Title II Claims Specialist
Basic Training Curriculum

Unit 3
Modules 16 – 19
Survivor Adjudication
Student

**AS WE REDESIGN ENTRY-LEVEL TRAINING, WE ARE
ELIMINATING THE NEED FOR PAPER COURSE MATERIALS.
THE MATERIAL PREVIOUSLY TAUGHT FOR THIS MODULE
HAS BEEN CONVERTED TO ONLINE CONTENT. ALL
NECESSARY INFORMATION IS EMBEDDED WITHIN THE
ONLINE OBJECTIVES. THEREFORE, THERE ARE NO
CORRESPONDING PAPER MATERIALS. PLEASE VISIT THE**
(b) (2)(b) (2)(b) (2)(b) (2) **TO FIND MORE
INFORMATION CONCERNING THIS TOPIC.**

AS WE REDESIGN ENTRY-LEVEL TRAINING, WE ARE ELIMINATING THE NEED FOR PAPER COURSE MATERIALS. THE MATERIAL PREVIOUSLY TAUGHT FOR THIS MODULE HAS BEEN CONVERTED TO ONLINE CONTENT. ALL NECESSARY INFORMATION IS EMBEDDED WITHIN THE ONLINE OBJECTIVES. THEREFORE, THERE ARE NO CORRESPONDING PAPER MATERIALS. PLEASE VISIT THE (b) (2)(b) (2)(b) (2) **TO FIND MORE THIS TOPIC.**

TABLE OF CONTENTS

LESSON PLAN

Chapter Objectives

At the completion of this chapter, the students will be able to:

1. Define widow(er) and surviving divorced spouse, apply the requirements for widow(er)'s benefits, and determine evidence requirements for widow(er)'s benefits.

2. Identify conversion cases where applications are not needed and properly complete a MCS widow(er)'s application.

3. Compute the benefit rate for a widow(er).

4. Assist claimants with MOE decisions when WIB/RIB is involved.

5. Determine whether benefits should be suspended, reduced or terminated.

Length of Chapter

28 hours

Local Supply

SSA-10

SSA-4111

Fact Sheet "Government Pension Offset" (b) (2)(b) (2)

Lesson materials for this chapter from IVT website

BACKGROUND AND RATIONALE

Introduction

Widow's benefits (at age 65 or over) were first payable 01/01/40, after the passage of the 1939 amendments. This provision was made to help replace the lost support for a woman in the event of her husband's death. The 1950 amendments extended benefits to widowers. The 1956 amendments provided for widow's benefits at age 62. The 1960 amendments changed the marriage requirement. The following year, the amount of the widow's benefit changed from 75 percent to 82½ percent of the deceased NH's PIA at age 62. The 1965 amendments provided for reduced widow's benefits at age 60 and payment to surviving divorced wives.

Benefit Categories

In 1967, disabled widows between ages 50 and 60 were included and the length of the marriage requirement was lowered from 1 year to 9 months. The 1972 amendments changed the maximum widow's benefit payable to 100 percent of the NH's PIA at age 65. They also removed the one-half support requirement in cases of surviving divorced wives. The duration of marriage requirement was waived in death situations if the NH was a member of the military services. In 1977, the one-half support requirement for widowers was also removed. Now, widows and widowers are treated equally with respect to dependency requirements. The 1977 amendments, effective 01/1979, stated remarriage of a widow or widower age 60 or older would not reduce the amount of benefits payable. Also effective 01/79, the number of years a surviving divorced wife needed to have been married to the NH immediately before the date the divorce was reduced to 10 years. As the result of the Ambrose vs. Califano court case decision in 07/80, a new class of benefits was created for surviving divorced husbands. The requirements are the same as for surviving divorced wives.

The 1990 amendments, effective 01/91, permit simultaneous entitlement of a legal widow(er) with a deemed widow(er).

Retroactivity Amended

> Effective for applications filed on or after 07/01/83, 1 month's retroactivity is allowed for an aged widow(er) who files for reduced benefits in the calendar month after the month of the spouse's death. The 1983 amendments provided an alternative method for computing a widow(er)'s benefit for widow(er)s first eligible in 01/85 or later, and freed up benefits for surviving divorced spouses and disabled widow(er)s who remarry. The 1983 amendments also increased the full retirement age for widow(er)'s benefits for people attaining age 60 in the year 2000 or later.

Computations

> Detailed knowledge of the provisions affecting widow(er)'s benefits is essential. This knowledge includes the understanding of the various definitions of widow(er)'s, awareness of the requirements for entitlement, and the ability to recognize events causing termination or suspension of benefits. The computation of widow(er)'s benefits can be complex and involves considerations unique to this class of benefits.

OBJECTIVE 1:

Define widow(er) and surviving divorced spouse, apply the requirements for widow(er)'s benefits, and determine evidence requirements for widow(er)'s benefits.

Categories

GN 01050.017

BICs

Each category of beneficiary discussed in this chapter has a separate beneficiary identification code (BIC).

Listed below are the BICs used for widow(er)'s benefits:

	1st	2nd	3rd	4th	5th
Widow Age 60 or Older	D	D2	D8	DD	DG
Widow Remarried After Age 60	D4	D9	DA	DL	DN
Surviving Divorced Wife	D6	D7	DV	DW	DY
Widower Age 60+	D1	D3	DH	DJ	DK
Widower Remarried	D5	DP	DQ	DR	DT
Surviving Divorced Husband	DC	DM	DS	DX	DZ

Under no circumstances should two individuals be assigned codes from the same column above. At no time after an assignment of a code in one column, should that individual be assigned a code in a different claimant column. This is also true when the first claimant was assigned a BIC as an auxiliary and is now filing as a survivor—the individual retains possession of a column.

EXAMPLE: Mary filed as a wife with a child in care (B2) when her husband began drawing disability benefits. Mary's benefits were terminated when the youngest child attained age 16. The NH died and his first wife, Jill, filed for surviving divorced spouse's benefits but Mary wasn't old enough to qualify for a survivor benefit. Jill was assigned BIC D7 (2nd claimant). When Mary reached age 60, she filed a new claim as a widow and was assigned the BIC D as the first claimant on the record. **GN 01050.017B.2**

Requirements for Entitlement

RS 00207.001A.1

Widow/Widower

The following are requirements for entitlement as a widow/widower:

- Be the widow(er) of an NH who died fully* insured, AND

- Have attained age 60, or be at least age 50 and disabled, AND

- Be unmarried (unless the marriage can be disregarded per **RS 00207.003A**), AND

- Have filed an application, AND

- Not be entitled to a RIB which:

  - Equals or exceeds the deceased NH's (DNH) PIA, or

  - Equals the NH's deemed PIA, or

  - Equals the widow(er)'s indexed PIA

Surviving Divorced Spouse

The following are requirements for entitlement for a surviving divorced spouse:

- Be the surviving divorced spouse of a NH who died fully* insured, AND

- Have been married to the NH for 10 years before the divorce became final, AND

- Have attained age 60, or be at least age 50 (but not yet 60) and disabled, AND

- Be unmarried (unless the marriage can be disregarded per **RS 00207.003A**), AND

- Have filed an application, AND

- Not be entitled to a RIB which:

  - Equals or exceeds the DNH's PIA, or

  - Equals the NH's deemed PIA, or

  - Equals the widow(er)'s indexed PIA

***NOTE**: Currently insured status of the NH is not sufficient for entitlement of a widow(er).

Relationship Requirements

The marital relationship requirements **RS 00207.001** for widow(er)'s benefits are the same as for spouse's benefits.

A **widow/widower** is one who:

- Was related to the NH as the legal, putative or deemed spouse See **RS 00207.001A.1**, AND

- Meets a duration of marriage requirement. The claimant must have been married to the NH for at least 9 months immediately before the NH died. If this requirement is not met, there are alternatives and exceptions to this requirement.

Surviving Divorced Spouse

A **surviving divorced spouse** is one who:

- Is finally divorced from the NH, AND

- Was married to the NH for 10 years before the divorce became final. Relationship can be based upon a deemed marriage which ended in divorce.

Deemed Widow(er)

A **deemed widow(er**) is a claimant whose marriage to the NH would have been valid except for a legal impediment provided:

- There was a marriage ceremony.

- The claimant went through the marriage ceremony in good faith, not knowing of the impediment at the time of the ceremony.

- The impediment:

  - results from a prior undissolved marriage, or

  - otherwise rises out of a prior marriage or its dissolution, or

  - arises from a defect in the procedure followed in connection with the purported marriage.

- The claimant was living in the same household with the NH when they died. (This requirement does not apply when converting from spouse to widow(er)).

Alternatives and Exceptions to Duration of Marriage

RS 00207.001, GN 00305.100

A widow(er) must have been married to the deceased NH for at least the 9 months immediately before the day the worker died.

If the 9-month requirement is not met, consider seven alternatives to the duration requirement. We can still entitle a claimant who:

- Is the mother or father of the NH's child (even if the child is now deceased), or

- While married to the NH, has legally adopted the NH's child before the child attained age 18, or

- Is the mother or father of a minor child who was legally adopted by the NH, or

- Was married to the NH at the time both of them legally adopted a minor child, or

- Was eligible or entitled to certain benefits in the month before marriage to NH (spouse, widow(er), mother/father, parents, CDB), or

- Was eligible for certain Railroad Retirement Act benefits (widow(er), child, parent) in the month before marriage to NH.

- Adopted a child within two years of the NH's death (see **RS 00207.001A.1** for specific additional requirements).

If the 9 month requirement is not met, the duration of marriage can be deemed if one of the following four exceptions applies:

1. The NH's death was accidental **GN 00305.105**, or

2. The death occurred in the line of duty while a member of a uniformed service on active duty military service see **GN 00305.110**, or

3. The widow(er) was previously married to and divorced from the NH and the previous marriage had lasted 9 months. **GN 00305.100.A.2**

4. Effective for applications filed in or after March 2004:

   - The NH had been married prior to their marriage to the surviving spouse;

   - The prior spouse was institutionalized because of mental incompetence or similar incapacity during the marriage to the NH;

- During the period of the prior spouse's institutionalization, the NH would have obtained a divorce and married the surviving spouse, but the divorce would have been unlawful, by reason of the institutionalization, under the laws of the State in which the NH was domiciled at the time; this determination is based on evidence satisfactory to SSA;

- The prior spouse remained institutionalized up to the time of their death; and

- The NH married the surviving spouse within 60 days after the prior spouse's death.

Remarriage

RS 00207.003A

Remarriage before Entitlement

If the claimant has remarried, entitlement to benefits on the record is precluded unless the remarriage can be disregarded.

The remarriage of a claimant applying as a widow(er) or surviving divorced spouse may be disregarded if the remarriage occurred after attainment of:

- Age 60, or

- Age 50 and after the claimant became disabled.

Evidence Requirements

RS 00207.004

Common Proofs

Widow(er)'s claims require proof of the following:

- Claimant's age – **GN 00302.001ff**

- Claimant's marriage to the NH – **GN 00305.001ff**

- NH's death – **GN 00304.001ff**

- Claimant's citizenship or LAPR – **GN 00303.001ff**

- Divorce decree, if applicable – **GN 00305.140ff**

There will be situations where other types of proof will be needed, such as military service, earnings, etc.

The necessary proofs are the same as you learned about in previous chapters. Refer to the POMS sections above for more specific information.

OBJECTIVE 2:

Identify conversion cases where applications are not needed and properly complete an MCS widow(er)'s application.

Conversion

RS 00207.005

Introduction

Conversion is the process where one class of benefits can change to another class of benefits **without** an application. Conversion from life benefits to survivor benefits takes place when a NH dies. Conversion also takes place when the beneficiary attains full retirement age. Examples are:

- Young wife's/husband's (B2/BY) benefits to mother's/father's (E/E4) benefits;

- Wife's/husband's (B/B1) benefits can be converted to widow's/ widower's (D/D1) benefits; or

- Mother's/father's (E/E4) can be converted to widow's/widower's (D/D1).

Important Considerations

There are several important considerations when determining if you have a conversion case. Keeping these in mind will help you understand if further action is needed before a conversion can process.

Were the factors of entitlement for the survivor benefit previously met and proven in the life claim?

- If the factors of entitlement are either not met or not proven, the case will not convert. You must take additional action to prove all factors of entitlement.

Is RIB or DIB entitlement on the claimant's own record possible or already established?

- The deemed filing rule for spouses does not apply to Widow(er)s benefits. If a person has already filed for a reduced spouse's benefit on a record, they are not obligated to receive a reduced survivor benefit on that record once the NH dies.

- Check the record to determine if the claimant is insured on their own record. If so, then additional action must be taken to determine if the claimant wishes to receive a reduced survivor benefit. If not, and the claimant is already receiving spouse's benefits on the record, the case will convert.

Has the claimant attained FRA?

- If the spouse is FRA or older, conversion to widow's benefits will take place.

Is RRB involved?

- If RRB is involved when the NH dies, RRB must make the jurisdiction determination before a case can convert. If the claim is SSA jurisdiction and the claimant meets the other factors for conversion, the case will convert. Information regarding RRB jurisdiction is listed on the DRAMS query, if available.

Conversions based on Attainment of FRA

E/E4 to D/D1

This conversion from mother/fathers (E/E4) to widow(er) (D/D1) will be made without an application when a person receiving E/E4 benefits **attains FRA** if:

- NH is FULLY insured.

- E's date of birth has been established.

If the widow(er) is FRA and the conversion is deferred because proof of age is not in file, the PSC will request the DO secure proof of age.

W/W1 to D/D1, W6/WR to D6/DC

This conversion from disabled widow(er) (W/W1) or disabled surviving divorced spouse (W6/WR) to aged widow(er) (D/D1) or aged surviving divorced spouse (D6/DC) will be made without an application when a person receiving W/W1 or W6/WR benefits **attains FRA.**

E1/E5 to D6/DC

A conversion from divorced mother/father (E1/E5) to surviving divorced spouse (D6/DC) will be made when the E1/E5 **no longer has a child in care** and these conditions are met:

- NH is FULLY insured

- Proof the claimant is FRA or older (an application is always required if under FRA); and

- Was married to deceased NH for at least 10 years.

NOTE: The 10-year marriage duration requirement MUST be met for entitlement as a surviving divorced spouse (D6/DC), but there is no such duration requirement for divorced mother/father (E1/E5). **RS 00208.085**

Conversions based on Death

B2/BY to E/E4

The conversion from young spouse (B2/BY) to mother/fathers (E/E4) occurs **at the NH's death**.

B/B1 to D/D1

This conversion from aged spouse (B/B1) to aged widow(er) (D/D1) will be automatic **at the NH's death.** The conversion will take place automatically, if the beneficiary is:

- FRA, or

- Under FRA and NOT entitled to their own RIB or DIB.

LISH is a factor in initially entitling spouses or survivor benefits based on deemed marriages. However, LISH is not a requirement in a conversion from life to survivor benefits. Additional development is required if RRB jurisdiction determination is required.

NOTE: The LSDP will automatically be paid in these conversions.

B6/BR to D6/DC

A divorced spouse (B6/BR) to a surviving divorced spouse (D6/DC) conversion will be made **at the NH's death** if RRB jurisdiction determination is not required and the beneficiary is:

- FRA or older; or

- Under FRA and NOT entitled to RIB or DIB.

Otherwise, an application/election certificate is required.

Death Input

The computer system automatically performs the conversions when a death input is made for the NH.

NOTE: Proof of death is <u>not</u> required in a conversion case unless there is a conflict about the date of death or there is reasonable doubt of the fact of death. **GN 00304.001** and **RS 00210.005**

SSA-4111 Required

The Certificate of Election (SSA-4111) permits as much as 12 months retroactivity. A SSA-4111 is required for a beneficiary to receive reduced benefits when they meet the following requirements at the time of the NH's death:

- They are receiving both reduced spouse's (or divorced spouse's) benefits, and

- They are receiving either retirement or disability benefits, and

- They are at least age 62 but not yet FRA.

The processing instructions for the SSA-4111 are in **RS 00207.025** and **MS 00705.009**.

Face-to-Face Report

Obtain a signed SSA-4111 and undertake appropriate development if the widow(er) or surviving divorced spouse comes to the FO to make the report of death. Be sure to inquire about previous marriages. It is possible an application on a different spouse's account would pay a higher benefit.

Input the death through DIPS (Death Information Processing System) or verify the input was made. Also, input the SSA-4111 election via T2 POS (#25 CELE screen). After successful input, fax the form into NDRED.

Telephone Report

If you receive the report of death by telephone, input the death via DIPS and mail the SSA-4111 to the widow(er) with a PSC return addressed envelope. Enter a Special Message on the MBR as follows: "SSA-4111 mailed to clmt MM/DD/YY-election is MM/YY (FO Code)." (POS (Post Entitlement On-Line System) and DIPS inputs, as well as MBR messages will be covered in a later module.)

Review **RS 00207.025** for points to discuss with the widow(er)/surviving divorced spouse prior to completion of the SSA-4111.

Conversion cases are generally handled by the TSC or CSRs in the FO.

MCS Widow(er) Application

MS 03505.001, MS 03505.004

The basic screens for an MCS widow(er)'s and a surviving divorced spouse application are the same as those completed for other types of applications. **MS 03505.004**

Mandatory Screens

The mandatory screens required to complete an application for widow(er)'s benefits, are: APPL, IDEN, IDN2, ADDB, NHID, DECD, NHAB, NMAR, DEME, CLCZ, CADR, CLAD, and BMAR.

APPL MS 03505.009
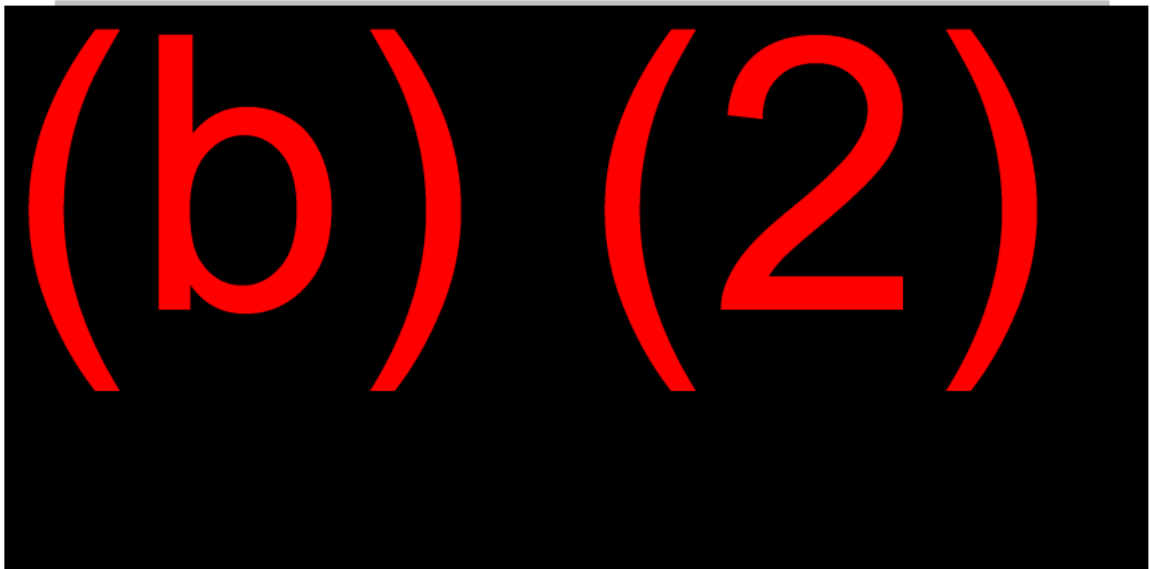
If the claimant is filing for widow(er)/surviving divorced spouse's benefits only, select claim type "3 Survivor." If the claimant is filing for both widow(er)'s benefits and the LSDP, select claim types "3" and "6" on the APPL screen.

ADDB MS 03505.012
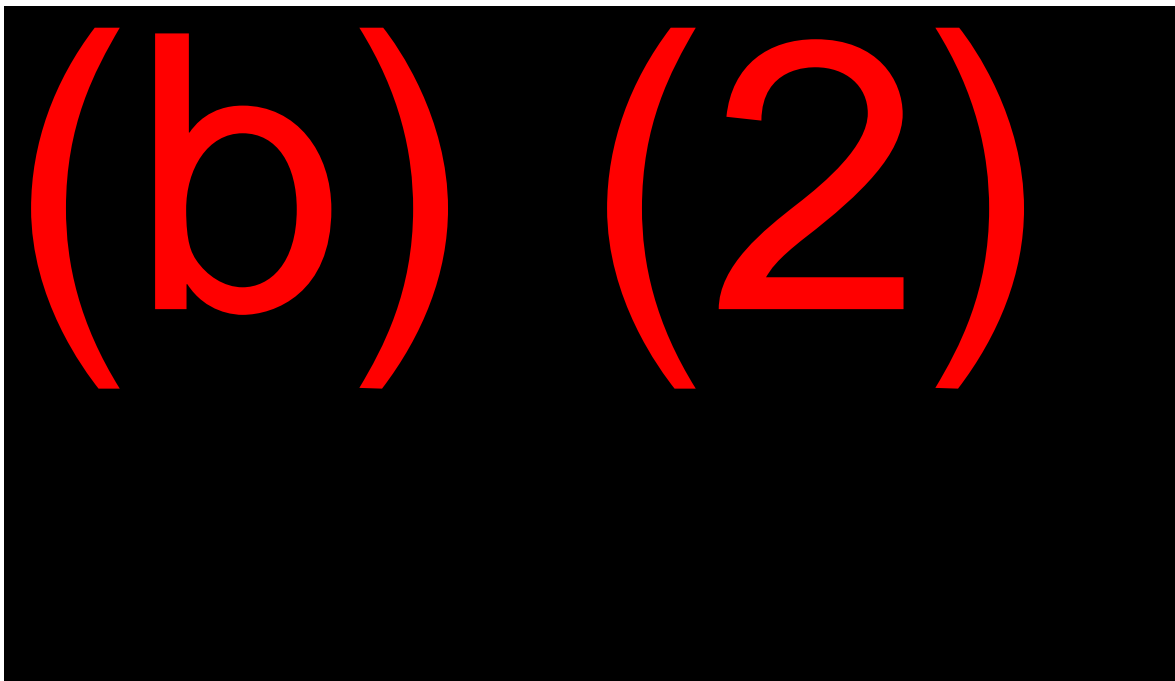
Widow(er)'s and surviving divorced spouses are subject to Government Pension Offset (GPO). The ADDB screen asks for information about entitlement to government pensions or annuities. GPO development was covered in the Spouse's Benefits module.

