



## TULARE COUNTY HEALTH & HUMAN SERVICES AGENCY

Cheryl L. Duerksen, Ph.D. • Agency Director

---

Veterans Services Officer: Ken Cruickshank, 559-684-4960

Email: [KCruicks@tularehhsa.org](mailto:KCruicks@tularehhsa.org)

### VETERANS CORNER

Welcome to this edition of Veterans Corner. I hope that your holidays are going well, and you are looking forward to the New Year! Did you know that veterans' survivors may continue accrued benefits claims with the Department of Veterans Affairs (VA)?

Accrued benefits are benefits due to a beneficiary based on an existing decision on a claim for benefits or evidence in the claim file at the date of the death, but not paid prior to death. Examples of accrued benefits include:

- A claim or appeal for a recurring benefit was pending at the time of the beneficiary's death and all of the evidence needed for a favorable decision was in the veterans file on the date of death (meaning that the evidence was in the VA's possession in a VA facility even if it was not actually physically in the claims file); or
- A claim for a recurring benefit had not been allowed, but the beneficiary died before the award action could be taken; or
- At the time of the beneficiary's death, one or more benefits checks had neither been deposited nor negotiated.

Generally, the VA pays the accrued benefit based on the claimant's relationship to the deceased veteran in the following order:

- Surviving spouse (paid in full)
- Veteran's dependent children, including ages 18-23 attending school or children found helpless (paid in equal shares)
- Parents (both, if determined to be dependent parents on the date of the veteran's death; paid in equal shares)
- Sole surviving parent (if determined to be a dependent parent on the date of the veteran's death; paid in full)

The line of succession in regards to entitlement to accrued benefits is established by law. If a preferred beneficiary fails to file or pursue a claim, the VA will not permit payment of that share of benefits to a person with an equal or lower preference. A waiver of right also does not permit such payment.

*Ken Cruickshank, the Veterans Services Officer for Tulare County, is a retired Navy Master Chief Petty Officer. The Veterans Services Office is located at 205 North L Street in Tulare.*



## TULARE COUNTY HEALTH & HUMAN SERVICES AGENCY

Cheryl L. Duerksen, Ph.D. • Agency Director

---

In the event that there are no living persons who may be entitled to accrued benefits on the basis of relationship, the VA will pay accrued benefits to reimburse the person responsible for paying for the veteran's last illness and burial expenses. If these expenses were paid from the deceased beneficiary's estate, the executor of the estate should file the claim. The amount of the accrued benefits payable as reimbursement will be limited to the actual amount of expenses paid, and the amount of accrued benefits available.

Another type of accrued benefit is called substitution. If a veteran or other claimant dies while the claim or appeal is pending, a person eligible to receive accrued benefits may request to substitute for the veteran or other claimant to process the claim or appeal through to completion.

In order to apply for accrued benefits, the claim must be filed within one year of the veteran's death, or within one year of the date of notification to the veteran. When a claimant is substituted, the claim must be submitted within one year of the original claimant's death. If the substitute dies, the next successive substitute has one year to file the claim.

If you need assistance or have other questions regarding Accrued Benefits, you may contact our office with your questions.

*Ken Cruickshank, the Veterans Services Officer for Tulare County, is a retired Navy Master Chief Petty Officer. The Veterans Services Office is located at 205 North L Street in Tulare.*