

ELIGIBILITY VERIFICATION REPORT INSTRUCTIONS

The Eligibility Verification Report (EVR) form will refer you to the instruction paragraphs that apply to you.

PRIVACY ACT INFORMATION: No money or other benefits may be paid under this program unless this form has been completed and returned as required by law (38 USC 1506 and 38 USC 1315). The responses you submit are considered confidential (38 USC 5701). They may be disclosed outside the Department of Veterans Affairs only if the disclosure is authorized by the Privacy Act, including the routine uses identified in the VA system of records, 58VA21/22, Compensation, Pension, Education and Rehabilitation.

Income information and employment information furnished by you will be compared with information obtained by VA from the Secretary of Health and Human Services or the Secretary of the Treasury under clause (viii) of section 6103(1)(7)(D) of the Internal Revenue Code of 1986. Any information provided by you, including your Social Security Number, may be used in matching programs conducted in connection with any proceeding for the collection of an amount owed the United States by virtue of your participation in any benefit program administered by the Department of Veterans Affairs.

RESPONDENT BURDEN: VA may not conduct or sponsor, and respondent is not required to respond to this collection of information unless it displays a valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have comments regarding this burden estimate or any other aspect of this collection of information, call **1-800-827-1000** for mailing information on where to send your comments.

GENERAL INFORMATION

IMPORTANT - ANSWER ALL QUESTIONS. The information you furnish is subject to verification, so make sure that you answer all questions and that your answers are complete and accurate. If the proper entry for an item is none, write "NONE" or "0" or line through the space provided. **DO NOT LEAVE ITEMS BLANK** unless the instructions specifically indicate that the item does not have to be answered. If you need help with your EVR, contact the VA regional office in your area or call the VA Nationwide Toll-free Number 1-800-827-1000 (Hearing Impaired-TDD 1-800-829-4833). Any accredited veterans service organization will also help you.

PENALTY - The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false, or for fraudulent acceptance of any payment to which you are not entitled.

ADDITIONAL SPACE - Attach a separate continuation sheet if additional space is required to answer any question. Be sure to write the veteran's name and VA claim number on any attachments to the EVR.

RIGHT OF DUE PROCESS - Your payments are directly related to the income and dependency information you report. Therefore, a change in family income, net worth, or the status of your dependents may require a change in your rate of VA benefits. You have a right at any time to submit additional information or to have a personal hearing to explain or clarify your statements. You also have the right to be represented at a hearing by a representative of your choice.

MEDICAID COVERED NURSING HOME CARE - Pension payments may be subject to reduction to \$90 per month if you have no dependents and are receiving nursing home care which is covered by Medicaid. This reduction only applies to beneficiaries of the current pension law (entitlement established on or after January 1, 1979). It does not apply if you receive Dependency and Indemnity Compensation, Old Law pension, or Section 306 pension (entitlement established prior to January 1, 1979).

RETURNING THE EVR - Be sure you have answered all questions (unless the instructions specifically indicate that the item does not have to be answered), and that you have signed and dated the form. Return the completed EVR to the VA address shown on the front of the EVR. If no address is shown, send the EVR to the nearest VA regional office.

CHANGES AFTER YOU RETURN THE EVR - If there is a significant increase in family income or net worth, or if there is any change in your marital status or the status of your dependents which occurs after you return your EVR, notify VA immediately. Fully describe the change and furnish your name, VA claim number, and Social Security number. Do not wait to report the change on next year's EVR. Failure to furnish timely notice of changes in entitlement factors may result in creation of an overpayment in your account.

INSTRUCTION PARAGRAPHS

1. NUMBER OF UNMARRIED, DEPENDENT CHILDREN - VA may recognize a veteran's natural children, legally adopted children, and stepchildren. VA may not recognize a married child. There are three categories of unmarried persons that can be recognized as "children" for VA purposes:

1. Children under the age of 18.
2. Persons between the ages of 18 and 23 who are in school.
3. Persons 18 years of age or older who became permanently incapable of self-support because of a disability before reaching age 18.

Unless some legal action such as a divorce decree has given primary custody of the child to someone else, report the child as "in your custody" on the EVR. If you have legal custody of the child, you may report the child as "in your custody" even though the child does not actually live with you.

If a child between the ages of 18 and 23 who is receiving benefits or has been established as your dependent based on school attendance has terminated school attendance, indicate the change in status on the EVR. If a child (regardless of age or status) has married, this must be indicated on the EVR also. If a change in a child's school or marital status occurs after you complete the EVR, notify VA immediately.

2. INCOME - You are required to report ALL income unless the instructions in this paragraph provide otherwise. If you are not sure about a particular type of income, report it and provide a full explanation of the source of the income.