When a claimant does not wish to file for RIB on their own account number, you must restrict the scope of the widow(er)'s application by answering "No" to the question, "If claimant is filing as a surviving spouse, is claimant filing for benefits on own record (Y/N)" shown at the bottom of the ADDB screen. By answering this question, the following statement will appear on the application; "I do not want this application to be considered an application for retirement benefits on my own earnings record." **GN 00204.020**

DECD MS 03505.024
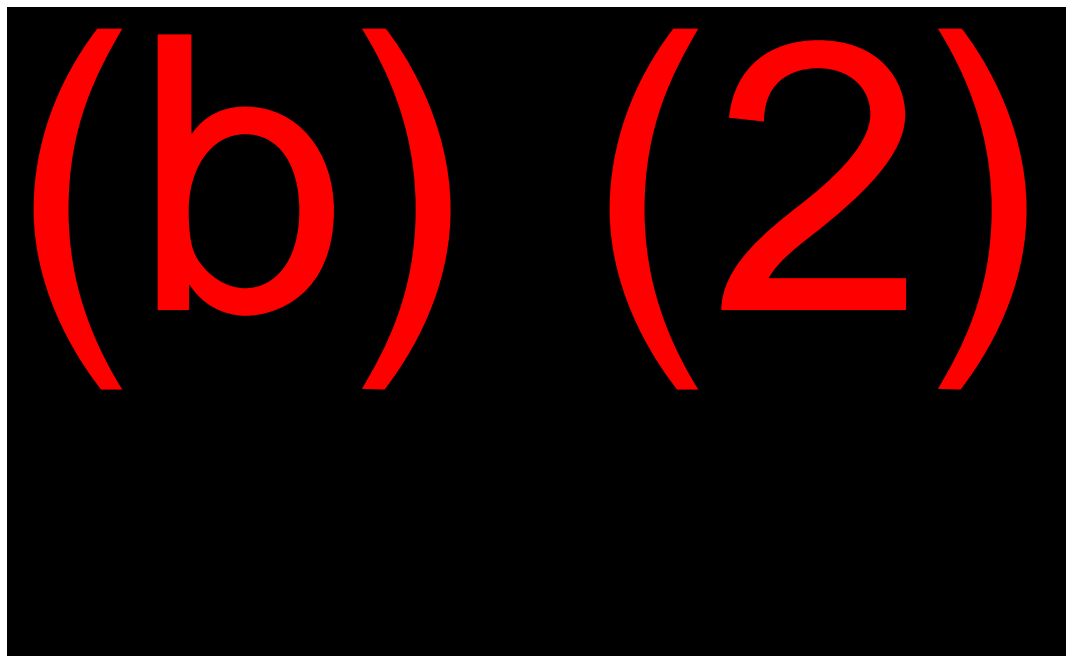
The DECD screen gathers information about the NH's date of death and proof of death. It also asks whether the NH was disabled at the time of death. If yes, this is a possible lead for a DIB after Death claim.

The question "Was claimant eligible as a widow(er) prior to 1985 on any SSN?" is used to determine whether we can use a WINDEX PIA to compute the claimant's benefit. The WINDEX PIA is covered in the next objective.

The bottom of this screen addresses the issue of "Living in the Same Household (LISH)." The necessary development was covered in the Lump Sum Death Payment lessons. Surviving divorced spouses do <u>not</u> complete the questions regarding LISH because it is not material.

NMAR MS 03505.037
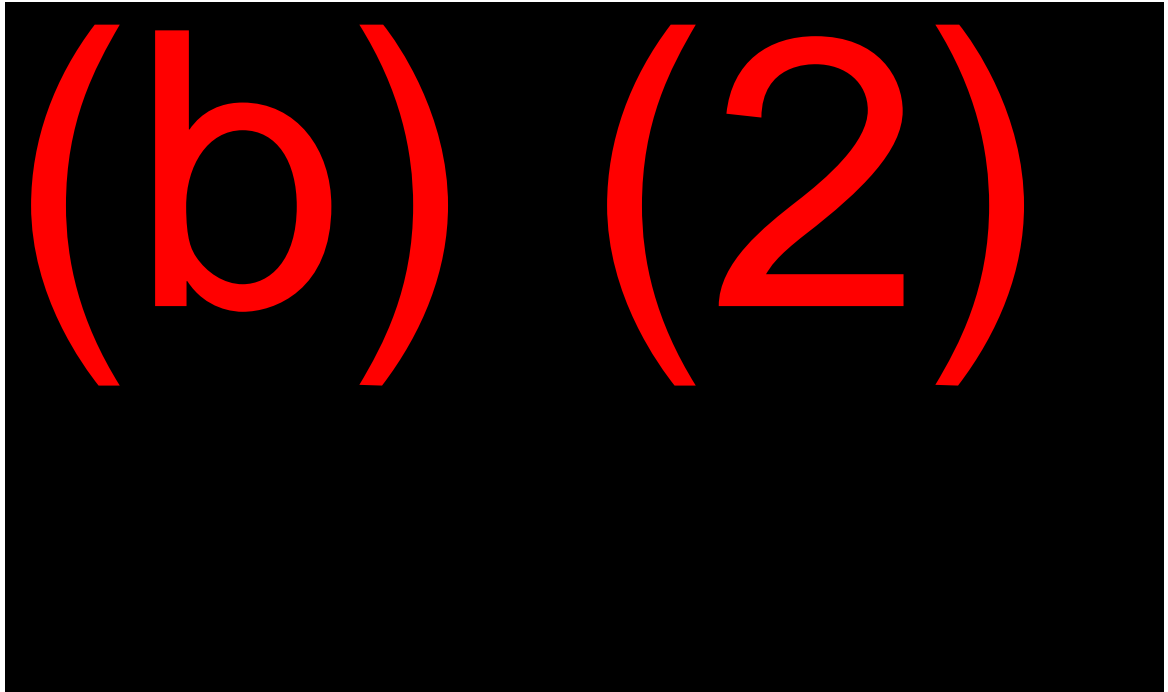
The NMAR screen asks for relevant marital information of the deceased NH. Complete the NH Marriage (NMAR) beginning with the current (or most recent) marriage and work backwards.

Full development is required if there is an indication a marriage prior to this claimant's marriage may not have terminated. **RS 00207.006 F**

BMAR **MS 00705.007**
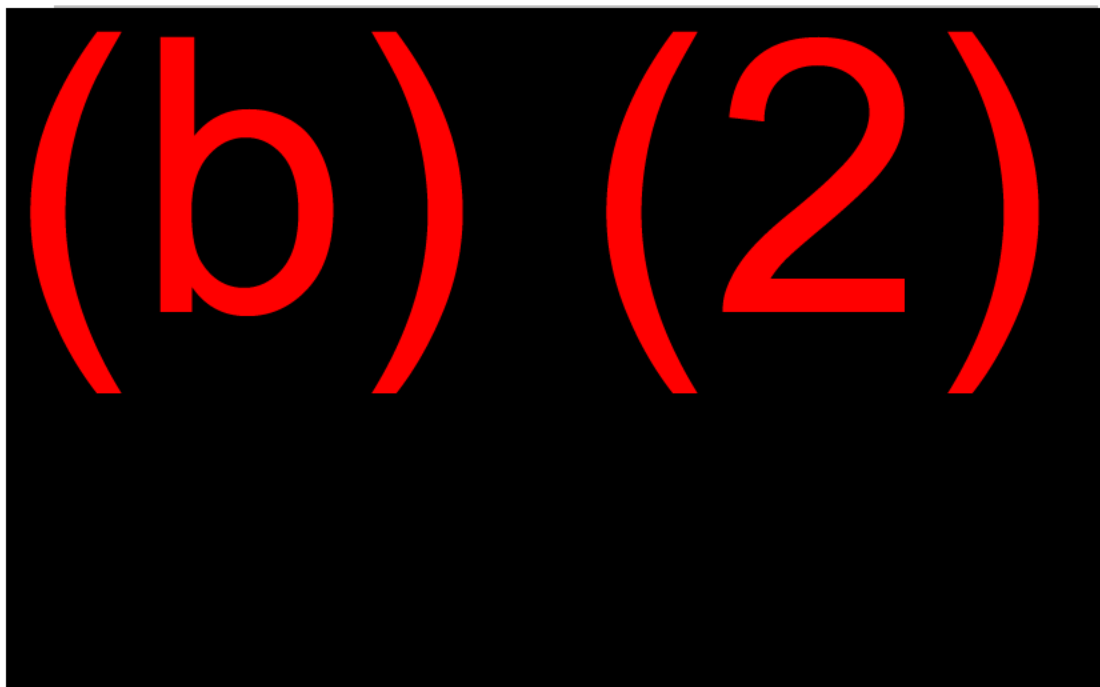
The BMAR screen asks for the claimant's marital history. You need to document all of the claimant's relevant marriages, per **GN 00205.070C**. The claimant must be unmarried to meet the factors of entitlement. However, if there are any marriages after the marriage to the deceased NH, verify the remarriage can be disregarded and obtain proof. Once proof is obtained, code the "Protected Marriage?" question with a Y.

If the claimant had a subsequent marriage(s), which cannot be disregarded but has ended, you must obtain proof the last marriage was terminated. **RS 00207.006**

If there are multiple marriages, consider possible entitlement on other records.

Special relationship coding is necessary when the claimant meets one of the alternatives or exceptions to the duration of marriage requirement (found in Objective 1). Refer to **MS 00705.007** or **SM 03020.040** for the specific coding required in each situation.

Receipt/Reporting Instructions

At the end of the interview, give the claimant SSA Publication, "What You Need To Know When You Get Retirement Or Survivors Benefits", No. 05-10077 found on **www.socialsecurity.gov**. This publication has information about reporting instructions, the Annual Earnings Test, and Medicare.

SSA-10

Though it will be rare, if the application cannot be taken in MCS, then you must complete the paper application form. The SSA-10, "Application for Widow(er)'s Benefits", is an application for all benefits under Title II and/or Title XVIII. This widow(er)'s application can also be an application for the LSDP. When you complete the paper SSA-10, you may need to supplement the information on additional forms if GPO, railroad earnings, or military service are involved.

OBJECTIVE 3:

Compute the benefit rate for a widow(er).

Full Retirement Age

RS 00615.003

For widow(er)'s born 01/01/40 or earlier (age 60 before 2000), full retirement age (FRA) is 65.

Full retirement age for widow(er)'s born January 2, 1940 and later, will gradually increase to age 67. Widow(er)'s born January 2, 1962 and later will attain FRA at age 67.

Exhibit 1 is the chart of FRAs for widow(er)s based on birthdates.

Claimants with birthdates from 01/02/38 to 01/01/45 and 01/02/55 to 01/01/62 will have a different FRA for RIB or spouse benefits than they have for widow(er)'s benefits. (See second and fourth columns of **Exhibit 1**).

EXAMPLE: NH born 07/05/55. FRA for RIB is age 66 and 2 months. If this NH is also entitled to a widow(er) benefit, the widow(er) benefit would be computed based on a FRA of 66.

You can use ICF #2 "Full Retirement Age Computation" to determine the correct FRA. Simply enter the date of birth and the correct BIC and it will determine FRA. Using the above example, your input/output screen is shown below:

(b) (2)

PIAs to Consider When Calculating Widow(er)'s Benefits

RS 00615.301

Original Benefit

The Widow(er)'s original benefit is equal to 100 percent of the largest of the following PIAs:

- Death PIA

- Deemed Life PIA – Including DRCs and any RR recomputation

- Widow(er)'s Indexing Original Benefit

The original benefit is subject to reduction for the family maximum unless the widow(er) is entitled as a surviving divorced spouse.

Death PIA

A "death PIA" is the PIA in effect at the time of the NH's death with some recomputations for the survivor claim.

- Include any RR earnings once RRB says the survivor claim is SSA jurisdiction.

- If the NH was entitled to DIB at death, the PIA is recomputed to consider five drop out years.

- If the NH was subject to WEP, the PIA is recomputed to delete the WEP computation.

- If the NH had earnings in the year of death, the PIA is recomputed to include those earnings.

Deemed Life PIA

The PIA on which the benefit is based is deemed equal to the DNH's RIB plus DRCs if it is higher than the regular death PIA. This PIA is referred to

as the "Deemed Life PIA". It includes all of the DRCs earned by the NH up to the month of death.

It also includes the same recomputations shown above except for earnings for year of death. For the Deemed Life PIA, the recomputation for earnings in the year of death will **always** be done effective January of the year after death.

Widow(er)'s Indexing PIA – WINDEX PIA

The 1983 amendments introduced the Windex PIA, which provides an alternative WIB PIA computation if the NH died after 1978 and before age 62. We use this computation only when it results in a higher widow(er)'s benefit than the regular computation method. The alternate widow(er)'s PIA will be referred to as the WINDEX PIA and the Death PIA as the regular PIA.

When the WINDEX PIA is applicable to a case, it is computed and compared to the regular PIA. The HIGHER PIA is the one used to compute the widow(er)'s benefit amount. The regular survivor PIA is used to determine the benefits of the other survivors and the family maximums.

Comparison Possibilities:

The NH's date of death will determine which PIAs are compared in calculating the widow(er)'s benefit.

- If the NH dies before age 62, select the larger of either the Death PIA or the WINDEX PIA.

- If the NH dies at or after age 62 but before FRA, select the Death PIA.

- If the NH dies at FRA or later, select the larger of the Death PIA or the Deemed Life PIA.

Computing the WINDEX PIA

RS 00615.301- .302

WINDEX Criteria

Use the worksheet shown in **Exhibit 2** to apply the criteria for the WINDEX method. Follow the steps, answering yes or no, to determine if the WINDEX PIA should be considered. The major requirement is the NH dies before reaching age 62.

EXAMPLE:

NH born 1954; died in 2014. The widow was born in 1957 and is not disabled. They were married in 1981 and the NH was never disabled.

ANSWER:

Using **Exhibit 2** we see Windex must be considered. The widow was first eligible in 2017 (the year she attained age 60); the NH died in 2014 (this date is after 1979); the NH would have attained age 62 in 2016 (after 1979 and after he died); and the DNH was not disabled.

You must obtain a new benefit computation for all widow(er)'s claims even when an MBR was previously established, because WINDEX could result in a higher benefit.

Comparison of WINDEX to Regular PIA

Under the WINDEX computational method, the elapsed years, divisor months, and base years are computed the same as for the regular PIA.

The eligibility year (ELY) is the basic difference in the computation of the two PIAs. The Windex computation will have a later benchmark, or eligibility, year. This changes the indexing year (IY), which is ALWAYS two years prior to the ELY, the bend points applied to the AIME, and the COLAs applied to the raw PIA.

Computing the Eligibility Year – Regular PIA

In a regular PIA computation, the ELY is the earlier of:

- year of NH's age 62 attainment, or

- year of NH's DIB onset, or

- year of NH's death.

Computing the Eligibility Year – WINDEX PIA

In the WINDEX computation, the widow(er)s DOB or DOO is also considered. See **Exhibit 3** for worksheet.

Step 1 – Determine the year of:

- NH's death,

- NH would have attained age 62

- year in which widow(er) attains age 60 or year of onset for DWB.

Step 2 – Arrange the events in chronological order – if two events occur in the same year, their order does not matter.

Step 3 – The eligibility year (ELY) will be the year of the second event even if two events occur in the same year.

Indexing Year

The Indexing Year (IY) is 2 years PRIOR to the ELY using EITHER computation method.

EXAMPLE:

Jonathan Apple, DOB 03/03/54, died 11/17/14. His widow, Kandi, DOB 11/26/58, is eligible for WIB in 11/18.

Compute ELY and IY using regular method:

Choose earlier of:

- NH age 62 – 2016,

- year of NH death – 2014.

Regular PIA ELY is 2014. Indexing Year is 2012 - 2 years prior to the ELY.

Now calculate the WINDEX ELY:

- **Step 1** – Determine:

  - year of NH's death – 2014

  - year NH attains age 62 – 2016

  - year widow attains age 60 – 2018

- **Step 2** – Arrange them in chronological order

  2014; 2016; 2018

- **Step 3** – Choose the year of the second event as the ELY.

WINDEX PIA ELY is 2016. Indexing Year is 2014 - 2 years prior to the ELY.

EC will automatically perform the comparison computation and show both computations on DPIA screens. The selected PIA is on the MCR1 screen.

When you request an ICER, it will show both the regular and WINDEX PIAs. You must select the higher PIA when coding the ICF or A101/EF101 screens. **MS 02101.001**

ICF #24 is also programmed to consider the WINDEX PIA when applicable. The ICF shows the "regular" PIA first, followed by the WINDEX.

Other WINDEX Considerations

Multiple Widow(er)s

It is possible to have more than one entitled widow(er) (D/D6), each with a different eligibility year. The two widow(er)s could have different WINDEX PIAs. It is also possible for one widow to have a WINDEX PIA and another to have a Death PIA.

Family Benefits

Widow(er)'s benefits are subject to reduction for the Family Maximum (except Surviving Divorced Spouse Benefits).

A widow(er) can be paid on a WINDEX PIA while other survivors on the same record are paid on the DNH's regular PIA. The family maximum is determined by using the DNH's regular PIA. There is no corresponding FMAX for a WINDEX PIA.

See **RS 00615.756 B.4** for instructions on how to distribute the family maximum when the beneficiaries are not due equal original rates.

Reduction for Age

The original benefit rate is reduced for age if the widow(er) is entitled before FRA.

Amount of Reduction

A widow(er) is first eligible at age 60, and like RIB and spouse's benefits, the FRA is increasing. However, unlike RIB and spouse's benefits, the amount of reduction at age 60 is a flat 28.5 percent no matter when FRA occurs.

For people born after 01/01/40, FRA is gradually increasing to age 67, but the maximum reduction remains 28.5 percent. Therefore, the equally distributed monthly reduction amount becomes smaller as FRA increases,

because that 28.5 percent reduction is spread over a longer period. A different monthly reduction factor applies to each possible FRA.

There are two different methods of manually computing a reduced WIB:

- Formula

- Fraction formula

Formula Method

The formula method is as follows:

(Unreduced benefit x .285 x RF) / Total Possible RF = Amount of reduction (MAR) (**NOTE:** carry the MAR value out to 4 decimal places)

Unreduced benefit – MAR = MBA (round down)

This formula can be used for any FRA, as long as the correct "RF" and "Total Possible RF" are used.

- "RF" is the reduction factors or number of months of entitlement prior to the applicable FRA. It could be from 1 to 84.

"Total Possible RF" (TRF) depends on the FRA and is the maximum number of reduction months possible for that FRA. It could be from 60 to 84.

EXAMPLE: Widow whose FRA is age 66 and 2 months, files at age 63; RF would be 38, total possible RF would be 74.

EXAMPLE: Widower whose FRA is age 67, files age 65; RF would be 24, total possible RF would be 84.

Computation Example

A widow born on 07/15/1956 was entitled beginning 06/2018. Her FRA is 66, which will occur in 07/2022. RF is 49. Total possible RF is 72. The unreduced WIB is $987.60. NH DOB is 02/14/1951; DOD 02/2013.

- **Using the formula in RS 00615.301 B.1.d**

$$\frac{\$987.60 \times .285 \times 49}{72} = \$191.5533$$

$987.60 - $191.5533 = $796.0467 rounded down to $796.

NOTE: You will seldom calculate the widow's benefit manually.

Fraction Method

The second method, the fraction formula, is also cumbersome. The basic formula, shown in POMS **RS 00615.301 B**, calculates the amount of reduction using a fraction determined by the widow(er)'s FRA. The amount of reduction is then subtracted from the original benefit to calculate the reduced MBA.

ICF 23

ICF program #23, Survivor Family Rates, is used to calculate widow's monthly benefit rates. Some dual entitlement cases, mentioned later in the lesson, are exclusions to using this program. Let's look at this program and use the problem above to get the widow's monthly benefit rate.

When we select ICF #23, we get the ICF Survivor Family Rates – Input Screen 1 (IC93).

