivors including education benefits, VA health care, and VA home loans. There are also special survivor benefits available to spouses and children in the case of

certain service-connected deaths including Vietnam Veterans who died of herbicide-related diseases (commonly Agent Orange).

For Military Honors, a DD214, the VA file number (if different), and the Veterans Social Security Number should be provided to the funeral home. It is normal for the funeral director to request the flag so that it may be draped over the coffin. If the funeral director does not do so, a flag may be requested from the local Post Master with a copy of the Veteran's DD214 and a Death Certificate.

The last three items may be requested utilizing the appropriate forms with the VA. Your local VSO has easy access to these forms and can normally upload them directly to make filing the paperwork easier and quicker.

[Claim Pending When Veteran Died](#)

If the Veteran dies while they have a claim pending before the VA or in court on an appeal for the Board of Veteran's Appeal decision, a qualifying survivor may be entitled to receive the money that the Veteran would have received if the claim had been granted on the day the claimant died. The survivor will have to file a motion to be a 'substitute' for the claimant to receive the money, and also provide proof that they are a qualified survivor under law.

In addition, the survivor may be entitled to accrued benefits. These benefits can be claimed for any monthly VA benefit that was 'due and unpaid' based on evidence in the Veteran's file at the time of death.

It is important to speak with a VSO for information regarding accrued benefits and substitution for the Veteran. There are pros and cons to each, and the laws concerning qualified survivors and the amount which may be claimed is involved. Your local VSO will be the best qualified to assist in filing for these particular benefits.

[Monetary Burial Benefits](#)

The VA burial and memorial benefits program assists survivors in meeting some of the funeral, burial and memorial costs associated with the death of a Service Member or Veteran. The amount of the monetary benefits differ according to if the death was service connected or not service connected. A service connected death means that the Veteran died due to an illness or injury which was

sustained while in service. The evidence for a service connected death will be on the Death Certificate which must be submitted with the application for the benefits.

➤ Non-Service-Connected

If the Veteran's death is not service connected, the VA may pay up to \$300 toward funeral and burial expenses. However, if the Veteran died while receiving VA hospital, VA nursing home, or VA domiciliary care, the burial allowance is \$796. There is a 2 year time limit to apply for non-service-connected burial benefits.

Eligibility for Non-Service Connected Death Burial Allowance

This allowance may be granted for a deceased Veteran if:

- The Veteran was receiving VA disability or pension at time of death, or
- The Veteran was receiving military retired pay in lieu of disability compensation, or
- The Veteran had a claim, a claim to reopen pending OR a claim in which a claimant could substitute for the Veteran, AND it is determined later that the claim would have been approved for disability or pension, or
- The Veteran died in a VA hospital, VA nursing home, or VA domiciliary, or
- The Veteran died while traveling to an appointment for treatment, authorized by the VA, or
- The Veteran died AFTER Oct 9, 1996 and was moved to a non-VA facility from a VA hospital or VA nursing home in order to receive acute care, or
- There is no next of kin to claim the body, the body is being held by the state, county or town, and the Veteran's estate doesn't have enough to cover the cost of the burial

➤ Service-Connected

If the death is on active duty, active duty for training, inactive-duty for training, or the Veteran's death is determined to be service-connected, the VA will pay up to \$2000 toward the burial and funeral expense. There is no time limit to apply for service-connected burial benefits. Service-connected means that a service-connected disability or disabilities.

Plot / Interment Allowance

If the death of the Veteran is non-service connected, the VA will pay up to \$796 to the person or entity which incurs the expense for the plot/interment. If the death IS service connected, the allowance will only be allowed if the Veteran is buried in a State Veteran cemetery.

There are different eligibility criteria depending on where the Veteran is buried. Your local VSO will have the information to let you know if you are eligible for the plot allowance and, if so, help you file for it.

Headstone, Markers, & Medallions

Service members, Veterans, and National Guard are generally eligible for some type of marker for their grave, whether it be in a National Cemetery, State Veteran Cemetery, or a private cemetery. These markers are provided for the grave if the Veteran would have been eligible to be buried in a National Cemetery but instead chose to be buried in a private cemetery, regardless of if the grave already has a marker.

As stated before, there are several other possible benefits for spouses and children including education assistance, VA Health Care, and VA Home Loans. For information on these and any other possible benefits please call or visit your local VSO.