Supplemental Security Income (SSI) benefits are not countable income for VA purposes unless you receive an EVR which is type 1 (see top right front of the form for the type) or type 3 and you receive Old Law pension (fixed rate since 1960). If your EVR type is anything other than "1" or "3," do not report SSI.

Social Security benefits (other than SSI) are countable income for VA purposes. See paragraph 3 below. The following rules apply to reporting VA benefits received by you or your dependents who are included in this award:

DO NOT report any income you (or your dependents, if applicable) received prior to the effective date of your award, if the effective date of your pension or parents' DIC benefits is during the first year shown on your EVR form.

DO NOT report VA pension that you receive under THIS claim number.

DO report VA pension that you receive under another claim number.

DO report VA compensation that you receive under this or another claim number.

DO report VA education benefits.

DO report VA insurance benefits if you receive an EVR form which is type 6, 7, 8, or 9.

If you receive a type 6, 7, or 8 EVR or if you are a surviving spouse who receives a type 9 EVR, you must report your children's income. The EVR type is shown in the upper right hand corner of the front side of the EVR.

EVR forms have limited space for reporting children's income. If there is not enough room for reporting your children's income on your EVR, list the other children on a separate sheet of paper with blocks corresponding to those on your EVR. Show all income received by each child. If each of your children has exactly the same income and your EVR has space for reporting a child's income, you may write "ALL" at the top of a CHILD income column on the EVR and no additional sheets will be necessary.

VA can exclude all or part of a dependent child's income if it is not reasonably available to you or if it would cause hardship to consider this income in determining your rate of pension. If you feel that your child's income should be excluded, write to VA at the address shown on the EVR and we will send you the appropriate form.

3. MONTHLY INCOME - Show income that you receive monthly such as retirement or annuity checks. Report the GROSS MONTHLY AMOUNT that you receive. This means the check amount plus the amount deducted for taxes plus any amounts deducted for health or other insurance.

EXAMPLE: Your monthly Civil Service check is \$365.60. The deduction for taxes is \$15. The deduction for health insurance is \$19.40.

\$365.60	Check Amount
15.00	Deduction for Taxes
19.40	Deduction for Insurance

Amount to report on EVR \$400.00

NOTE REGARDING SOCIAL SECURITY. VA receives information from the Social Security Administration (SSA) about the rates paid to most individuals who receive benefits from both VA and SSA. If an amount is preprinted in the Social Security block on your EVR, it came from Social Security records or is based on information you have furnished in the past. The amount shown is the sum of your monthly amount and your Medicare premium (if any). See the EXAMPLE above. If the preprinted amount is correct or is within \$1 of the correct rate, do not make any entry. If the preprinted amount is wrong by more than \$1, cross it out, enter the correct amount, and, if possible, attach to your EVR an award letter or other notice from SSA showing your correct rate. If any Social Security block does not contain a preprinted amount, enter the applicable Social Security rate or "NONE," as appropriate. Do not report SSI as Social Security. See Paragraph 2.

NOTE - Military Retirement means a monthly check from the Army, Navy, Air Force, or Marine Corps and is usually based on 20 or 30 years service. Do not report your VA benefits as military retirement. Report VA benefits as "other income."

If you do not receive income from a particular source, write "0" or line thru the space provided. Do not leave the space blank.

4. ANNUAL INCOME - Enter all income not previously shown under "Monthly Amounts." If you are not sure whether to report income as "monthly amounts" or "annual income," don't worry. You may report it in either category. The important thing is to report all income, clearly state its source, and not to report the same income twice on the EVR.

The income you report for the coming year should represent your best estimate at this time. If there is a significant increase in your income after you complete this EVR, notify VA immediately. Do not wait until VA sends you another EVR next year.

The income reported on this EVR for the past year should show actual amounts received. Use your W-2 forms, bank statements, etc. when completing the EVR. Do not rely on your memory and do not estimate the amount of income already received. The information you report will be matched with other State and federal records.

Show the GROSS AMOUNTS of income received for the applicable reporting period. The term "gross amounts" includes the check amount plus the amount deducted for taxes plus any amounts deducted for health or other insurance. See the Example under Paragraph 3 above.

You should report the following as ANNUAL INCOME:

- (a) Gross annual wages from employment.
- (b) Annual interest and dividends. This includes but is not limited to interest on savings accounts, checking accounts, certificates of deposit, mutual funds, and VA insurance.
- (c) All other income that is not shown in another section (for example, VA education benefits, rental income, insurance, net income from the operation of a business, unemployment compensation, IRA distributions, gifts, inheritances, gambling winnings, etc.)