Here is a screen shot; refer to **MS 02423.002** for screen information:
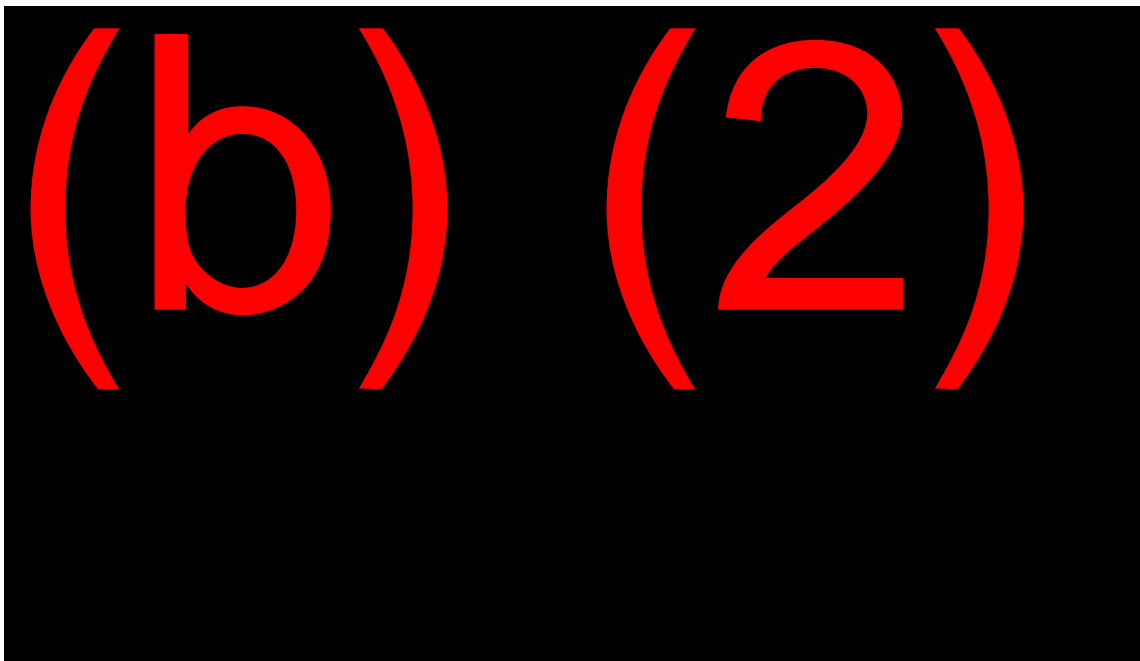
This screen is divided into three sections. The General Comp Information collects the death PIA of the NH. The Aged or Disabled Widow(er) Information section collects information about the deceased number holder and the widow. The Family Composition Information section gathers information about the family composition at different effective dates.

For the problem used in the previous manual calculation, we would complete the IC93 screen information as follows:

(b) (2)
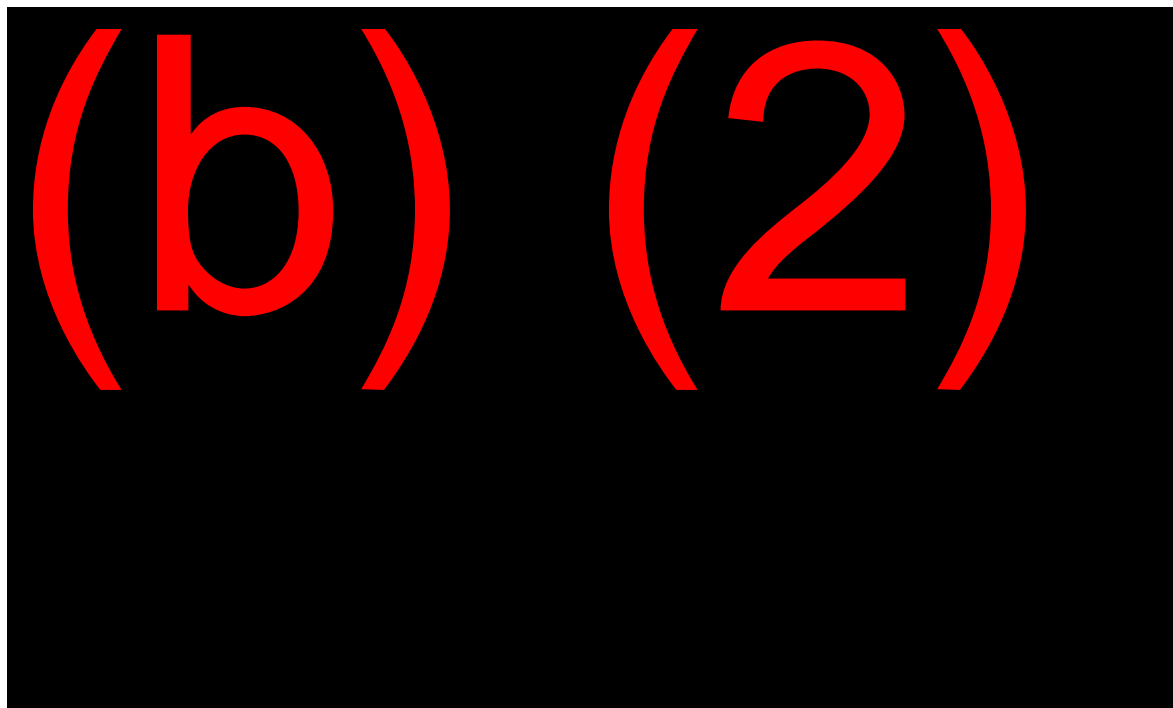
RIB LIM Computation

RS 00615.320

Applicability

When the DNH was entitled to reduced RIB or reduced DIB, it limits the amount payable to the widow(er). We call this limit the "RIB LIM." RIB LIM applies regardless of whether the widow(er)'s entitlement begins before or after FRA.

Computing the RIB LIM PIA

Use a fictitious life PIA that may include:

- a recomputation to remove WEP, or

- a recomputation to include earnings in the year of death if the death occurred before the month of attainment of FRA, or

- a RR survivor recomputation effective with the month of death

Computing the NH's Reduced RIB

If the DNH was due any ARFs, apply those to the computation. The ARFs are effective the month the DNH would have attained FRA.

Add any DRC increment months for the year of death to the RIB LIM effective January the year after the NH died.

Calculating the RIB LIM

The RIB LIM amount will be the higher of:

- the reduced RIB amount to which the NH would have been entitled if they had lived, or

- 82.5 percent of the NH's death PIA.

Widow(er) FRA or Older

If the widow(er) is FRA or older at the MOET and the DNH was entitled to reduced RIB or DIB, the WIB MBA is the RIB LIM amount.

EXAMPLE:

Mr. B received reduced RIB of $1,050 (PIA $1,235.40). Mrs. B, age 66, comes in to file for widow's benefits.

The life and death PIAs are the same.

DNH's RIB if still alive: $1,050.00

82.5 percent of DNH's death PIA: $1,019.20 (1,235.40 x .825)

The WIB will be the higher of the two, or $1,050.00.

The widow's rate is based on the RIB LIM since she is receiving a benefit other than the PIA (unreduced since she is FRA or older).

Widow(er) Under FRA

If the widow is under FRA at the MOET and the DNH was entitled to reduced RIB or DIB, you must do three separate computations and compare the results to determine the benefit amount.

First, look at the DNH's MBR and determine:

A. The DNH's RIB as if alive

B. 82.5 percent of the DNH's death PIA

Then compare the amounts in **"A"** and **"B"** and **choose the larger** one.

Next, use the age reduction formula (OB x .285 x RF) / TRF = MAR; OB - MAR = MBA) to determine:

C. The WIB MBA based on the widow's reduction factor.

Now, compare the amount in **"C"** with the larger of **"A"** and **"B"** then **select the smaller** amount. This is the widow(er)s benefit amount.

If the amount you select is either the DNH MBA or 82.5 percent of the PIA, the widow's benefit amount is considered to be subject to RIB LIM.

If the amount you select is based on the widow(er)'s reduction factor, then the benefit amount is not subject to RIB LIM. It is based on the widow(er)'s reduction for age.

For the following three examples, we will compute each manually using **Exhibit 4** and then use the computer system ICF #23, Survivor Family Rates.

EXAMPLE 1:

William Sharp, DOB 05/14/1951, died 10/05/18. He was receiving a reduced RIB with an MOE of 06/15. His widow, DOB 10/20/54, has an

MOE of 10/18 (RF 24). The DNH's MBR shows the 12/17 PIA is $1,853.60 and his MBA as if alive is $1,616.70. The death PIA is the same with no recomputations.

- $1,616.70 (DNH's RIB as if alive)

- $1,853.60 x .825 = 1,529.20 (82.5 percent of DNH's death PIA)

Choose $1,616.70, the larger of these amounts. This is the RIB LIM amount. Next compare $1,616.70 with the amount calculated under the regular WIB computation:

- $\dfrac{1853.60\,x\,.285\,x\,24}{72}$ = 176.092

   $1,853.60 – 176.092 = $1,677.50 after dime down rounding (WIB)

The DNH's RIB of $1,616.70 is payable since it is the smaller amount. This is a situation in which the widow's benefit is "subject to the RIB LIM," meaning the "RIB LIM applies."

Complete the input and output screens for ICF #23 as follows:
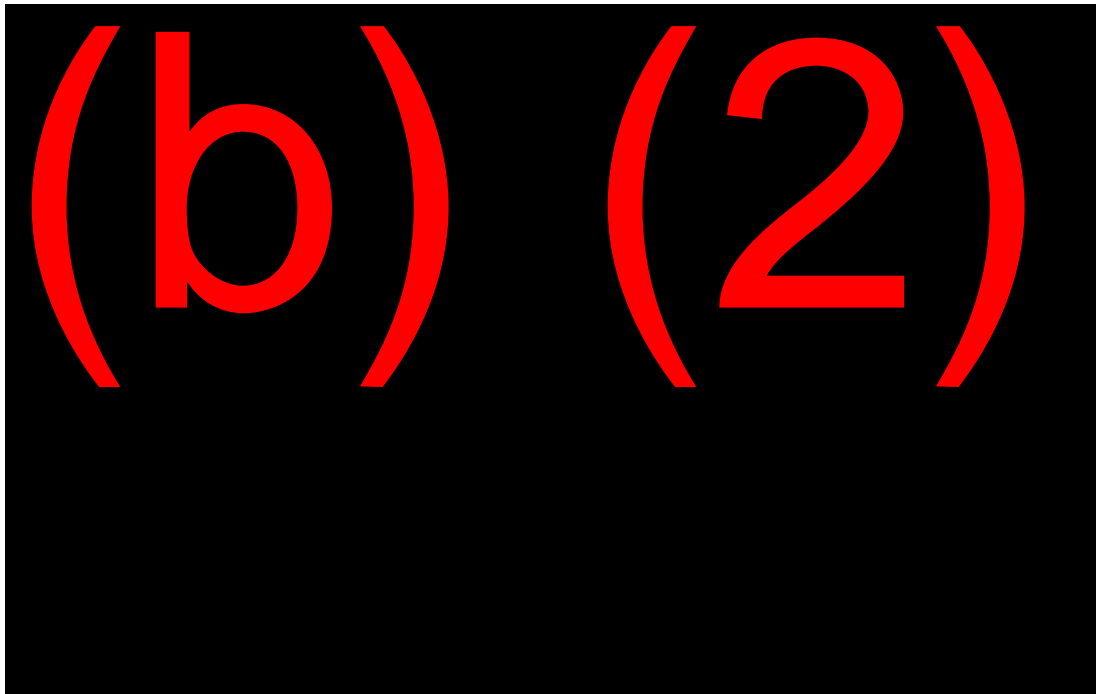
Enter through the IC9G screen as it will be discussed later in this lesson.

(b) (2)

ICF #23 does all the calculations and comparisons for you. Note the current reduction factor "RL and the code "R" on the output screen. The RL identifies the MBA is based on the RIB LIM. If you put your cursor over the "R" and hit F1, it will identify whether the RIB LIM is based on 82.5% or the DNH RIB as if alive. The "R" indicates the MBA is based on the DNH's RIB LIM MBA. In A101 cases, it is important to identify when the RIB LIM is applicable, as special coding is needed on the BENE screen.

EXAMPLE 2:

Theodora Parker, DOB 10/05/1951, died 12/02/14. She was receiving a reduced RIB with an MOE of 11/13. Her widower, DOB 01/08/56, has an MOE of 09/18 (RF 40). Theodora's MBR shows the current PIA is $1,187.40 and the MBA if alive is $895.40.

- $895.40 (DNH's RIB if alive)

- $1,187.40 x .825 = 979.60 (82.5 percent of DNH's death PIA)

Choose $979.60, the larger of these amounts. This is the RIB LIM amount. Next compare $979.60 with the amount calculated under the regular WIB computation:

$$\frac{1187.40 \times .285 \times 40}{72} = 188.005$$

$1,187.40 – 188.005 = $999.30 WIB (after dime down rounding)

The RIB LIM amount of $979.60 is compared to the WIB reduced for age amount of $999.30. You choose the smaller of these two amounts and the benefit amount is $979.60. The RIB LIM applies because the widower's benefit is 82.5 percent of the DNH's PIA.

Complete the input and output screens for ICF #23 as follows:

(b) (2)

(b) (2)

The output identifies the MBA is based on the RIB LIM and the Code "RL" indicates the RIB LIM is based on 82.5% of the DNH's PIA.

EXAMPLE 3:

Paula Yoder died 07/03/18. Her DOB is 05/04/1953 and MOE was 05/17. At the time of her death, she was receiving a reduced RIB. The regular PIA effective 07/18 is $996.10, the MBA is $863.20. No recomputation is due. The widower filed an application in 07/18 (70 RF, DOB 01/10/1958).

- $863.20 (DNH's RIB as if alive)

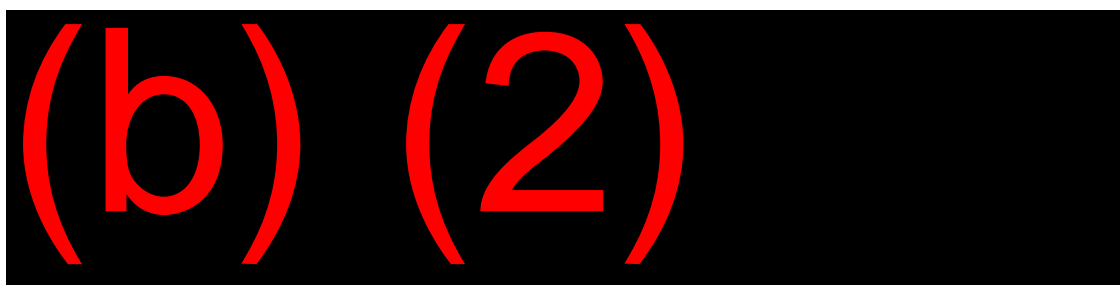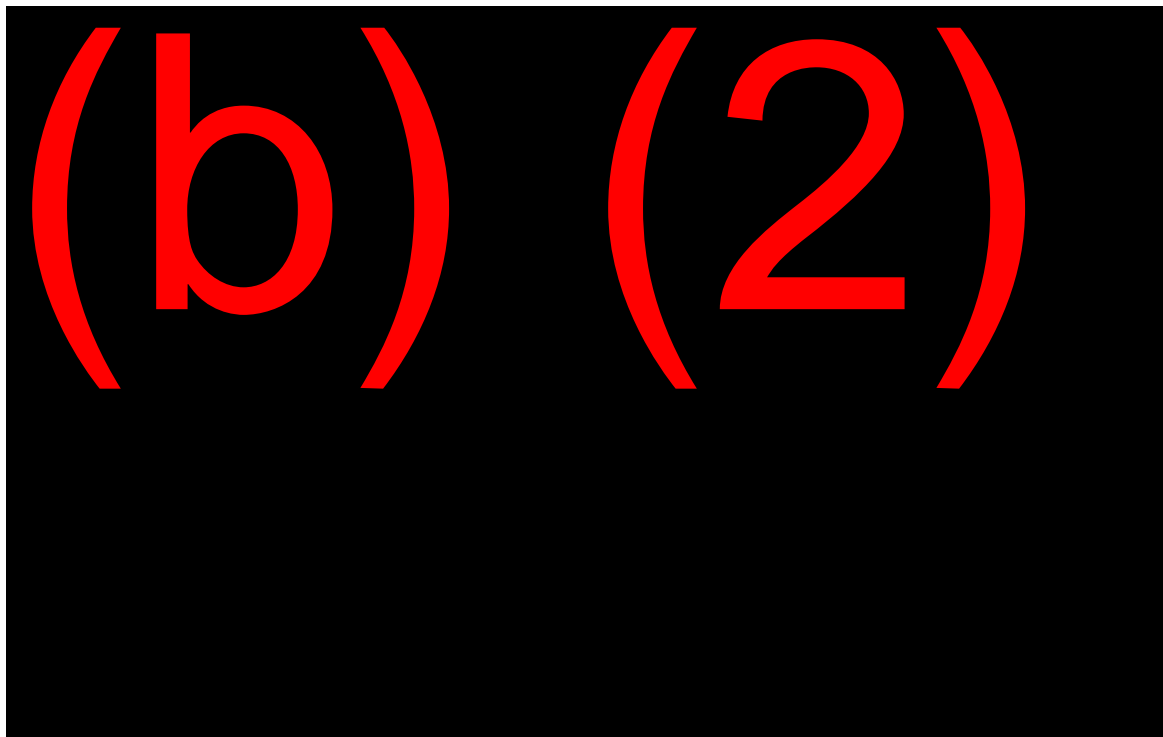- $996.10 x .825 = $821.7825 = $821.70 (82.5 percent of DNH's death PIA)

Choose $863.20, the larger of these amounts. This is the RIB LIM amount. Next, compare $863.20 with the amount calculated under the regular WIB computation:

- WIB Formula (996.10 x .285 x 70) / 76 = 261.4763

  $996.10 – 261.4763 = $734.60 WIB (after dime down rounding)

Compare the RIB LIM amount of $863.20 to the WIB reduced for age amount of $734.60. You choose the smaller of these two amounts and the benefit amount is $734.600. The benefit is based on the claimant's own age reduction and NOT based on the RIB LIM.

Now let's look at using ICF #23, Survivor Family Rates to calculate this rate. The completed input screen for the example above is as follows:

(b) (2)
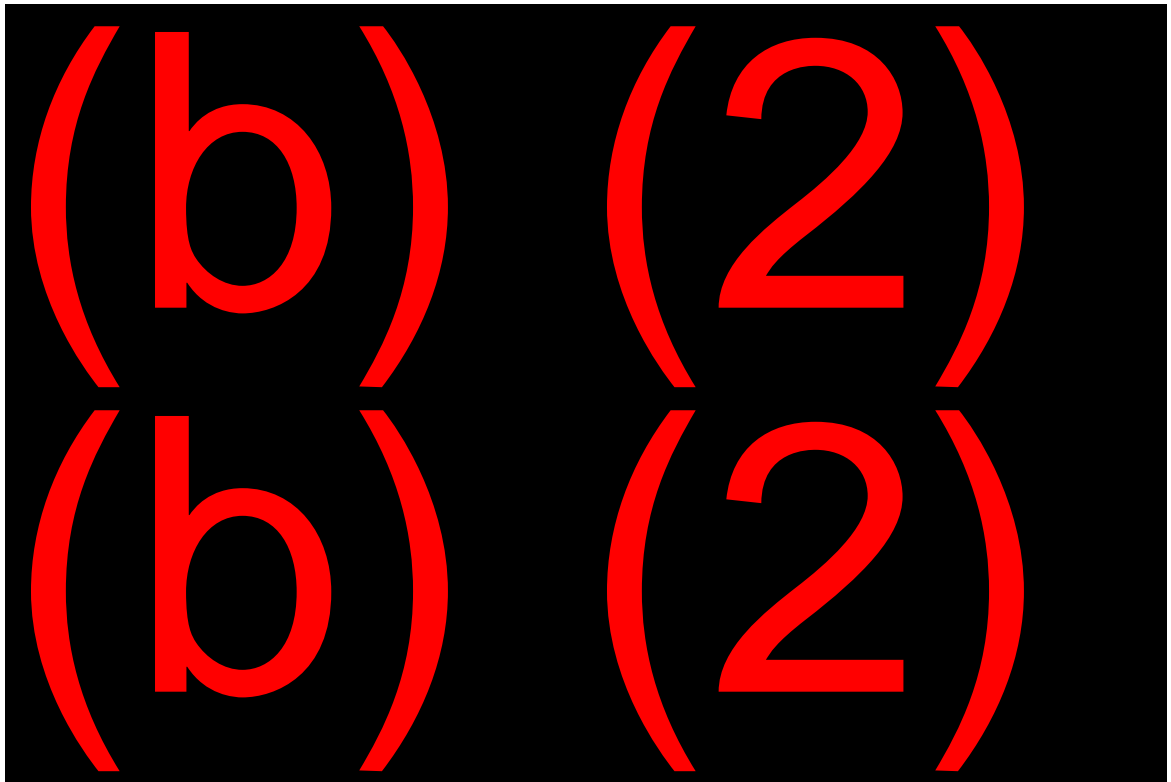
Note the current reduction factor is "70." This reflects the number of months prior to her FRA the widow is receiving benefits.

IC9G Screen

MS 02423.004

(b) (2)
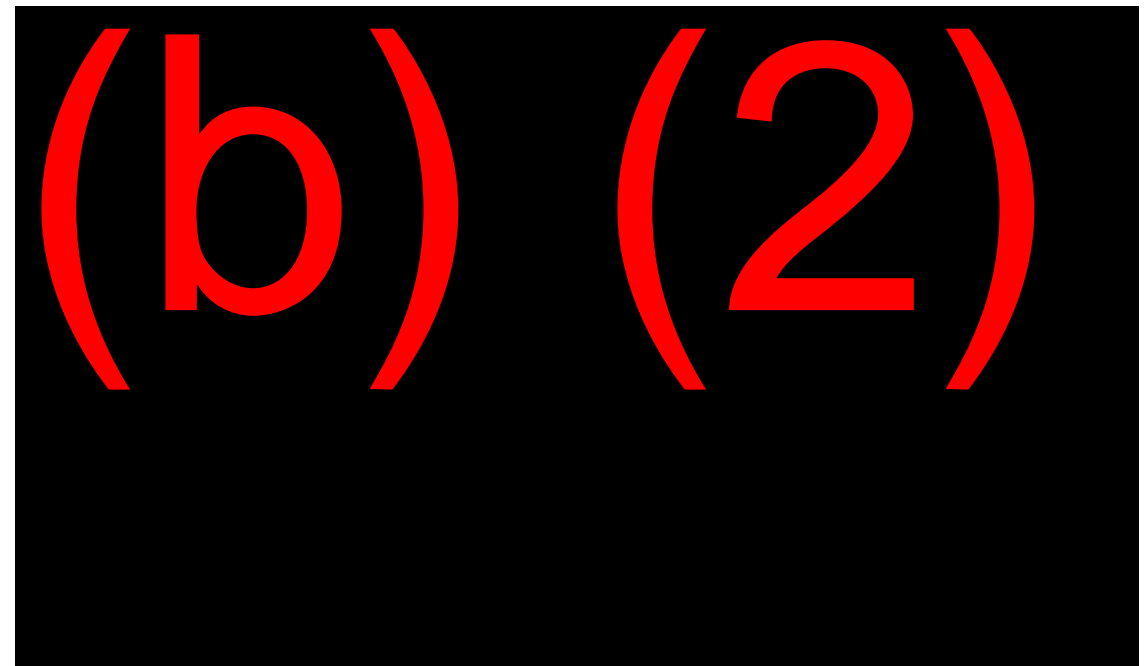
Depending on your inputs on the IC93 screen, you may see the IC9G screen next. This screen asks for additional information used to determine the NH's correct MBA based on events, which took place after the initial entitlement. The questions pertinent to your claim will be highlighted. Review the MBR and earnings record to determine the correct responses.

