

## **INSTRUCTIONS FOR COMPLETING APPLICATION FOR BURIAL BENEFITS (UNDER 38 U.S.C., CHAPTER 23)**

### **IMPORTANT - READ THESE INSTRUCTIONS CAREFULLY**

1. **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 20 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.

**PRIVACY ACT INFORMATION:** The responses you submit are considered confidential, (38 U.S.C. 5701). They may be disclosed outside the Department of Veterans Affairs (VA) only if the disclosure is authorized under the Privacy Act, including the routine uses identified in the VA system of records, 58VA21/22, Compensation, Pension, Education and Rehabilitation Records - VA, published in the Federal Register. The requested information is considered relevant and necessary to determine maximum benefits under the law and is required to obtain benefits. Information submitted is subject to verification through computer matching programs with other agencies.

### **2. GENERAL**

- a. **BURIAL ALLOWANCE** - An amount towards the expenses of the funeral and burial of the veteran's remains. Burial includes all recognized methods of interment.
- b. **PLOT ALLOWANCE** - Plot means the final resting place of the remains. The allowance is payable towards:
  - (1) Expenses incurred for the plot or interment if burial was not in a national cemetery or other cemetery under the jurisdiction of the United States; OR
  - (2) Expenses payable to a State (or political subdivision) if the veteran died from nonservice-connected causes and was buried in a State-owned cemetery or section used solely for the remains of persons eligible for burial in a national cemetery.
- c. **BURIAL ALLOWANCE FOR SERVICE-CONNECTED DEATH** - When the veteran's death occurred as the result of a service-connected disability, a special "service-connected" rate is payable.
- d. **TRANSPORTATION EXPENSES** - The cost of transporting the body to the place of burial may be paid in addition to the burial allowance when:
  - (1) The veteran died of a service-connected disability or had a compensable service-connected disability and burial is in a national cemetery; OR
  - (2) The veteran died while in a hospital, domiciliary or nursing home to which he/she had been properly admitted under authority of VA; OR
  - (3) The veteran died en route while traveling under prior authorization of VA for the purpose of examination, treatment or care.

### **3. WHO SHOULD FILE A CLAIM**

- a. **CREDITOR** - If expenses have not been paid, the claim should be filed by the funeral director or crematory service by completing Parts I, II, and IV. If the funeral director or crematory service has paid or advanced funds for or furnished the plot or interment expenses, inclusion of these items on the statement of account will serve as claim for the plot allowance. If cemetery owner or other creditor has not been paid for the plot and related interment expenses, he/she may file claim by completing Parts I, III, and IV. If both the funeral director and cemetery owner are unpaid, each must submit a separate VA Form 21-530 signed by the person who authorized services.
- b. **PERSON WHOSE FUNDS WERE USED** - If all creditors have been paid, the claim should be filed by the person or persons whose personal funds were used by completing Parts I, II, and IV.

- c. **VETERAN'S ESTATE** - If the expenses were paid from the veteran's estate, the claim should be filed by the executor/administrator by completing Parts I, II, IV. Submit a copy of the letters of administration or letters testamentary certified over the signature and seal of the appointing court.
- d. **STATE** - If a veteran whose death is nonservice-connected was buried without charge for plot or interment in a State-owned cemetery or section used for persons eligible in a national cemetery, the claim may be filed by the State official completing Parts I, III (Items 23 and 24), and IV.
4. **TIME LIMIT FOR FILING A CLAIM** - A claim for nonservice-connected burial expenses or plot allowance must be filed with VA within 2 years from the date of the veteran's permanent burial or cremation. If a veteran's discharge was corrected after death to "Under Conditions Other Than Dishonorable," the claim must be filed within 2 years from the date of correction. The 2-year limitation does not apply to service-connected burial benefits, transportation expenses or reimbursement of headstone expenses.
5. **COMPLETING CLAIM BY A FIRM OR STATE AGENCY** - The claim must be executed in the full name of the firm or State agency, and show the official position or connection of the individual who signs on its behalf.
6. **PROOF OF DEATH TO ACCOMPANY CLAIM** - Death in a government institution does not need to be proven. In other cases, the claimant must forward a copy of the public record of death. If proof has previously been furnished VA, it need not be submitted again.
7. **STATEMENT OF ACCOUNT MUST ACCOMPANY CLAIM**
- a. **FUNERAL DIRECTOR** - A statement of account on the funeral director's letterhead must show the name of the veteran; the nature and cost of services, including any payments made to another funeral home (show name and address); all credits; and the name of the person or persons by whom payment in whole or in part was made.
- b. **TRANSPORTATION** - If transported by common carrier, a receipt must accompany the claim. All receipts for transportation charges should show the name of the veteran, the name of the person who paid and the amount of the charges. The itemized statement of account should show the charges made for transportation. Failure to itemize charges may result in delay or payment of a lesser amount.
- c. **ACCOUNT PAID IN FULL** - The statement of account should be receipted in the name of the firm or individual performing the services. Bills or receipts filed in support of this claim become a part of the permanent record and will not be returned, unless specifically requested.
- d. **PLOT ALLOWANCE ONLY** - In a claim for the plot allowance only, the statement of account must show the cost of the veteran's individual gravesite, the mausoleum vault, or the columbarium niche.
8. **BURIAL ASSOCIATION OR BURIAL INSURANCE** - If the veteran was a member of a burial association or if any insurance company is obligated to pay all or part of the burial expenses, Item 22 should be answered "Yes." It will be necessary to support the claim with a statement from the association or insurance company setting forth the terms of the contract and how and with whom settlement was made.
9. **SERVICE RECORD** - The original or certified copy of the veteran's service separation document (DD214 or equivalent) which contains information as to the length, time, and character of service will permit prompt processing.
10. **TOLL FREE TELEPHONE ASSISTANCE** - You can call us toll-free within the U.S. by dialing 1-800-827-1000. If you are located in the local dialing area of a VA regional office, you can also call us by checking your local telephone directory. For the hearing impaired, our TDD number is 1-800-829-4833.