Unless these instructions specifically tell you not to report certain income, you must report it. If any income does not count, VA will exclude it when computing your income for VA purposes.

If you do not receive income from a particular source, write "0" or line through the space provided. **DO NOT LEAVE THE SPACE BLANK.**

5. FAMILY MEDICAL EXPENSES - You are not required to report payment of medical expenses. However, it may be to your advantage to report them since payment of medical expenses can reduce your countable income.

If the effective date of your pension or parents' DIC benefits is during the first year shown on your EVR form, **DO NOT** report any medical expenses paid prior to the effective date of your award.

You should not report medical expenses if your only income is VA pension or Supplemental Security Income (SSI). If VA pension or SSI is your only income, please go to paragraph 6 of the instructions. If you have other income, continue to read these instructions to determine whether you should report medical expenses. You can determine what EVR type you have by looking at the number in the upper right hand corner of the front of the form.

Type 4. If you receive a type 4 EVR and you have income other than VA benefits or SSI, you should report medical expenses.

Type 6, 7, 8, 9 (surviving spouse). If you receive EVR types 6, 7, and 8 or a surviving spouse receiving type 9, generally your rate of pension will not be increased unless the medical expenses you paid (including Medicare premiums) exceed the amounts shown below this paragraph. If your medical expenses exceed the amounts shown below and you wish to increase your rate of VA pension, you should report medical expenses.

\$450 for a veteran
\$300 for a surviving spouse

Type 9 (Child). If you receive a type 9 EVR form (reporting child or children alone) and a child has income other than VA pension or SSI, you should report the child's unreimbursed medical expenses.

If VA is currently allowing a medical expense deduction on a continuing basis, the amount of the continuing deduction may be printed in the Medical Expenses section of your EVR. If a medical expense amount is printed on your EVR, you will be given the opportunity to write in the total amount of unreimbursed medical expenses you actually paid and the amount you expect to pay during the next income reporting year. If the amounts you enter are substantially the same as the amount printed on the EVR, you may submit the EVR without itemizing your medical expenses on VA Form 21-8416, Medical Expense Report. Unless a medical expense amount is printed on your EVR, you must itemize any medical expenses you wish to claim. Use VA Form 21-8416 to itemize your medical expenses. Report medical expenses for the 12 month period printed in the Medical Expenses section of the EVR or on an accompanying letter.

When itemizing medical expenses, show the date expenses were paid. If you are reporting payment of Medicare premiums or other health insurance premiums, show the current amount you pay and indicate whether this amount represents a monthly payment, a quarterly payment, etc. If you are reporting nursing home fees paid to a particular provider you may show inclusive dates of payment for a period not exceeding one year (e.g. "3/1/92 thru 2/28/93").

If your current rate of benefits is based on allowance of a continuing deduction for nursing home fees or other recurring medical expenses, you must confirm that you actually paid these expenses or your award will be adjusted retroactively to remove the deduction. This will result in an overpayment in your account.

You may report medical expenses paid by you for yourself, your spouse, and any relatives you are obligated to support. Any expenses reasonably related to medical or dental care of a claimant or dependents (including health insurance premiums) may be allowed as medical expenses. If you are not sure whether a particular expense can be allowed, furnish a complete description of the purpose of the payment. VA will advise you if it cannot be allowed.

If you report medical expenses, you may be asked to verify the amounts you actually paid so keep all receipts or other documentation of payments for at least two years from the date a decision is made on your medical expense claim. If you are unable to provide documentation of claimed medical expenses when asked to do so by VA, your benefits will be retroactively reduced or terminated.

Report only unreimbursed medical expenses. DO NOT include amounts for expenses that were or will be paid for by Medicare, Medicaid, or other insurance.

If you need more space to report your medical expenses, please attach another VA Form 21-8416 or a blank sheet of paper with columns corresponding to those on VA Form 21-8416.

If you received VA Form 21-8416 with your EVR, you may wish to make a photocopy of it to record future unreimbursed medical expenses for submission with your next year's EVR.

6. SIGNATURE - The EVR form must be signed by the payee who is recognized by VA. Normally, this will be the person to whom the monthly check is payable. The EVR cannot be signed by another person on behalf of the beneficiary unless that person has been recognized as the payee by VA.

If you are capable of handling your VA funds but are unable to sign your name, you may sign by "X" mark or thumbprint. If you sign by "X" mark or thumbprint, furnish the following statement on a separate sheet which should be attached to the EVR: "I hereby certify that the information on this form is true and correct to the best of my knowledge and belief." Place your mark or thumbprint under this statement and have it signed by two witnesses who must also print their names and addresses. Be sure to write the veteran's name and VA claim number on the attachment.