Computation of COLA Increases

RS 00615.005 C, **RS 00601.120**

Cost of living increases for widow(er)s are handled the same as they are for other benefits. Always apply the percent increase to the PIA and then recompute the benefit following the reduction rules that applied to the initial computation.

In widow's entitlement cases where the RIB LIM is a consideration and a COLA is due, you normally do not need to refigure the comparison of RIB LIM and the regular reduced WIB. The only time we need to reconsider RIB LIM application is when an ARF is due either the deceased NH or the widow.

Widow's ARF

RS 00615.582

Because a widow is first eligible for benefits at age 60, the reduction factor is adjusted twice: at age 62 and again at FRA.

1. Age 62 adjustment

   - Original reduction factor minus credit months from MOE up to 62 yields the age 62 adjusted reduction factor (ARF).

   - Increase is effective in the month of attainment to age 62.

2. FRA adjustment

   - The FRA adjusted reduction factor (ARF) is the original reduction factor minus all credit months from MOE through FRA.

   - Increase is effective in the month of attainment to FRA.

   If the deceased wage earner was entitled to retirement benefits before FRA, we must consider the RIB LIM before increasing the widow's MBA for an age 62 or FRA ARF.

   Credit months for widows include:

- Full or partial permanent work deductions,

- Months the MBA was raised to mother/father's rate because of a child-in-care.

3. When the widow was entitled to a DIB at or before her WIB MOE, the WIB benefit is recomputed at the month of RIB entitlement to eliminate any age reduction on the WIB. This is discussed more fully in the WIB/DIB dual entitlement section below.

WIB/RIB Dual Entitlement

RS 00615.150

Simultaneous A-D

Simultaneous A-D benefits occur when an individual is entitled to a reduced or unreduced WIB and RIB, either simultaneously or RIB first. Each benefit is determined independently then subtracted to find the LEMBA.

The Combined WIB MBA is the SAMBA (the RIB-reduced or unreduced) plus the LEMBA (the difference between the RIB and the WIB). In other words:

 WIB MBA (Combined Amount)

- RIB MBA (SAMBA)

 WIB Payable (LEMBA)

Remember the SAMBA is the benefit payable on the claimant's own RIB record.

Point to Remember

When considering whether Widow(er) Benefits are due and dual entitlement exists, you look at the MBAs rather than the unreduced amounts.

This is different from dual entitlement for RIB/Spouse's Benefits (life claims). When you are considering dual entitlement in Spouse's claims, you compare the benefit amounts before applying any age reduction—the claimant's RIB PIA and B original rate.

EXAMPLE 1:

Mr. Hall, DOB 03/18/1954, is entitled to WIB in 10/2018, the month his wife dies. He is entitled to a reduced RIB of $888.80 (20 RF-MOE 07/18) based on a PIA of $1,000.00. His wife, DOB 04/14/54, had never been entitled to benefits.

Mrs. Hall's PIA in the month of death is $1,255.40. After reduction for age, Mr. Hall's MBA on his wife's record is $1,170.90. $1,255.40 reduced 17 months = $1,170.90.

$1,170.90 reduced WIB (found using ICF #23)

  - 888.80 SAMBA (Mr. Hall's reduced RIB – found on the MBR or ICF #1)

$ 282.10 LEMBA (benefit amount as D1)

The reduced WIB can be figured using ICF #23. The reduced RIB can be figured using ICF # 1. In this example, he was already receiving RIB so we would just look at the MBR for his MBA.

EXAMPLE 2:

Mrs. Bell, age 66 (FRA), becomes entitled to WIB. She receives a reduced RIB of $610.10. Mr. Bell, age 69, was receiving an unreduced RIB of $1,200.00

$1,200.00 Combined MBA* (Mr. Bell's unreduced RIB)

\-   610.10 SAMBA (Mrs. Bell's own reduced RIB)

$ 589.90 LEMBA (benefit amount as a D)

The LEMBA is added to the SAMBA to determine the combined amount.

*The combined benefit is subject to the RIB LIM if the NH took a reduced RIB. An example using this RIB LIM comparison is discussed later.

WIB/DIB Dual Entitlement

DIB before or same as WIB

RS 00615.350

Apply the widow(er)'s reduction factor to the difference between the unreduced widow(er)'s benefit and the DIB PIA if:

- The individual is entitled to an unreduced DIB and reduced WIB, and

- The DIB date of entitlement is in or before the WIB month of entitlement, and

- The amount of the unreduced widow(er)'s benefit exceeds the amount of the DIB PIA.

If the DIB entitlement is at the same time or before the reduced WIB, when the widow(er) becomes entitled to RIB, the D benefit will no longer be reduced for age. This always occurs at FRA, but can occur before FRA if RIB is elected because DIB terminates **RS 00615.350 C**. However, the RIB LIM still applies.

WIB before DIB

RS 00615.420

If the WIB date of entitlement is **before** the DIB date of entitlement, compute each benefit independently of the other, the same as in RIB/WIB dual entitlement. The total benefit would be the equivalent of the higher amount.

Points to Remember

We will issue two separate payments because the benefits due are from different Trust Funds; the Disability and the Retirement/Survivors Trust Funds. However, the total benefit is subject to the RIB LIM.

Because of the advantages of DIB entitlement preceding WIB entitlement (reduction of only LEMBA not the whole OB, and unreduced subsequent RIB entitlement), always carefully explain the options to the claimant. If the claimant wants WIB benefits before the DIB entitlement begins, discuss the long-term ramifications of this choice. However, other considerations, like terminal illness, make this a very individual decision. Once a choice is made, it cannot later be changed except by withdrawal and filing of a new application.

<u>**EXAMPLE 1:**</u>

Mrs. Davis, DOB 07/11/1954, becomes entitled to WIB effective 06/18. At the time of filing for widow's benefits, she was receiving disability on her own record. The DIB PIA is $929.20. Her deceased husband, DOB 11/10/1953, passed away 06/08/2018. He never filed for any Social Security benefits. The WIB PIA is $1,638.90. Since Mrs. Davis was entitled to DIB then WIB, her WIB MBA is determined as follows.

$ 1,638.90 unreduced D

-   929.20 HA PIA

$ 709.70 excess unreduced D

Excess reduced 25 months:

$$\frac{709.70 \; X \; .285 \; X \; 25}{72} = 70.2307$$

$709.70 – 70.2307 = $639.4693 dime down rounded to $639.40

$ 639.40 D Benefit (LEMBA)

+   929.20 HA PIA (SAMBA)

$1,568.60 full reduced D benefit (Combined WIB)

Effective the month she turns FRA, her D benefit will increase to $709.70 and she will receive a total of $1,638.90.

If Mrs. Davis's DIB terminates on her 64th birthday and she elects reduced RIB, her WIB will be unreduced at that point and her WIB benefit will equal the difference between her unreduced WIB (considering RIB LIM if applicable) and her reduced RIB. The net effect is she will receive the full $1,638.90 (or the RIB LIM amount, if applicable).

There is not an ICF program to figure this rate. However, there is a benefit calculator designed by SEPSC, which will compute this. The link to this benefit calculator is:

(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)

If you are using this for the first time, be sure to review the "Instruction" tab. The data needed for this Excel program are as follows: the widow(er)'s DOB, date of entitlement, WIB PIA, and DIB PIA. Be sure to enter the WIB PIA and DIB PIA on the proper effective date line. If the DOE is any month other than January, change the date in the January "Effective Date" line to the correct month. The lines with a December "Effective Date" are for COLA calculations performed by the system.

This program will also compute the SAMBA/LEMBA if RIB LIM is involved. Here is the manual computation when RIB LIM is involved:

EXAMPLE 2:

Mrs. Duvall, DOB 07/22/1955, is entitled to WIB effective 11/18. She is currently receiving an unreduced DIB of $660.30. Her husband's DOB was 09/05/1952 and his DOD was 11/23/18. The NH's RIB MOE was 06/16. The 12/17 PIA on his MBR is $1,974.00 and RIB MBA is $1,677.90. How will her WIB be computed?

Answer

We must consider the following:

Step 1: Choose the larger of:

> $ 1,677.90 = DNH RIB MBA

> $ 1,628.50 = 82.5 percent of DNH's PIA

The DNH RIB MBA amount of $1,677.90 is the RIB LIM.

Step 2: Compute her reduced widow's benefit as shown below:

```
$1,974.00    unreduced DNH's PIA
-  660.30    HA PIA
$1,313.70    excess unreduced D
```

Excess reduced 32 months - $\dfrac{1313.70 \; X \; .285 \; X \; 32}{72}$ = 166.402

$1,313.70 – 166.402 = $1,147.298 Rounded down $1147.20

$1,147.20 LEMBA

+ 660.30 SAMBA

$1,807.50 Comb WIB

Step 3: We compare the RIB LIM computed in Step 1 to the Combined WIB MBA computed in Step 2 and pay the smaller.

The RIB LIM is the smaller so she can only be paid $1,677.90.

**Step 4:** To figure the LEMBA, we subtract her HA PIA from the RIB LIM amount to get the LEMBA as a D.

$1,677.90 RIB LIM AMOUNT

- 660.30 SAMBA

$1,017.60 LEMBA

If her HA PIA had been over $1,677.90, no LEMBA would be payable.

NOTE: If we use the benefit calculator designed by SEPSC, we need the following information: Annotate "Y" to question, "Enter Y here if DWE reduced", widow(er)'s DOB and DOE, WIB PIA, DIB PIA, and DWE's MBA. Change the date in the "Effective Date" line to equal the DOE. In our example, this is 11/18.
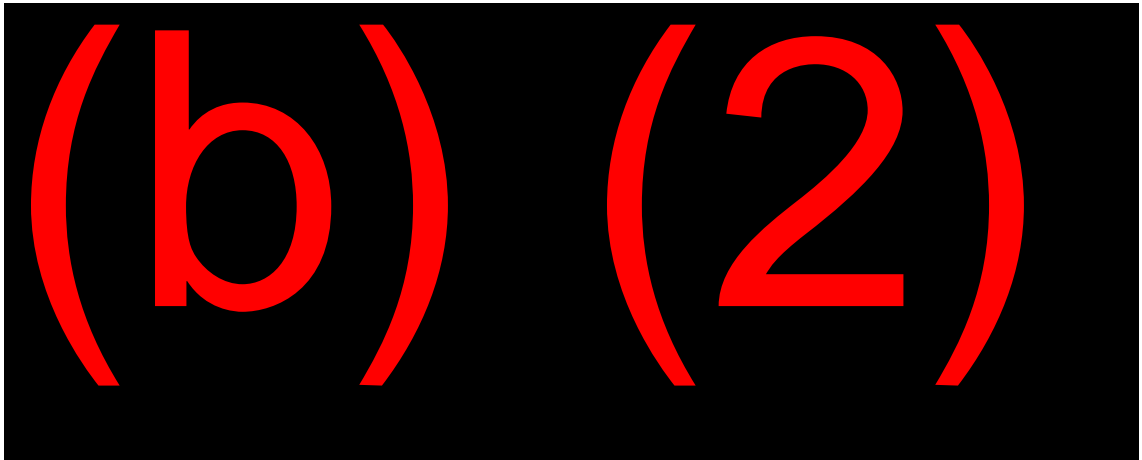
Delayed Retirement Credits (DRCs)

RS 00615.702

Applicability

If the NH was, or would have been, entitled to a RIB increased by DRCs, the widow(er) is entitled to those DRCs. This includes a surviving divorced spouse.

Eligibility Requirements

The widow(er) does not have to be FRA to receive the benefit of the DRCs due the NH, although the DNH must have attained FRA prior to the month of death.

Computation

When computing the widow(er)'s benefit, we use the DNH's RIB plus the DRCs as the original benefit, if it is higher than any other possible PIA.

The system will compute the WIB as follows:

- Determine the PIA as if the NH is alive and include RR earnings.

- Then it will reduce the adjusted PIA based on the NH's reduction months.

- Add any applicable DRCs up to the month of death.

We use this amount as the widow(er)'s original benefit. Then reduce the original benefit for any applicable age reduction or for the family maximum, if necessary.

Special rules apply when the DNH had earnings in the year of death or earned DRCs in the year of death. Again, ICF #23 will calculate these situations correctly. **RS 00615.706**

EXAMPLE 1:

Bernard Hale came into the office in 10/2018 to apply for widower's benefits. He is not insured on his own SSN. His date of birth is 11/19/1952 and month of election is November 2018 when he is FRA.

His wife (DOB 07/11/1946; DOD 05/2018) was first entitled to RIB in 10/2014. Her death PIA effective with the MOE is $1,931.10. Her current MBA, including 27 DRCs, is $2278.60.

Mr. Hale's original benefit is $2,278.60, the NH's PIA plus applicable DRCs. He filed for benefits effective with FRA, so his MBA is also $2,278.60.

ICF #23 will compute this rate as well:
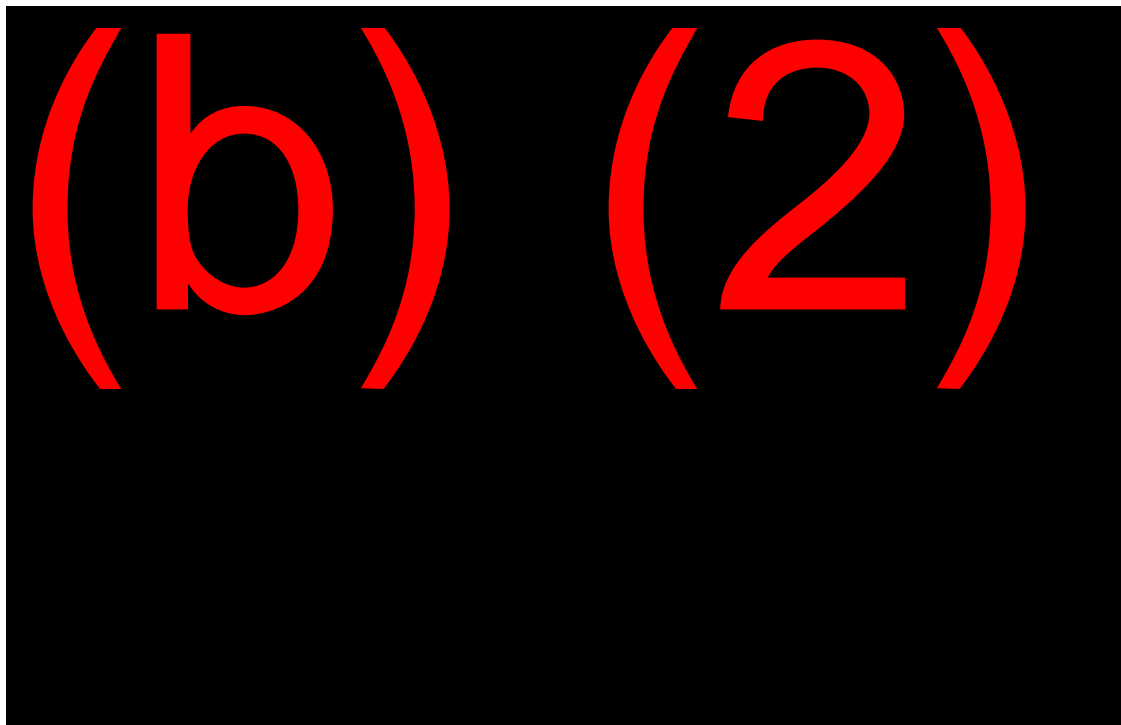
Use the MBR to determine the correct number of DRCs the NH was entitled to. Then code them in field 3 of the IC9G screen.
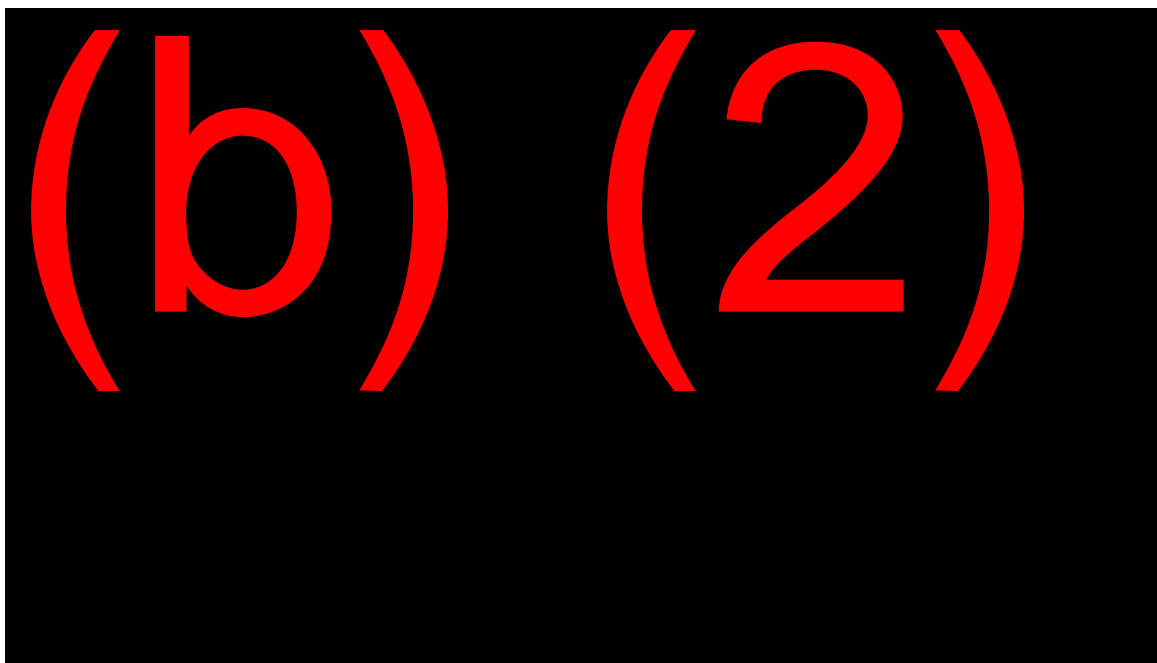
The output screen lists the RIB plus DRCs amount in the WIB PIA field.

(b) (2)

EXAMPLE 2:

Mrs. Kim, DOB 04/13/1954, is currently entitled to RIB. Her PIA is $1,820 and her MBA is $1,372.50. Mr. Kim, DOB 07/07/1949 passed away 11/25/2018. His death PIA is $1,780.00. Mr. Kim was still working at the time he passed away and had never received RIB. Mrs. Kim's original benefit is $2,254.60 (death PIA plus 40 DRCs). Use ICF #23 to compute the original benefit:

(b) (2)

Mr. Kim never drew RIB. The system automatically propagates the number of deemed DRCs he should have received.

(b) (2)
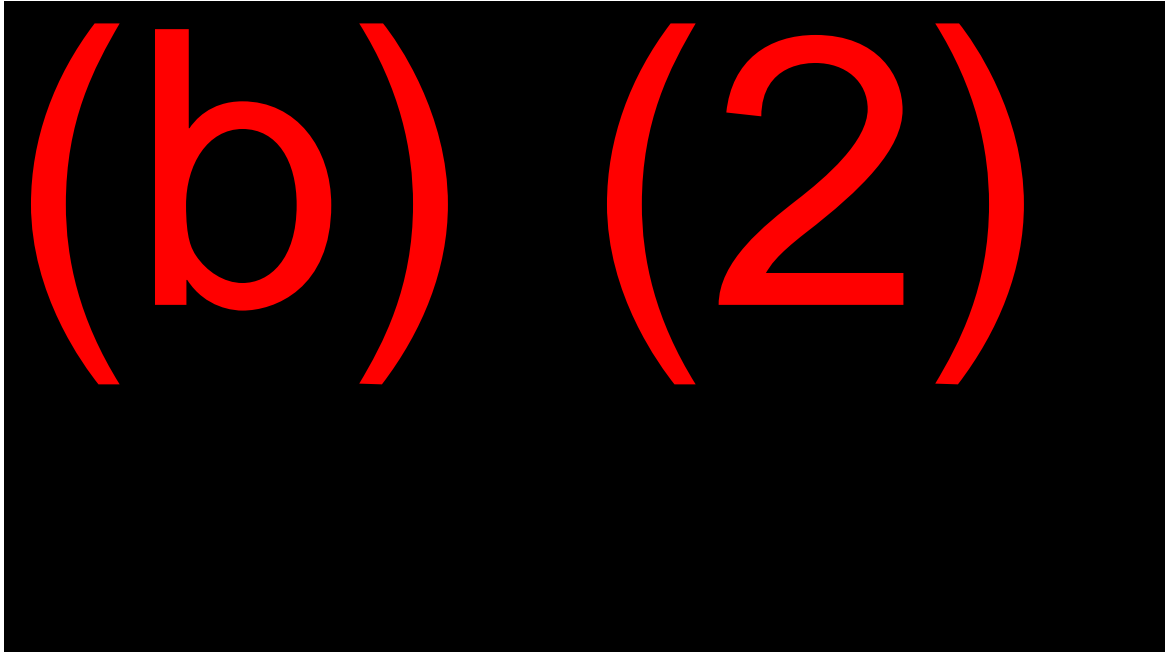
If Mrs. Kim files for benefits beginning in the month of Mr. Kim's death, the system computes Mrs. Kim's combined WIB MBA by reducing the RIB plus DRC amount of $2,254.60 (shown as the WIB PIA on the IC9I screen) by 17 reduction months.

