

Changes to the VA Form 21P-534EZ, Application for DIC, Survivors Pension, and/or Accrued Benefits (OMB 2900-0004), due to PL 117-168 (PACT Act)

VA Form 21P-534EZ, Application for DIC, Survivors Pension, and/or Accrued Benefits (OMB 2900-0004)

The Department of Veterans Affairs (VA) through its Veterans Benefits Administration (VBA) administers an integrated program of benefits and services, established by law, for Veterans, service personnel, and their dependents and/or beneficiaries. Title 38 U.S.C. 1151; 1310; 1541; 1542; 5101(a); and 5121 provides that a specific claim in the form provided by the Secretary must be filed in order for benefits to be paid to any individual under the laws administered by the Secretary.

The VA Form 21P-534EZ is used to gather the necessary information to determine the eligibility of surviving spouses and children for dependency and indemnity compensation (DIC), survivors pension, and accrued benefits. Without this information, determination of entitlement would not be possible.

PL 117-168 (PACT Act)

Public Law 117-168 (PACT ACT) was signed into law on August 10, 2022. The law allows prior claimants for DIC to elect a re-adjudication based on the expanded eligibility within the PACT Act.

Changes to the VA Form 21P-534EZ

The VA Form 21P-534EZ was completely revised and approved by OMB on July 27, 2022. At that time the PACT Act had not yet been signed into law. An explanation of PL 117-168 (PACT Act) has been added to page 6 of the instructions so that the claimant understands what the evidence must show to request a re-adjudication of a previously denied claim. In addition, VBA added a response option to question 7A to identify DIC claimants that are electing a re-adjudication based on the PACT Act. If the claimant chooses this option, VBA will quickly be able to identify these types of claims and route them appropriately for processing. This additional option to question 7A does not change the expected processing time for claims processors as PACT ACT considerations would be made without the selection and still require verification with the selection.

Conclusion

The additional response option to question 7A to elect a re-adjudication of a previously denied DIC claim based on the PACT Act will not change the respondent burden for the VA Form 21P-534EZ. This option will provide prospective claimants with a streamlined method to specify the type of DIC claim they are submitting. Specifying the type of DIC will allow VA to properly identify and route the claim which will provide the claimant with a more timely and accurate decision on their claim. Since PL 117-168 was passed in August 2022, the addition of this option to the VA Form 21P-534EZ should be implemented as soon as possible to allow for the claimant to elect the re-adjudication of a previously denied DIC claim based on the PACT Act.