(b) (2)

To determine the amounts payable from each record, do the following calculation:

$2,102.80   Reduced WIB amount

- 1,372.50   SAMBA (Mrs. Kim's own RIB MBA)

$ 730.30   LEMBA (amount payable on the D record)

Computation Summary Guide

Exhibit 5 is a summary guide for computing widow's benefits.

Maximum Involved

When there are multiple beneficiaries receiving benefits on the record of a deceased NH, adjust the benefits to account for the family maximum. This adjustment must happen before any consideration of age reduction for the widow. The widow and the other survivors (usually children) are entitled to different original rates; therefore, the adjustment for the maximum is handled differently than if they share the same original rate.

RS 00615.756 gives the instructions for this process. Use the following formula:

$$\frac{\text{Family maximum } X \text{ Original rate}}{\text{Total of original rates of all subject to the maximum}} = \text{Survivor's Share}$$

Remember, a divorced spouse is not subject to the Family Maximum **RS 00615.680**.

EXAMPLE:

July 2018, Mrs. James, DOB: 11/15/1954, files for WIB on the record of her deceased husband. Mr. James, DOB: 07/07/1953, died 01/2011. Two disabled children will also be drawing benefits based on the 07/18 death PIA of $2,071.10 with a family maximum of $3,624.80. However, since the NH died before age 62, Windex is involved and the widow is eligible on a Windex PIA effective 07/18 of $2,089.70 (Windex ELY 2014).

The widow's original rate is $2,089.70 (100 percent of the Windex PIA).

The children each have an original rate of $1,553.30 (75 percent of $2,071.10). The total of all original rates is $5,196.30.

   C1 orig rate: $1,553.30

   C2 orig rate: $1,553.30

D   orig rate: $2,089.70
Sum: $5,196.30

Using the formula to adjust for the maximum:

$$D = \frac{\$3624.80 \, x \, \$2089.70}{\$5196.30} = \$1,457.70 \text{ (with dime down rounding)}$$

$$Cs = \frac{\$3624.80 \times \$1553.30}{\$5196.30} = \$1,083.50 \text{ each (with dime down rounding)}$$

If the widow is under FRA, then reduce $1,457.70 for her age to determine what her monthly benefit amount will be. In this example, she is under FRA so if we figured her monthly benefit amount manually it would be like this:

$$\frac{1457.70 \, x \, .285 \, x \, 28}{72} = 161.561$$

$1,457.70 – 161.561 = $1,296.10 (with dime down rounding)

We can use ICF #23 to compute the above. Here are the input and output screens:

The Input screen – IC93
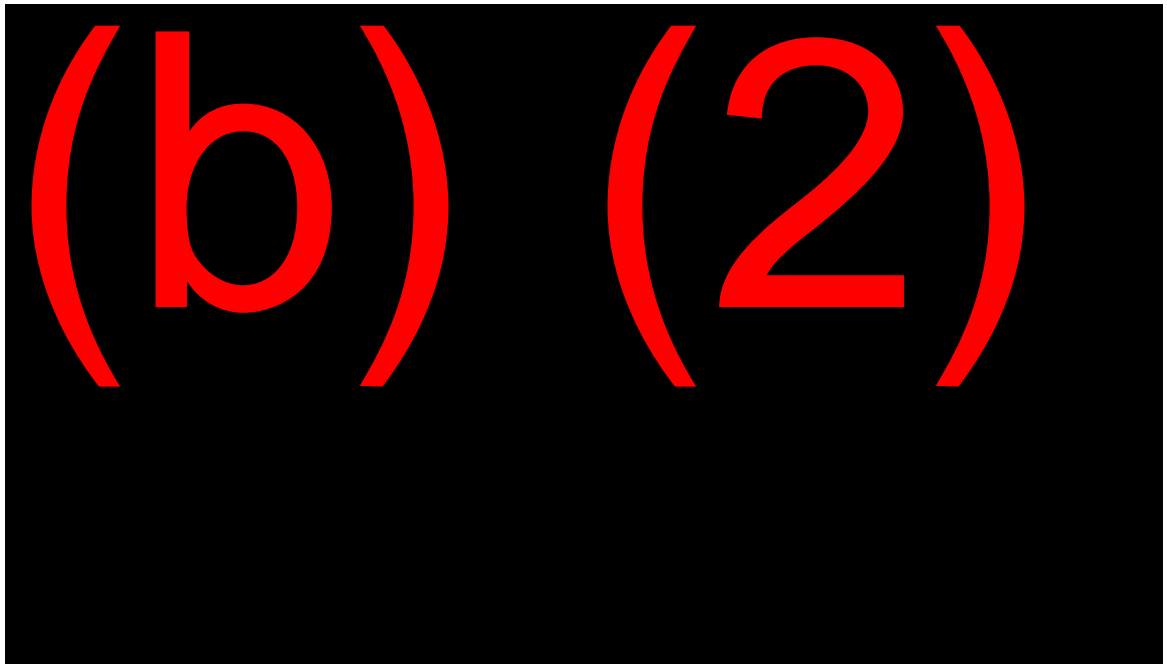
The two output screens:

First is the widow's information – IC9I:
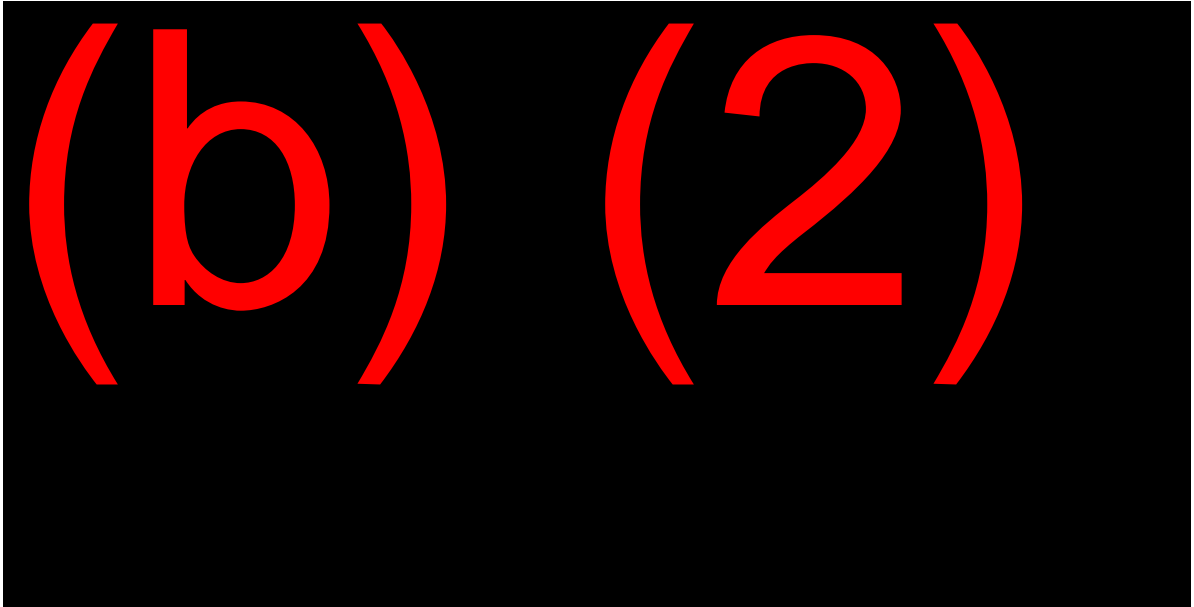
ICF 23 Survivor Family Rates Summary

ICF 23 will figure many widow's benefits including age reduction, DNH DRCs, RIB LIM, and maximum distribution, but it is unable to compute dual entitlement rates. In most cases, when dual entitlement **and** the family max are both involved, you will have a combined family maximum and you must compute the rates manually. Information on the combined family maximum is in the module on Child's Benefits.

OBJECTIVE 4

Assist claimants with MOE decisions
when WIB/RIB is involved.

Election of WIB

GN 00204.030

MOEL

The widow(er) has several choices to make when filing for benefits.

The widow(er)'s month of election choices are limited by:

- NH's DOD

- Widow(er)'s Attainment of age 60

- Retroactivity

Retroactivity

A widow(er)'s claim cannot be retroactive unless:

- The widow(er) is FRA or older. Six months retroactivity is possible, but no earlier than FRA.

- The widow(er) is under FRA, **AND**

  - WIB application is filed month following month of NH's death and claimant meets all other entitlement factors in month of death. One-month retroactivity is possible, **OR**

  - The RIB LIM applies. Up to six months retroactivity is possible as long as the RIB LIM applies in both the month of filing and the month of entitlement.

EXAMPLE:

John died 01/2018. His DOB was 02/10/53 and he had been entitled to RIB since 07/15. At his death, his PIA was $1,347.40 and his MBA was $1038.60 (MOE 07/15; 43 RF). He did not work after he retired. John's wife, Joy, files for survivor benefits to start 08/18. Her DOB is 09/20/54. To determine her MOE and MBA, we will use ICF #23. We will start by finding her MBA in the month of filing, 08/18.

Input Screen:

(b) (2)

Output Screen:

(b) (2)
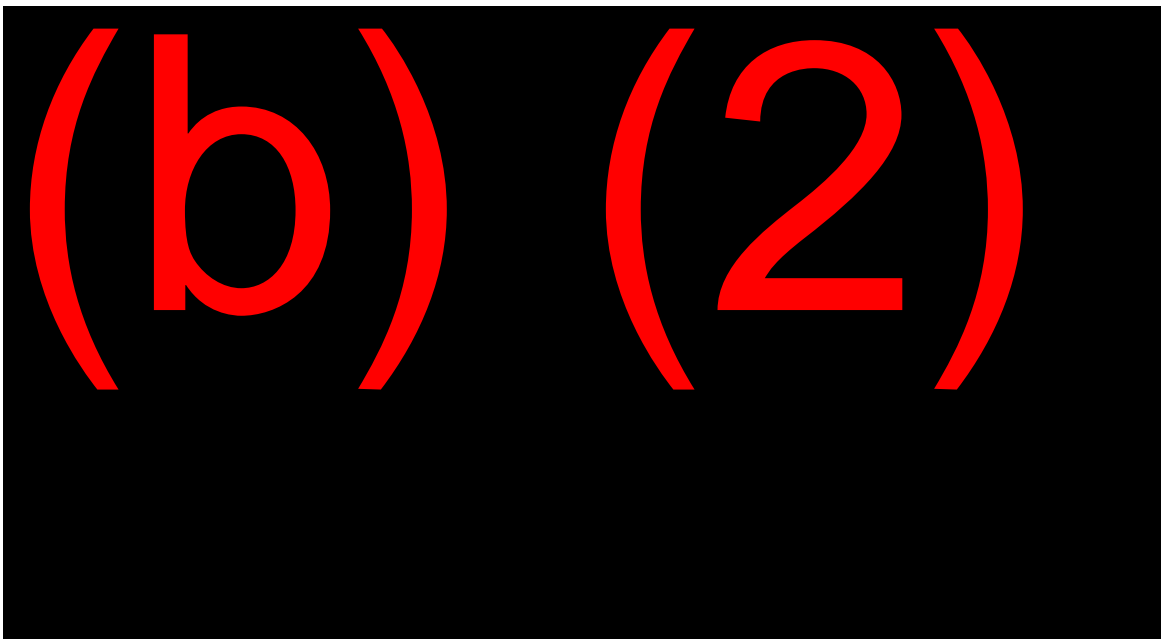
The RIB LIM is in effect in 08/18. When RIB LIM applies we can potentially offer up to 6 months of retroactivity. Now we will return to the input screen and change the Start Date, MOET, and EFF DATE to 02/18. This is how we see if the RIB LIM still applies six months in the past:

Input Screen:
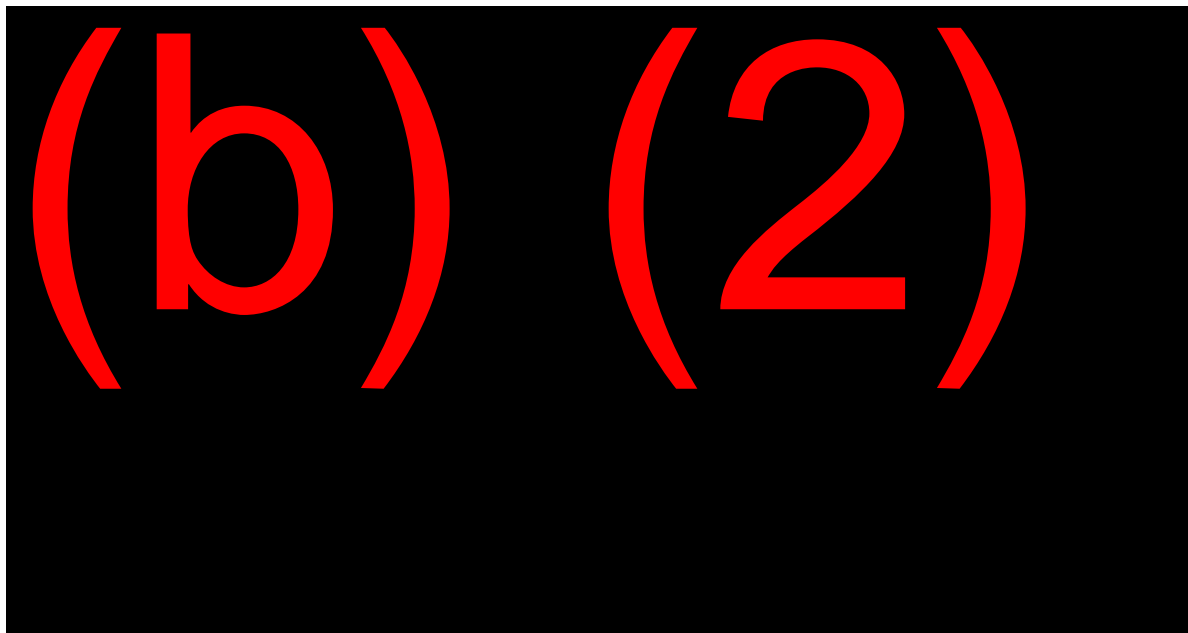
Output Screen:

Joy's benefit in 02/18 is also based on the RIB LIM. Therefore, Joy is allowed six months retroactivity.

Note: If Joy's benefit in 02/18 was not based on the RIB LIM, you can use trial and error to adjust the MOE until you find the first month the RIB LIM is in effect. Then the claimant can have retroactivity back to that month.

Type of Benefit

An aged widow(er) may have the option to choose from several types of benefits when filing a claim.

- WIB then RIB

- RIB then WIB

- WIB then WIB

RIB/WIB

A spouse must file for both reduced spouses' benefits and their own reduced RIB if eligibility to spouses' exists in the initial month of entitlement to RIB ("deemed filing"). However, a widow(er) is not required to file for their own RIB. The application filed must be restricted to one type of benefit if the claimant chooses not to file for all possible benefits.

EXAMPLE:

Susan, age 63, comes in to file for benefits. You determine she can file for her own RIB and/or as a Widow. She decides to file only as widow. Susan will answer "No" to the question, "If claimant is filing as a surviving spouse, is claimant filing for benefits on own record (Y/N)" shown at the bottom of the ADDB screen. By answering the question in this manner, this statement will appear on the application; "I do not want this application to be considered an application for retirement benefits on my own earnings record." She can file for RIB at any later point.

If she decides later she really wanted to file for Retirement first, she cannot request RIB back to age 63. Her entitlement to RIB would be based on the filing date of the subsequent RIB application. She could also withdraw her WIB claim, if within a year of initial entitlement, and file for RIB with an MOE based on the new application filing date. Withdrawals will be covered in a later module.

WIB/WIB

When eligibility for WIB exists on more than one record, the claimant can choose between the WIBs. Entitlement to a reduced WIB on one record will not affect subsequent entitlement to a WIB on another record.

NOTE: Take care to restrict the current WIB application to only WIB on the current NH's account. If the claim is not restricted, the applicant will have filed for all WIB benefits due. For instance, include a statement like this in remarks; "I wish to exclude widow's benefits on Terry Robard's record from the scope of this application."

Explaining MOE Options

GN 00204.020, **GN 00204.039**, **GN 00204.040**

Options

The widow(er) can draw one benefit prior to FRA and wait until FRA, or later, to file for the other benefit.

The widow(er) may also choose to have entitlement to the other benefit begin prior to age 65 because in some cases, there is no reason to wait until FRA. For example, when RIB LIM applies, the benefit on the WIB record will be capped at a certain point and will never increase. In these cases, there is no advantage to waiting to draw the benefit.

We must inform the claimant of all their options, but it is up to the claimant to make the final choice.

There are several things the widow(er) must consider when deciding whether to elect reduced RIB or reduced WIB.

- The widow(er) may want to draw an initially lower benefit in order to preserve a higher or unreduced benefit for a later entitlement.

- RIB LIM applies, so the WIB will not increase after a certain point.

- Widow(er) benefits elected between 60-62, but no RIB until age 62.

- Claimant has more than two options, e.g., widowed twice and own RIB.

- If claimant waits past FRA to take RIB, DRCs will increase MBA on own account, even though receiving WIB.

Explaining Options

Fully inform the claimant concerning all possible options. The claimant may have a choice of two different months of election on the same record, the same type of benefit on two different records, or two different types of benefits. The choice between taking RIB or WIB is unique in that choosing one benefit type does not eliminate the option to take the other.

The choice is frequently between receiving the smaller monthly benefit immediately and waiting to receive the higher monthly benefit later.

The interview should not focus on breakeven points, which is when the total benefits received during a lifetime would be equal if comparing two different months of election. This approach does not consider the claimant's personal situation or life expectancy when making benefit decisions. If breakeven points are requested, you should calculate the MOEL options following the guidance in **GN 00204.039 B.**

Example

Mrs. Hansen, a widow, DOB 11/02/1955, files for benefits to begin August 2018. Her deceased husband (DOB: 04/11/56 – DOD: 08/15/2018) never received a reduced benefit. His PIA is $1,554.90. Her PIA is $1,800.10. What options would you advise her of with regard to taking reduced RIB or reduced WIB?

Answer

Using ICF #1 compute her reduced RIB amount at the first possible month of election.
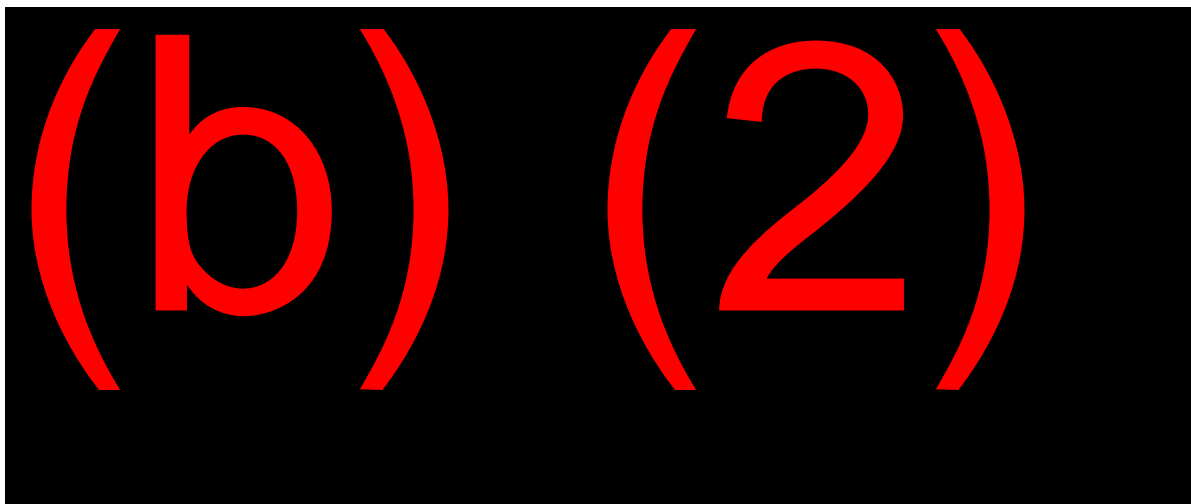
Using ICF #23 compute her reduced WIB amount at the first possible month of election.

(b) (2)
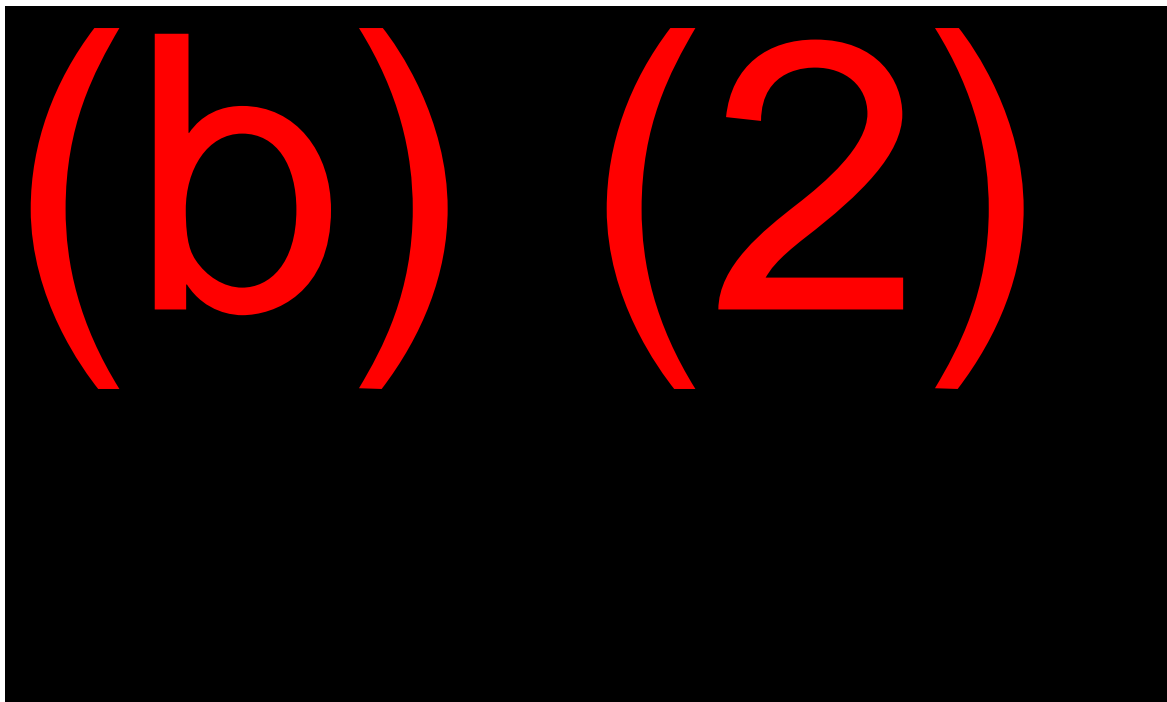
Mrs. Hansen has several options to consider. Note none of these options reflect any intervening COLAS:

She can choose to take her reduced RIB in 08/2018 and receive benefits of $1,402.50. She could then switch to her full WIB at FRA, 11/2021, and receive the unreduced amount of $1,554.90.

Another option would be for Mrs. Hansen to take the reduced WIB in 08/2018 with a monthly benefit amount of $1,314.80. At FRA, 01/2022, she could switch to RIB and her monthly benefit amount would be $1,800.10.

A third option for Mrs. Hansen would be to take the reduced WIB in 08/2018 receiving a monthly benefit amount of $1314.80. Then waiting until age 70 to file for RIB benefits, thus accruing delayed retirement credits.

Using ICF #1 compute her delayed RIB amount at age 70.

(b) (2)

(b) (2)

At age 70 in 11/2025, she could switch to RIB and receive 46 DRCs from FRA through age 70. Her monthly RIB benefit amount would be $2352.10.

Mrs. Hansen needs to consider whether she should take a lower benefit now and reserve the higher benefit for later or does she need the higher benefit now. This decision depends on her current circumstances. You should explain all of the options and allow her to make the final decision.

Diary System

GN 00204.045C; **GN 01040.010**

RIB LIM Optimum Month

A RIB beneficiary who is eligible for a widow(er)'s benefit before attainment of full retirement age (FRA) can delay filing for WIB. Delaying filing for WIB will increase the benefit because fewer reduction months will apply at WIB entitlement. However, there is a certain point beyond which the WIB will no longer increase. This happens when the deceased number holder received reduced benefits (RIB-LIM). You should inform claimants of this when discussing their MOEL options. **GN 00204.045 C** includes a step-by-step process for determining the optimum month.

Establishing a Diary

You must prepare a diary when a claimant files for one benefit and delays entitlement to another benefit, which is or will be higher at a future point.

Set the diary due date for 5 months earlier than the optimum month. See **MS 03509.013- .015** for how to enter diary code 24 on the DECI and DIAR screens. The diary codes are in **GN 01040.010**.

OBJECTIVE 5:

Determine whether benefits should be suspended, reduced, or terminated.

Nonpayment

RS 00207.002 C, **RS 00204.010**

Events

As in other auxiliary and survivor benefits, certain events will result in deductions, non-payment of benefits, or in termination of entitlement altogether.

Widow(er)s benefits will also be suspended in the following circumstances:

The NH was deported and the alien claimant resides outside the U.S	**RS 02635.001**
Alien claimant outside U.S. for at least 6 full consecutive calendar months	**RS 02610.001ff**
Residence in a country to which the mailing of U.S Government checks is prohibited	**RS 02650.001**
The widow(er) or surviving divorced spouse was granted a tax exemption	**RS 01802.271**
The claimant was deprived of certain benefit rights by court sentence after conviction for an offense involving espionage, sabotage, treason, sedition, or subversive activities.	**GN 02602.010**

The claimant is confined to a penal or correctional facility—prisoner suspension.	**GN 02607.000ff**
The claimant has an unsatisfied warrant for a felony with offense code 4901, 4902, or 4999.	**GN 02613.010**
Claimant does not have a Social Security number and refuses to apply for one.	**RS 00203.032**
Disability entitlement if a higher DIB becomes payable, the WIB technical entitlement continues even though no payment is made. The reduction factor of the WIB is not adjusted for the DIB months of entitlement.	**RS 00207.002 B.2**

Deduction Events

Government Pension Offset

GN 02608.100

The conditions under which GPO may apply are:

- The individual must be entitled to wife's, husband's, widow's, widower's, mother's or father's benefits; and

- A pension from the Federal Government, any state government or any political subdivision thereof must be payable to the individual; and

- The pension must be based on the individual's own earnings; and

- The employment upon which the government pension is based was not covered under the Social Security Act; and

- The individual's Social Security entitlement is based on an application effectively filed in or after 12/77.

See **GN 02608.101- .107** for exemptions when GPO does not apply.

GPO was covered in detail in the Spouse's Benefits chapter. The main difference with widow's benefits is that since the widow's benefit is normally larger, there are more instances of partial offset.

Annual Earnings Test

RS 02501.021

The widow(er) beneficiary is subject to the same retirement test as a number holder or a spouse claimant, depending on age and date of birth. However, because the WIB FRA is not always the same as the RIB FRA applying the retirement test can be tricky.

The individual's **RIB FRA**, not the WIB FRA, determines when the annual earnings test ends, even if the person is receiving only WIB or is uninsured for RIB. It is possible, depending on month of birth, for a widow(er) to receive unreduced benefits, but be subject to deductions because of the annual earnings test.

EXAMPLE: Mary B was born 01/02/1944. She filed for WIB 11/09 and said she would earn a total of $100,000 in 2009. She was not retiring and worked over the allowable amount for all months in 2009. She restricted her application to WIB because she wanted to take full advantage of her DRCs on her RIB when she reached age 70. The DNH never received benefits and the WINDEX PIA on that record was $1,402.00. What was her MOE and for what month was she first able to receive payment?

ANSWER: MOE: 11/09. First payment month for 01/10 payable in 02/10.

EXPLANATION: The MOE of 11/09 was chosen because it was her WIB FRA and no earlier or higher MBA was possible. Although the WIB FRA was in 2009, her RIB FRA was not until 2010. Her RIB FRA controls for annual earnings test purposes. She could have unlimited earnings and still receive benefits effective with 01/10, her RIB FRA. To claim a non-service month for 2009, her monthly earnings limit was the same as it was for someone age 62.

Exhibit 1 provides a comparison chart of WIB and RIB FRAs based on dates of birth. The difference in WIB and RIB FRA will again become an issue with dates of birth 1955.

Terminating Events

RS 00207.002 D

When Entitlement Ends

For widow(er)s and surviving divorced spouses, entitlement ends with the last day of the month before the month in which either of the following events occur.

- The widow/widower dies.

- The beneficiary becomes entitled to a RIB equal to or larger than the DNH's PIA.

   NOTE: When the RIB MBA is higher than the WIB MBA but less than the WIB PIA, do not terminate the benefits. Suspend the benefits on the WIB record. The widow will remain technically entitled on that record.

EXHIBIT 1: FULL RETIREMENT AGE – WIDOW(ER)'S BENEFITS COMPARED TO RIB FRA

FULL RETIREMENT AGE – WIDOW(ER)'S BENEFITS

PERSONS BORN 01/01/40 or Earlier:

Retirement age for unreduced WIB is 65. Maximum possible RF is 60.

PERSONS BORN 01/02/40 or Later:

See the following chart to determine WIB FRA and RIB FRA.

Reminder: A claimant attains an age the day before their birthday. If the claimant is born on 01/01/55, we will use 12/31/54 and use the row '1954' in the chart below to determine this claimant's FRA and maximum WIB RF possible.

Date of Birth*	FRA for Widow(er)	Maximum WIB RF Possible	FRA for Retirement or Spouse
Before 01/02/38	65	60	65
1938	65	60	65 & 2 months
1939	65	60	65 & 4 months
1940	65 & 2 months	62	65 & 6 months
1941	65 & 4 months	64	65 & 8 months
1942	65 & 6 months	66	65 & 10 months

1943	65 & 8 months	68	66
1944	65 & 10 months	70	66
1945-1954	66	72	66
1955	66	72	66 & 2 months
1956	66	72	66 & 4 months
1957	66 & 2 months	74	66 & 6 months
1958	66 & 4 months	76	66 & 8 months
1959	66 & 6 months	78	66 & 10 months
1960	66 & 8 months	80	67
1961	66 & 10 months	82	67
1962 or later	67	84	67

EXHIBIT 2: WORKSHEET FOR DETERMINING APPLICABILITY OF WINDEX PIA

RS 00615.302

Worksheet for determining applicability of WINDEX PIA

STEP	YES	NO
1 Did the NH die prior to attainment of age 62?	Go to Step 2	STOP – WINDEX Does not apply
2 Did the NH die before 1979 or is his YOB before 1917?	STOP – WINDEX and/or Indexing does not apply	Go to Step 3
3 Was the DNH disabled before 1979?	Go to Step 4	Go to Step 5
4 Does using the pre 1979 period of DIB result in a higher PIA?	STOP – WINDEX and/or Indexing does not apply	Go to Step 5
5 Was widow(er) eligible for entitlement before 1985?	STOP – WINDEX Does not apply	Consider WINDEX

EXHIBIT 3: WORKSHEET FOR WINDEX – SELECTION OF ELIGIBILITY YEAR AND INDEXING YEAR

1. Determine years of NH death, widow(er) attainment of age 60 or DIB onset, and NH age 62.

2. Arrange the events in chronological order – if two events occur in the same year, their order does not matter.

3. The eligibility year (ELY) will be the year of the second event even if two events occur in the same year.

4. The Indexing Year is the second year before the ELY.

EXHIBIT 4: WIDOW(ER)'S BENEFIT COMPUTATION WORKSHEET

IF THE WIDOW(ER) IS AGE…	AND THE DNH WAS…	THEN THE WIB IS…
FRA OR OLDER	Not entitled to reduced RIB or DIB	100 percent of PIA *
	Entitled to reduced RIB or DIB	THE HIGHER OF: DNH's RIB, as if still alive _____ 82½ percent of DNH's death PIA _____
UNDER FRA	Not entitled to reduced RIB or DIB	Reduced WIB (PIA* reduced for clmt's age)
	Entitled to reduced RIB or DIB	Computed by using the following two steps: **Step 1**: Compute and compare the following and choose the larger: 82½ percent of DNH's death PIA _____ DNH's RIB, as if still alive _____ **Step 2**: Compare answer from Step 1 to the following and choose the smaller: Reduced WIB (PIA* reduced for clmt's age)

*Use higher of DNH's death PIA, WINDEX PIA, or DNH's MBA including DRCs.

Widow(er)'s Benefit Computation Worksheet **RS 00615.322**

EXHIBIT 4A: GUIDE FOR COMPUTING WIDOW'S BENEFIT WHEN RIB LIM APPLIES AND WIDOW IS UNDER FRA

Step ONE: Choose the higher of:

(This is the RIB LIM)

DNH MBA

82.5 percent of death PIA

Step TWO: Choose the lower of:

(This is the payment MBA)

Results from Step ONE-the RIB LIM

Regular reduced WIB MBA

Another method is to use the following chart.

Arrange amounts in order from low to high – benefit amount selected is underlined amount

LOW AMOUNT	MID AMOUNT	HIGH AMOUNT
Reduced WIB	82.5 percent of death PIA	DNH's RIB
Reduced WIB	DNH's RIB	82.5 percent of death PIA
82.5 percent of death PIA	**Reduced WIB**	DNH's RIB
82.5 percent of death PIA	**DNH's RIB**	Reduced WIB

DNH's RIB	**Reduced WIB**	82.5 percent of death PIA
DNH's RIB	**82.5 percent of death PIA**	Reduced WIB

EXHIBIT 5: SUMMARY GUIDE FOR COMPUTING WIDOW'S BENEFITS

Section A: When the Deceased NH Did Not Draw Reduced Benefits

1. Widow(er)'s benefit based on 100 percent of PIA

2. Use PIA which is highest of:

    a. Death PIA recomputed as needed to

    - include all DNH's DRCs

    - include earnings in year of death (**NOTE**: If the NH has DRCs, earnings and DRCs earned in the year of death increase the PIA effective January of the year after death, rather than effective the month of death.)

    - use 5 D/O years if NH entitled to DIB

    - exclude WEP which doesn't apply to survivors

    - include RR earnings if Railroad does not have jurisdiction

    b. WINDEX PIA (EC will compute)

3. Pay that amount if widow(er) is FRA

4. If widow(er) is under FRA, figure widow(er)'s reduction months (*reduction factors (RF)*) and reduce accordingly, using:

    a. **ICF #23**

    b. Formula: $\dfrac{PIA \times .285 \times RF}{Total\ Possible\ RF}$ = amount of reduction (carry to four decimal places). Then subtract the amount of reduction from PIA to get MBA (dime down round)

Section B: When the Deceased NH Did Draw Reduced Benefits

1. If widow(er) is FRA or older:

    Pay higher of:

a) DNH's reduced RIB as if still alive (**NOTE**: If NH died at or after FRA, any earnings or DRCs earned <u>in</u> the year of death, increase the NH's MBA effective January of the year after death, rather than effective the month of death), or

b) 82.5 percent of the Death PIA

2. If widow(er) under FRA:

    a) Compare the following and choose the larger:

        1) DNH's reduced RIB amount

        2) 82.5 percent of the Death PIA

    b) Compare results of step "a" with the Reduced WIB (computed per above Section A). Choose the smaller amount.

    c) If the claimant receives either the DNH's RIB or the 82.5 percent rate, then the claimant is being paid the 'RIB LIM' amount.

        *Can also use **ICF #23.**

Section C: Concurrent WIB/RIB Benefits

1. Compute each amount (RIB and WIB) independently (normal comps).

2. If RIB higher, only that amount is paid.

3. If WIB higher, pay RIB plus difference between RIB and WIB (so total amount payable would equal amount of WIB).

4. Combined MBA IS subject to RIB LIM, so must compare total MBA to DNH's reduced RIB amount as if alive and 82.5 percent of PIA, and if appropriate, reduce WIB amount accordingly.

        * Use **ICF #1** for the RIB computation and **ICF #23** for the WIB computation

Section D: Concurrent WIB/DIB Benefits

1. Computation depends on when DIB or WIB entitlement occurs.

2. If DIB month of entitlement is IN OR BEFORE MONTH OF WIB ENTITLEMENT:

   a. Compute widow(er)'s RF (number of months before FRA)   _____

   b. Enter WIB PIA (use highest PIA as per Section A. above):   _____

   c. Subtract DIB PIA   _____

   d. Excess unreduced widow's   _____

   e. Apply age reduction formula corresponding to RF in (a.)

      to determine amount of reduction   _____

   f. Subtract (d) from (e)   =_____*

      *This is the WIB MBA

   g. Add WIB MBA (f) to DIB MBA to obtain total MBA   _____

       *Use the HA/D Calculator at

       (b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)

     <u>Add the following steps ONLY if DNH received reduced RIB benefits:</u>

   h. Enter DNH's reduced RIB amount   _____

   i. Enter 82.5 percent of DNH's PIA   _____

   j. Enter higher of (h) or (i)   _____

      Compare (g) to (j) – if (g) is lesser amount that remains

      total combined MBA. If (j) is lesser amount, a reduction

      must be made in WIB MBA as follows:

   k. If (j) is lesser amount, subtract amount in (j) from amount   _____

      in (g)

   l. Subtract (k) from (f)   _____*

      * This is the WIB MBA when RIB LIM applies – if zero or

negative amount, no WIB is payable

    m. Add amount in (l) to DIB MBA to obtain total MBA   _____

3. If DIB month of entitlement is AFTER WIB MONTH OF ENTITLEMENT:

    a. Amount is computed same as RIB/WIB dual entitlement in Section C above.

    b. Each benefit is computed independently via normal comp.

    c. WIB is paid until DIB payments begin, then WIB is reduced by amount of DIB benefit. The total benefit is equal to the amount of the WIB, but each benefit is paid separately.

    d. If DIB benefit exceeds WIB, no WIB payable.

    *Use **ICF #23** for the WIB MBA. Obtain the DIB PIA using EC or ICERS.

EXHIBIT 6: MOE OPTION CODING AND DEFINITIONS

GN 00204.040

Use Option A* if the claimant: • Has material earnings; • Elects reduced benefits; AND • Selects an MOEL prior to FRA *Option A is conditional (flexible) and final MOEL will be determined after claimant's earnings for year of filing are verified.	**Do NOT use Option A if claimant:** • Does not accept reduced benefits; • Does not have material earnings • Selects an MOEL at FRA or later; OR • RIB LIM applies.
Use Option B* if the claimant: • Selects an MOEL within 12 months of FRA • Accepts a partial payment in the month prior to FRA as long as there is no ongoing reduction in benefit amount; • Has material earnings; AND • Does not elect reduced benefits. *Option B is conditional and final MOEL will be determined after claimant's earnings for the year of filing are verified.	**Do NOT use Option B if claimant:** • Selects an MOEL under FRA and wants reduced benefits; • Selects an MOEL of FRA or later; • Does not have material earnings; OR • RIB LIM applies.
Use Option C* if the claimant selects an MOEL under FRA and: • Alleges no material earnings • Chooses a specific MOEL regardless of earnings; OR • RIB LIM applies	**Do NOT use Option C when:** • Another option code applies; OR • MOEL is FRA or later.

*Option C is NOT conditional and earnings enforcement will not automatically adjust the MOE.	
Use Option D when: • MOEL is FRA or later, OR • For a benefit category not subject to reduction for age. **Remember, when the claimant is FRA or over, whether they elect retroactivity or want DRCs, the CS must use Option D and enter the claimant's chosen month.**	**Do NOT use Option D when:** • Claimant is under FRA; AND • Filing for a benefit subject to age reduction.
Use Option E if… • claimant is an auxiliary spouse, AND • age 61 years and 9 months or older, AND • has a child in care, AND • has same date of entitlement as NH, AND • filing on a DIB claim not yet on MBR.	**Do NOT use Option E if…** All of the factors listed are not met.

OFF-AIR ACTIVITIES

Interviewing

Take a widow(er)'s claim either in office or by phone. An experienced CS should be listening in and, if you do a tele-claim, be sure to advise the person both of you are on the phone.

Government Pension Offset

Revisit the OL website and view the chapter on GPO (under Online Lessons; then Title II; then Government Pension Offset).

Role Play/Interviewing/Application Completion/Putting it All Together (WIB/DIB)

This activity can be done either as a role-play or word problem, depending on the time (and personnel) available.

Betty Lowe is totally disabled because of a car accident on 12/02/2018 when her one and only husband, Hal Lowe, suffered a heart attack while they were on their way to the casino. Hal was pronounced dead on the scene, but Betty was transported to the hospital and is slowly recuperating from her injuries. Hal was working and earning $36,000 per year, up until the day before his accident. He never filed for Social Security. He is fully insured.

Betty, however, had stopped working on her 58th birthday, declaring she was going to "retire" early, while she still had her health. She was actively involved in volunteer community service and in perfect health until the accident.

Additional information is as follows:

Hal: DOB: 05/03/1957, DOD: 12/02/2018, PIA: 12/18: $1,200.00

Betty: DOB: 05/21/1958, DIB PIA: $950.00, Marriage Date: 05/03/1977 (Hal's 20th birthday, so he would remember the anniversary); Date of filing: 12/30/18.

1. Using interactive comps, determine the amount of Betty's WIB benefit. No disability decision has been made. (Use **RS 00615.005** and **RS 00615.302** to determine the eligibility years for the NH and D.) Print your screens for comparison to the answer key.

2. Determine the amount of her DIB if she is approved with her date of onset.

3. What claim(s) will you take?

4. Which one will you do first?

5. When discussing benefit amounts, what words of caution do you want to provide to Betty?

**Role Play/Interviewing/Application Completion/Putting it
All Together (WIB/DIB)—Answer Key**

1. Effective 12/18, the Widow's MBA is $889.50. The computation screens are shown below:

(b) (2)
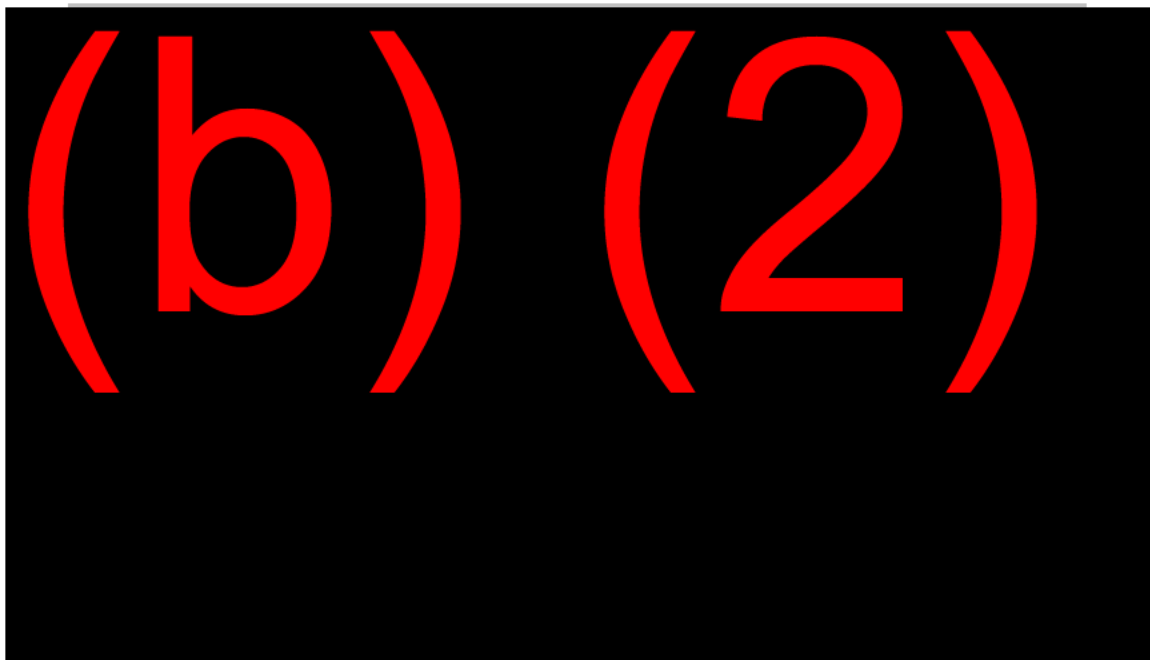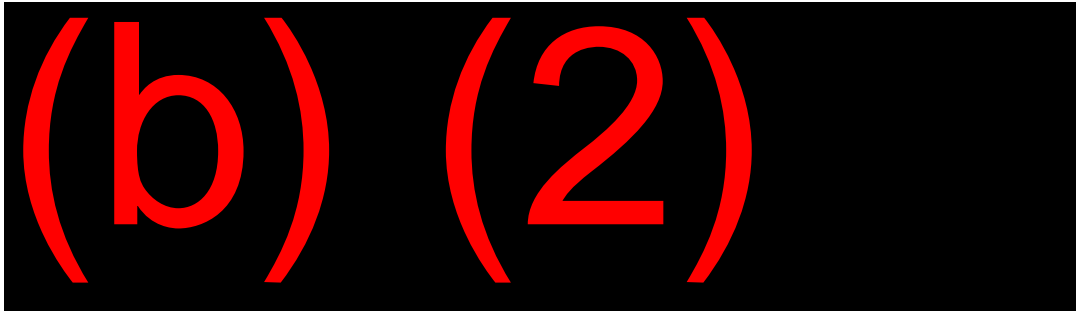
2. You do not need the ICF screens. Her DIB equals the PIA or $950.00.

3. DIB, WIB, and Lump Sum

4. Disability, to allow for the maximum propagation of information for the claim.

5. Her MOE to Disability will be 06/2019. If her disability claim is approved, she should consider withdrawing and re-filing her WIB claim so she could receive a higher WIB benefit (only the LEMBA is age reduced) and the unreduced WIB PIA when she reaches FRA. Also, if her DIB should terminate prior to her FRA, she could file for RIB and receive the full WIB PIA at that time.

EXERCISE #1

OBJECTIVE 1: Define widow(er) and surviving divorced spouse; apply the requirements for widow(er)'s benefits; and determine evidence requirements for widow(er)'s benefits.

In each of the following problems, determine if entitlement to widow's/widower's benefits exists.

1. Mr. E was married to his ex-wife for 15 years. His ex-wife was fully insured when she died in January. Mr. E is 63, not married, and drawing a RIB benefit of $1,726.00. His ex-wife's PIA is $1,183.70. Is Mr. E eligible to draw benefits on his ex-wife's record? Explain your answer.

2. Mrs. L divorced her husband after 21 years of marriage. She remarried at age 56 and is still married. Her former husband died fully insured in November of last year. Mrs. L attains age 60 in February of this year. Can she be entitled to benefits on her former husband's account? Explain your answer.

3. Mr. X is age 61. His ex-wife died fully insured in January. They had been married for 12 years. Mr. X is not married. Can he be entitled to benefits on his ex-wife's account?

4. Mrs. B is in the office to report she was married for the second time 2 weeks ago. She married on her 61st birthday and her new husband is 56 years old. Her first marriage was to Mr. R. They had been married for 8 years at the time of his death, 3 years ago. Mr. R was receiving retirement benefits prior to his passing. Now that Mrs. B has remarried, she stopped working and wants to file for any benefits she is eligible. Is she eligible for benefits on Mr. R's record? Explain your answer.

5. Mrs. A was married to Mr. A for 7 months before he passed away in a car accident. She is 60 and her husband died fully insured. Can Mrs. A be entitled to benefits Mr. A's record? Explain your answer.

EXERCISE #2

OBJECTIVE 2: Identify conversion cases where applications are not needed and properly complete an MCS widow(er)'s application.

1. A widow, age 63, was in the FO to report her husband's recent death. He was receiving retirement benefits and she is receiving both retirement and wife's benefits. Will her benefits convert from B to D without filing a certificate of election? Explain your answer.

2. Suri and her husband, Sunjay, age 63, were both receiving checks on Suri's record when she died. Sunjay is not insured on his own account, receives no government pension, and has no entitled children in his care. Should Sunjay file a new application or will his benefits automatically convert to widower's benefits without filing an application? Explain your answer.

3. Sally Mander, age 63, is entitled to surviving divorced mother's benefits, which will terminate next month when her youngest child attains age 16. Will her benefits convert to surviving divorced spouse's benefits? Explain your answer.

EXERCISE #3

OBJECTIVE 3: Compute the benefit rate for a widow(er).

PART A

1. Ronnie Yates died at age 64. He was never entitled to reduced RIB or DIB. His death PIA is $1,205.30. His widow, Simone, applies for D benefits to begin at FRA. What is her MBA?

2. Raul, DOB 12/15/1954, was entitled to RIB eff 12/18. His MBA was $960.20 based on a 12/18 PIA of $1,108.00. He died 01/07/19. He did not work this year nor did he have any credit months (for ARFs). His wife, Tawny, is entitled to D benefits in the month of his death. Her DOB is 02/05/1954. She is not insured on her own record. What will Tawny's MBA be?

3. Lucia is receiving DIB benefits when she files for widow's benefits in 11/18 (the month her husband died). His DOB was 08/11/1955 and he never received benefits. Her DOB is 05/05/1956. The D PIA is $1,147.60. Her HA PIA is $612.20. What is her "D" (LEMBA) amount payable in 11/18?

Answer questions 4 – 6 using the following information:

Doris Knight came into the office on 10/30/18 to file for widow's benefits. Her husband, Dexter, DOB 09/20/1949, passed away on 10/20/18. He was receiving benefits at the time of his death. His MOE was 05/18 and he had not worked since 2015. Mrs. Knight wants benefits to begin with 11/18 when she will be age 60 (DOB 11/24/1958). Mr. Knight's PIA (eff 11/18) was $1,765.20. His MBA of $2,141.70 included 32 DRCs.

4. What is the Doris' original benefit?

5. Will this benefit be reduced for age?

6. What will her MBA be?

PART B

Use this information to answer the next group of questions:

       NH: Harry Pitts

       DOB: 12/01/51

       DOD: 10/10/07

       Claimant: Cheri Pitts

       DOB: 06/25/53

       Date of filing: 07/18/18

       MOE: 07/18

She has restricted her application to Widow's benefits and does not currently receive any other benefits.

Harry and Cheri were married on 04/06/76. It was a ceremonial marriage and neither was married before.

1. Could WINDEX apply?

2. Could she have elected an earlier Month of Election? Why or why not?

3. If she wanted to wait until her FRA to receive Widow's benefits, what MOE should she have elected?

4. If she wants to file for a higher RIB at her FRA, what would that MOE be?

5. If she wants to receive the highest RIB possible, when should she elect RIB?

Harry and Cheri continued:

The EC computation screens on Cheri's claim are shown below. Use them to answer the questions that follow.

MCS   PRIMARY INSURANCE AMOUNT (PIA) CALCULATIONS
      DPIA

NH SSN: NH NAME: HARRY   PITTS

  CLAIM TYPE: SURVIVOR   PAYMENT PIA
COMPUTATION

COMPUTATION TYPE: NS 78   ELG: 2007   YEARS OF COVERAGE:

BASE YEARS: 1951 - 2006 DIVIDEND: 735731.27   DROPOUT YEARS: 5

FACTOR CODE: L   DIVISOR MONTHS: 360   CHILD-CARE DROPOUT YEARS:

   TYPE OF MAX: T   AIME: 2043   INCREMENT YEARS:

EFFECTIVE DATE: PIA: FAMILY MAX: EFFCTIVE DATE: PIA: FAMILY MAX:

     07/18   1069.00   1671.50

MCS   PRIMARY INSURANCE AMOUNT (PIA) CALCULATIONS   DPIA

NH SSN: NH NAME: HARRY   PITTS

   CLAIM TYPE: SURVIVOR   PAYMENT PIA COMPUTATION

COMPUTATION TYPE: WIB   ELG: 2013   YEARS OF COVERAGE:

 BASE YEARS: 1951 - 2006   DIVIDEND: 1006209.61   DROPOUT YEARS: 5

FACTOR CODE: L   DIVISOR MONTHS: 360   CHILD-CARE DROPOUT YEARS:

   TYPE OF MAX: AIME: 2795   INCREMENT YEARS:

EFFECTIVE DATE: PIA: FAMILY MAX: EFFECTIVE DATE: PIA: FAMILY MAX:

     07/18   1337.60

6. Given a MOE of 07/18, which PIA do you use and why?

7. What is her benefit amount?

8. Why are the eligibility years and the dividends of the first two PIAs different even though the same number (divisor mo) and range of years (base years) was used in each computation?

9. Why is there no FAMILY MAX shown for the second PIA?

PART C

For the case shown below, fill in the blank.

NH: DOB 12/01/1947; DOD: 10/05; 12/18 PIA: $1327.10; FMAX: $2341.50T; WINDEX PIA 02/19: $1370.60 (WINDEX ELY: 2009)

WINDEX MAX: _____(a)_____

D DOB: 07/26/57. 3 children currently receive on the record. D files for benefits on 02/02/19. She is not insured on her own record. The Cs do not live with her.

Cs' MBA effective 12/18 _____(b)_____

Rate for each C effective 02/19: _____(c)_____

Original benefit for D effective 02/19: _____(d)_____

MBA for D effective 02/19: _____(e)_____

EXERCISE #4

OBJECTIVE 4: Assist claimants with MOE decisions when WIB/RIB is involved.

1. Mrs. Carson, a widow, comes into the field office in 10/30/2018, with the purpose of filing for Social Security. She wants to be paid the earliest possible month. Her DOB is 10/10/1956. Her deceased husband (DOB: 10/02/1953) was not entitled to benefits; he died on 10/04/2018 and his current PIA is $1,996.60. Her RIB PIA is $1,916.80. She has no work deductions.

    Explain her options for choosing either reduced RIB or WIB. Use ICF # 2 to determine FRA. Use ICF # 1 to determine her reduced RIB and ICF #23 to determine her reduced widow's benefit.

EXERCISE #5

OBJECTIVE 5: Determine whether benefits should be suspended, reduced, or terminated.

1. Varries Banks becomes entitled to widow's benefits at age 62. At FRA, she files for her own RIB. Her WIB PIA is currently $1,420.00, with an MBA of $1,177.10. Her RIB MBA will be $1,439.50. What effect will RIB entitlement have on her entitlement to WIB?

2. Daniel Pham has been entitled to surviving divorced spouse's benefits for the last 2 years. He is currently age 63. His annual report for last year indicates he earned $29,000 in self-employment. He worked all months. He estimated the same for this year. What effect will this have on his benefits this year?

3. Mario Brooks is receiving widower's benefits. He is age 66 and just married Lynnette Vance. She is age 63. Edna is entitled to surviving divorced spouse's benefits on the account of Edward Vance. Do either of their benefits terminate?

4. Tom Walden filed for widower's benefits when his wife died 2 years ago. Now he has retired from his part-time job with the Post Office. He reports he stopped working in February and beginning in March he is receiving a civil service pension. He also inquires about filing an initial claim for RIB. You determine (1) his prior earnings were too low to cause any deductions based on the AET in his D1 benefits and (2) he is not insured for RIB. Is any other action necessary?

5. Clautresa King has been receiving WIB since age 62. She files for RIB this month at FRA. Her RIB PIA is $665.30. Her WIB PIA is currently $680.50 with an MBA of $564.10. Her RIB MBA will be $665.30. What effect will her RIB entitlement have on her WIB?

6. a) Is there a way a widow(er) can start receiving WIB at age 60 and, in every subsequent year until she reaches FRA, receive an increase, which is larger than the cost of living?

   b) Are the earlier benefits terminated each time she files a new claim? Explain.

c) What if she later becomes entitled to her own RIB, which is higher than any of the WIB benefits? Will she be technically entitled to all of the WIB benefits or will the WIB be suspended or terminated? List at least two correct answers to this question and explain your answers.

EXERCISE ANSWERS

Exercise #1

1. Mystery solved! Mr. E is not eligible on his ex-wife's record because he is entitled to a RIB benefit that equals or exceeds the deceased NH's PIA. He would continue to draw RIB benefits on his own record. **RS 00207.001A**

2. Mrs. L cannot be entitled to benefits on her former husband's account. She remarried before age 60 and the marriage is still in existence. **RS 00207.001 A.2**

3. Mr. X can be entitled to benefits as a surviving divorced spouse. **RS 00207.001 A.2**

4. Mrs. B is eligible for widow's benefits under Mr. R's account because she meets all factors of entitlement. Even though her marriage to Mr. R lasted less than 10 years, she was married to him at the time of his death. Also, she remarried after age 60 **RS 00207.001 A**.

5. Mrs. A can be entitled to widow's benefits. The marriage does not meet the 9 month duration of marriage requirement. However, since the NH's death was accidental, it meets one of the duration of marriage exceptions. **GN 00305.100**

Exercise #2

1. No. Her benefits will not automatically convert to D benefits because she is under FRA and is drawing a RIB benefit and has the option of taking her WIB benefits now or at a later date. She will, however, be paid the LSDP if she was LISH. **RS 00207.005**

2. Sunjay should not file a new application. Even though he is under FRA, he is not receiving a RIB or DIB on his own account. Benefits will automatically convert. **RS 00207.005**

3. No. She must file an application because she is not FRA. In addition, duration of marriage was not a requirement for entitlement to surviving divorced mother's benefits, but must be met for her to now receive surviving divorced spouse's benefits. **RS 00207.005**

<div align="center">

Exercise #3

</div>

PART A

1. $1,205.30. The original rate for WIB is 100% of the highest PIA. The only PIA for Ronnie is the death PIA. Therefore, Simone will receive 100% of the death PIA. **RS 00615.301**

2. Tawny's MBA in 01/19 is $960.20.

   To compute it manually: Compare and select the larger of 82.5 percent of PIA: $914.10 and his MBA as if alive: $960.20. The larger of the two is $960.20. Now compute the reduced WIB. [$1,108.00 – (($1,108.00 x .285 x 13) ÷ 72)] =$1,050.90. Compare the RIB LIM amount: $960.20 to the reduced widow's amount: $1,050.90 and select the smaller of the two. We will pay the RIB LIM amount of $960.20.

   To compute it using ICF #23, review the input and output screens:

(b) (2)

(b) (2)

(b) (2)
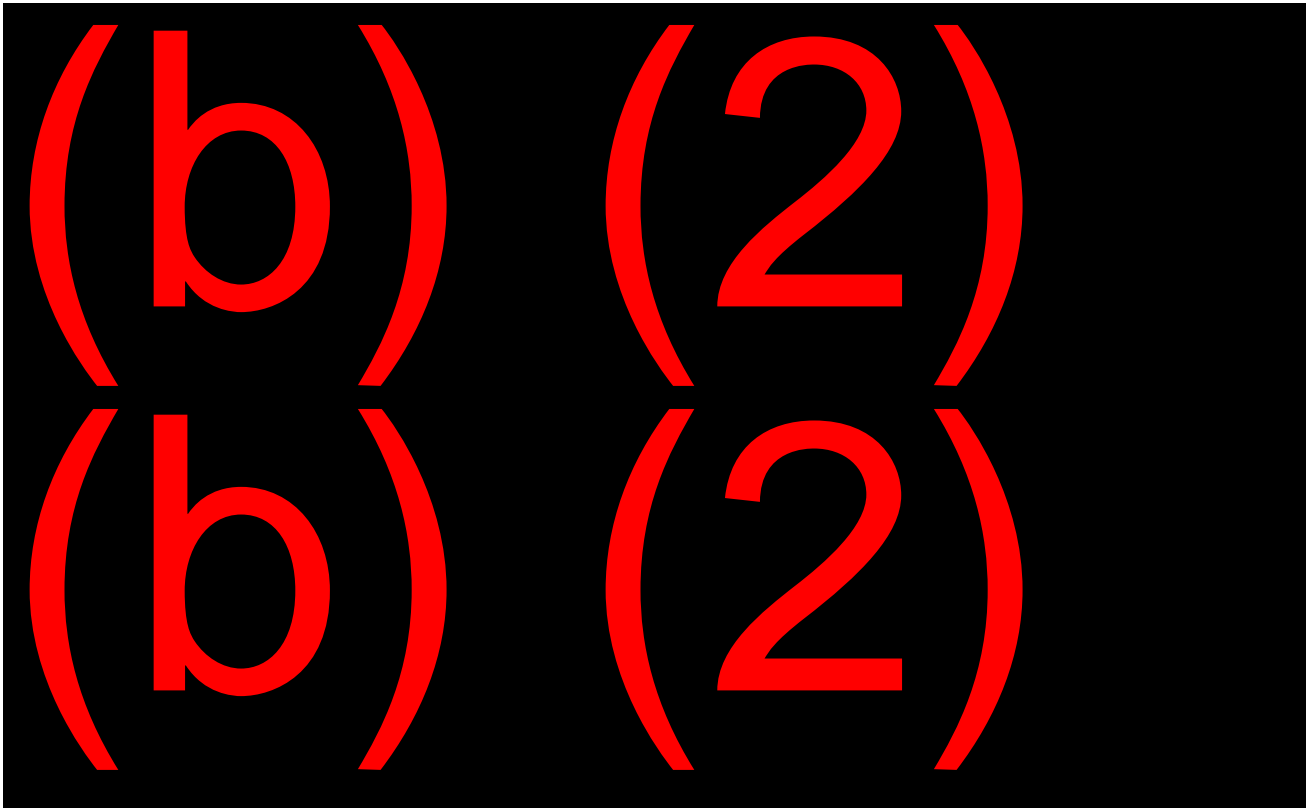
3. $446.30 is her D-LEMBA. To figure this we subtract Lucia's HA PIA from her D PIA and reduce the difference as shown below:

$1,147.60 Unreduced D PIA

-   612.20 HA PIA

$ 535.40 We apply the reduction formula to this number

[$535.40 – (($535.40 x .285 x 42) ÷ 72)] = **$446.30**   (dime down rounded)

42 is the number of months she is filing prior to her FRA (11/18 vs. 05/22)

$ **446.30 LEMBA**

+   612.20 SAMBA

$1,058.00 Combined Amount

NOTE: You could also use the HA Widow Calculator

(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)

4. $2,141.70

5. Yes

6. $1,531.30 [$2,141.70 – (($2,141.70 x .285 x 74 / 74)] or <u>$2,141.70 x .715</u>

We can use ICF #23 to find this as well.

(b) (2)

(b) (2)
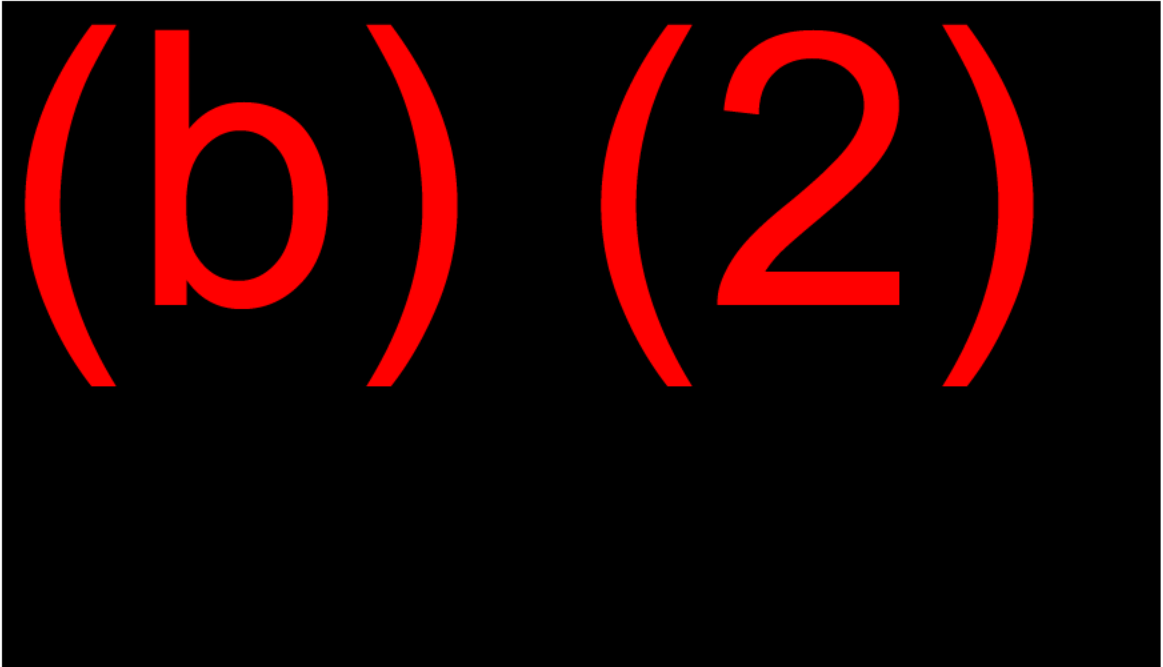
PART B

1. Yes. The NH died prior to age 62 so WINDEX could apply.

2. No. Her date of filing was 07/18. Since she is not FRA and her benefit will be reduced, there is no retroactivity.

3. 06/19

4. 06/19

5. 06/2023. Age 70 when she will have been credited with all possible DRCs.

6. $1,337.60. The Windex PIA is the highest PIA.

7. $1,279.30 (Use ICF #23.)

(b) (2)

(b) (2)

8. The second PIA uses the eligibility years and indexing factors based on the widow's date of birth. They result in higher indexed earnings, so the dividend and the AIME are higher, resulting in a higher PIA.

9. Windex applies only to widow(er)s. Any other beneficiaries would use the PIA based on the NH's PIA, so no family maximum is calculated for the WINDEX PIA.

PART C

a. WINDEX MAX: There is no such thing.

b. C's MBA effective 12/18: $2,344.80 ÷ 3 = $781.60. (This information is also on the MBR in a real-life situation.)

c. Rate for each C effective 02/19: $535.70 (original benefit for each C is $1,327.10 x .75 = $995.30; [$2,344.80 (Family Max) x $995.30 (Original Rates)] ÷ [($995.30 x 3) + $1,370.60 (Total of all original rates of all subject to the max)] = ($2,344.80 x $995.30) ÷ $4,356.50) = $535.70

d. Original benefit for D effective 05/18: $1,370.60

   After adjustment for the max it is: $736.60

   $$\frac{\$2,344.80 \text{ x } \$1,370.60}{\$4,356.50} = \$737.60$$

e. MBA for D effective 05/16:   ($737.60 x .285 x 55) ÷74 = $156.2416

   $737.60 – $156.2416 = $581.30 (dime down rounded)

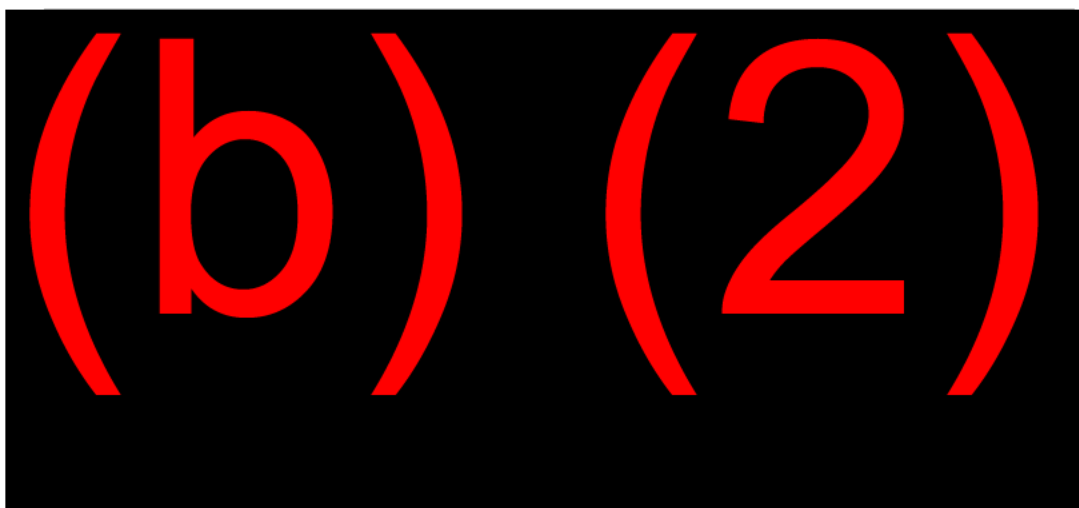   or, you can use ICF:
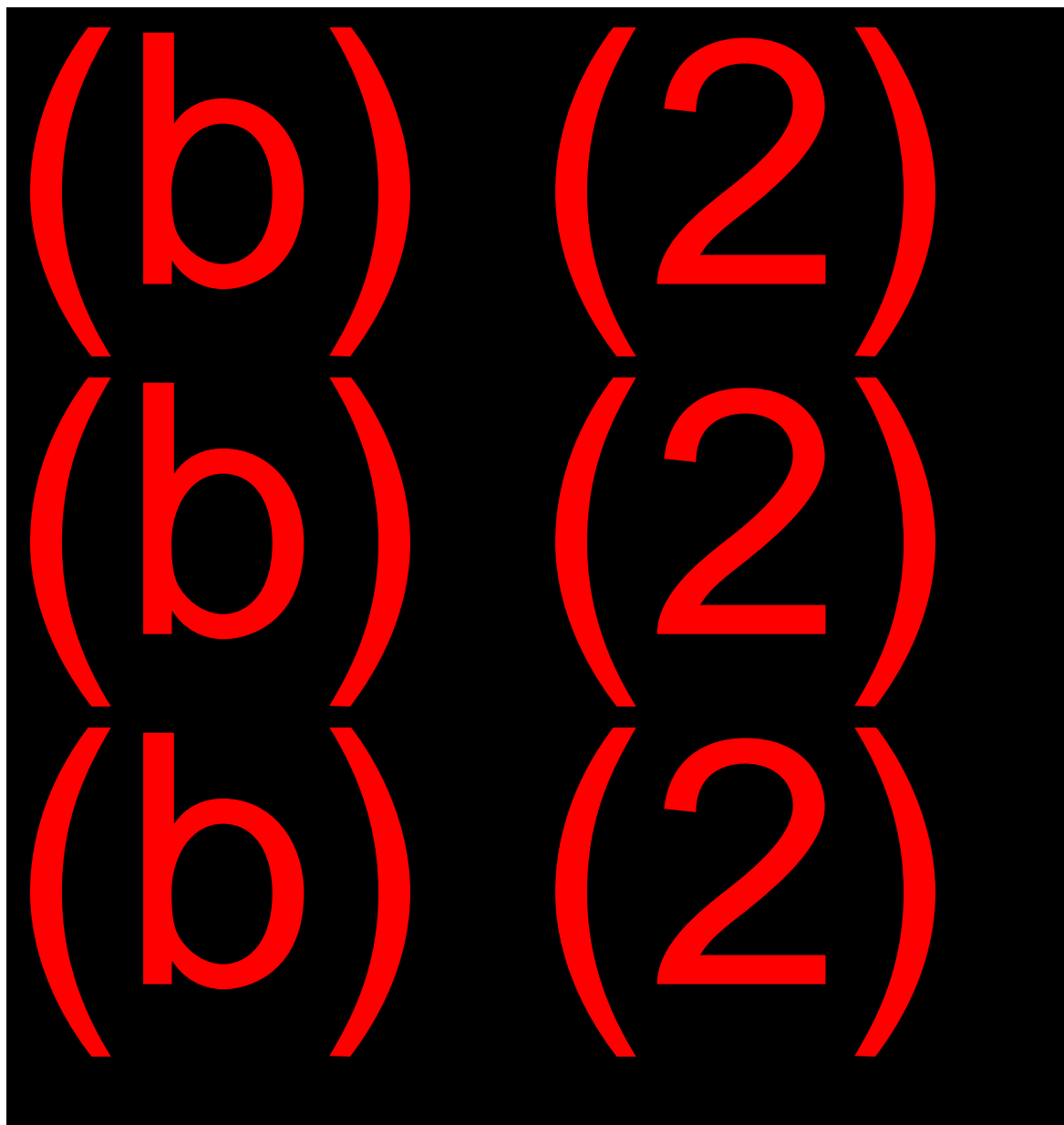
Exercise #4

To begin the problem, we use ICF # 2 to get the FRA information. See attached input/output screen:
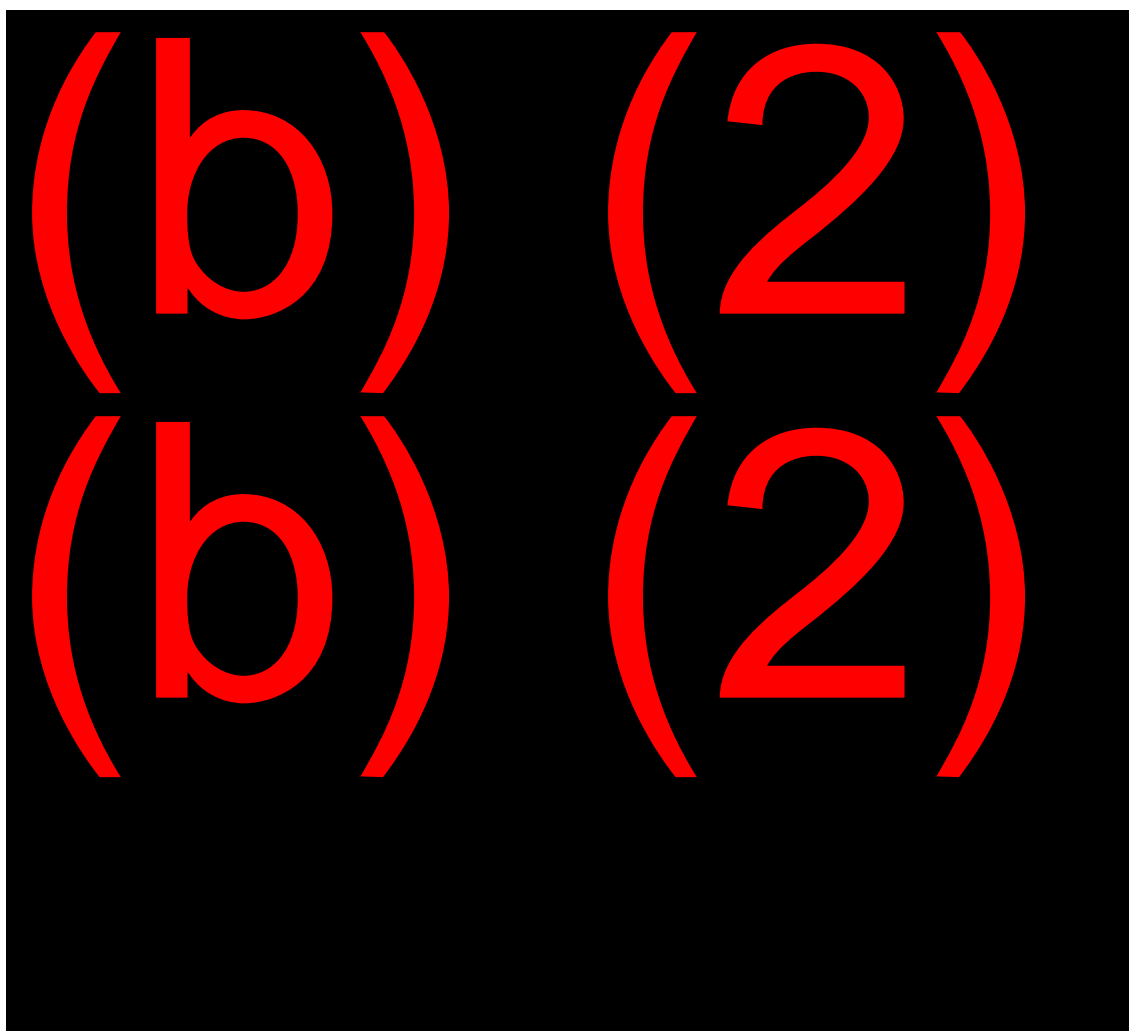
(b) (2)
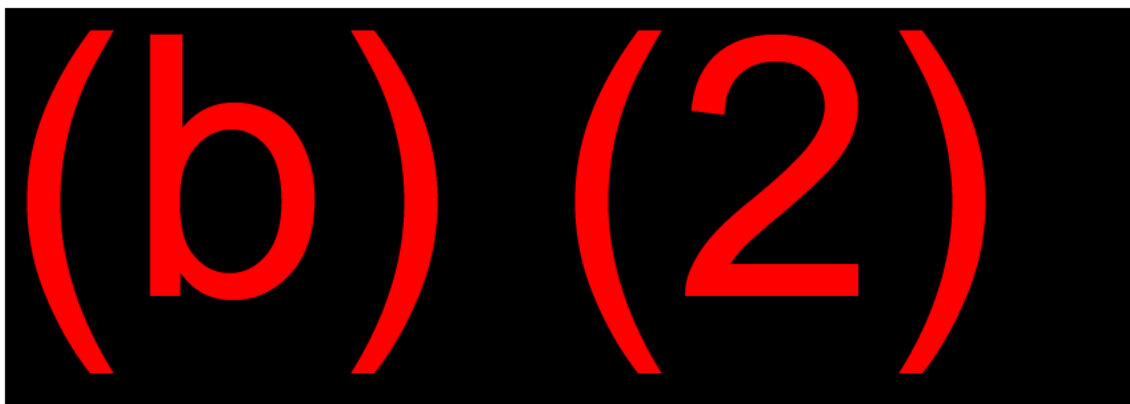
Notice how her RIB FRA and her WIB FRA are different.

The next interactive computation we need is her MBA if she takes her retirement benefits first. We use ICF #1 as shown below:

(b) (2)

Next we need to figure her reduced benefit for widow's benefits if she were to take that benefit first. We use ICF #23.

(b) (2)

(b) (2)

After you have calculated what the claimant could get now and at FRA on each record, remember to give her additional information about the option of filing for RIB at age 70 to maximize her DRCs. If Mrs. Carson files on her WIB record first and saves her RIB record until 10/2026 when she is 70, her RIB MBA will include 44 DRCs for a MBA of $2,479.00. You can calculate the age 70 amount with DRCs using ICF #1.

(b) (2)
(b) (2)
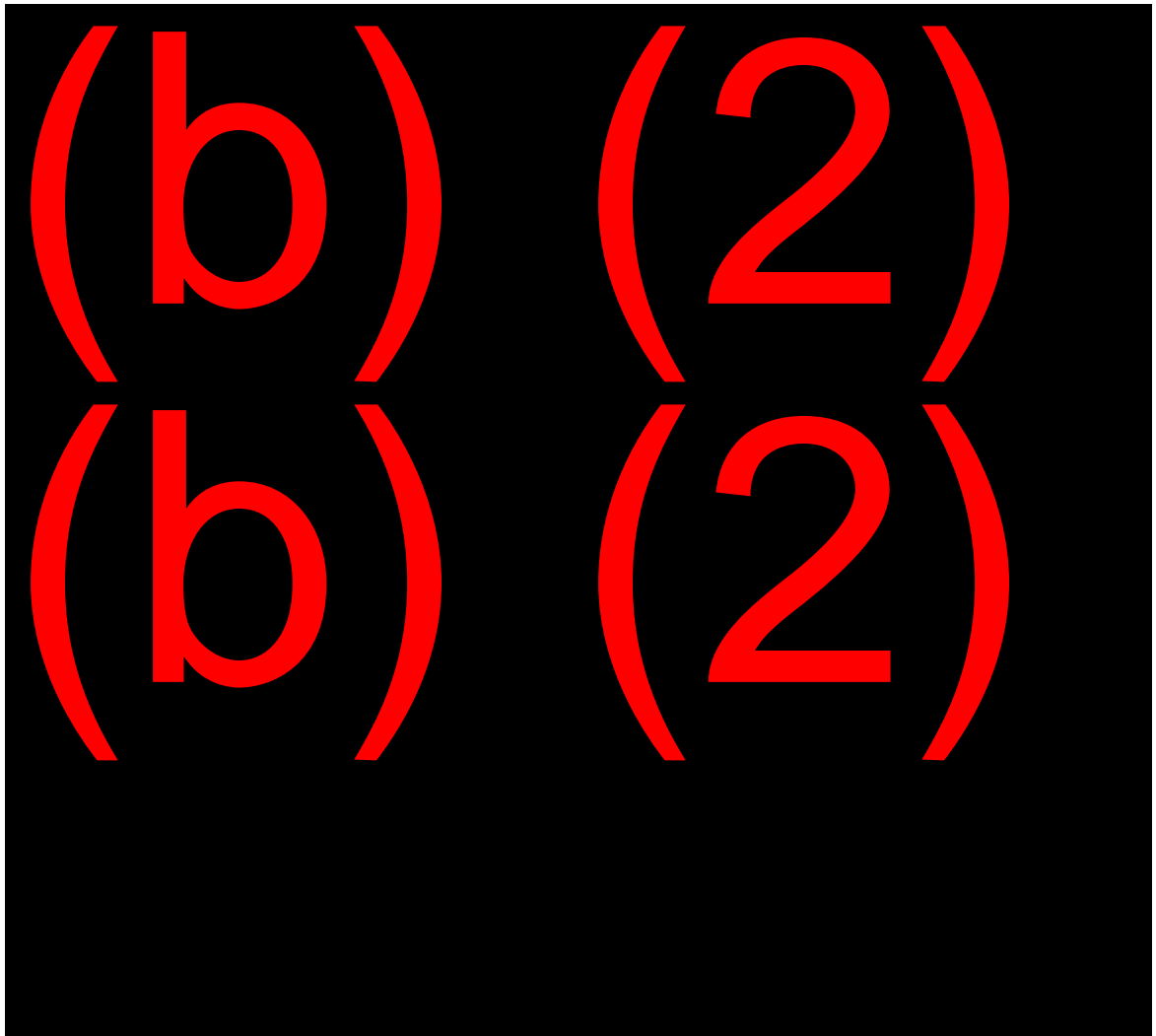
Exercise #5

1. Terminated. Her WIB entitlement will terminate since her RIB equals or exceeds the DNH's PIA. (**RS 00207.002 B1**)

2. Reduced. Deductions will apply since earnings are over the limit. (**RS 00207.002)**

3. No. Remarriage after age 60 does not terminate widower's or surviving divorced spouse's benefits. (**RS 00207.003**)

4. Yes, GPO development should be undertaken. The GPO will apply beginning with March. (**GN 02608.100**)

5. Her RIB of $665.30 is less than the WIB PIA of $680.50. Therefore, she will continue to be technically entitled as a widow. However, there will be no WIB amount payable since the WIB MBA is less than the RIB MBA. (**RS 00207.002**)

6. a) If the claimant was married at least 6 times and all of the marriages ended in death, she can start by filing on the lowest PIA at age 60 and in each year change to the next highest PIA. The increase comes from a combination of simply having a larger PIA, but also because the reduction factor for each subsequent claim is based on the date of entitlement for that particular record.

    b) No. Her technical entitlement continues on all of the records and the earlier records are placed in suspense.

    c)   If her RIB MBA is higher than each of the WIB PIAs, each WIB benefit will terminate. If her RIB MBA is higher than each WIB MBA (but not the PIA) then benefits are suspended.

TABLE OF CONTENTS

LESSON PLAN

Chapter Objectives

At the completion of this chapter, the students will be able to:

1. Adjudicate a lump sum death payment and surviving spouse's claim with or without Rail Road involvement, through MCS EC or the manual process.

2. Adjudicate surviving spouse with "child-in-care" (mother's/father's) and surviving child's claims through MCS EC or the manual process.

Length of Chapter

8 hours

BACKGROUND AND RATIONALE

Introduction

In earlier chapters, you learned adjudication and processing of retirement and auxiliary claims. The adjudicative processing of lump sum death payment and survivor benefit claims are the same as those used to process retirement and auxiliary benefit claims. The majority of survivor claims process through MCS EC, although some require manual action.

In this lesson, we will cover MCS EC and manual clearance processing unique to survivor claims. We will explain the coordination between the RRB and the Social Security Administration (SSA) in the jurisdiction of claims between the two agencies.

Railroad Earnings

Private railroad pensions predate Social Security. In time, various railroads developed The Railroad Retirement Act (RRA) out of established individual private pension plans. The Act established a system of benefits for railroad (RR) employees, their dependents, and survivors. Since 1947, the Railroad Board (RRB) and SSA have coordinated their efforts to provide a total system of retirement, auxiliary, survivor and disability benefits based on work in the RR industry and covered Social Security employment (wages or self-employment).

Both the RRA and the Social Security Act contain provisions that affect payments of benefits under each other's program. Neither the original Social Security Act nor the 1937 RRA provided for any coordination of benefit payments, so it was possible for benefits to be paid under both programs.

In 1947, Social Security earnings and RR compensation first coordinated for survivor benefit purposes, and in 1951, RR compensation could be used as Social Security covered earnings for life benefits. SSA uses the RR earnings earned after 1936 for both insured status and benefit computation purposes if the worker is not vested with the RRB. The RRB will transfer the earnings of individuals who have fewer than 10 years of RR service to SSA. This compensation becomes wages under the Social Security Act, so whatever benefits are payable come from the Social Security trust funds.

Claims by survivors of individuals vested with RRB usually remain under the jurisdiction of that agency. In these cases, SSA transfers the deceased individual's Social Security earnings to the RRB. If a deceased RR employee is not vested, RRB transfers the RR earnings to SSA. In either event, only one agency pays survivor benefits.

Reason for Identifying RRB

All employees involved in the adjudication of Retirement, Survivors, Disability and Health Insurance (RSDHI) claims must be able to recognize the effect RR involvement has on Title II claims. An understanding of this relationship is necessary to properly process claims with RR involvement.

OBJECTIVE 1:

Adjudicate a lump sum death payment and surviving spouse's claim through MCS EC or using the manual process

---

No Prior Entitlement

RS 00207.004

If the deceased NH had no prior entitlement, take and process a claim for the LSDP and/or surviving spouse's benefits simultaneously. You do not need proof of death to <u>take</u> the survivor or LSDP applications, but you will need proof before you <u>adjudicate</u> the claims. Once the claim processes, the MBR is established, and the Numident updates to show the date of death.

Review the Lump Sum Death Payment online lessons for more information on acceptable proof of death.

Current or Prior Entitlement

RS 00207.005

If the NH was entitled at the time of death or was ever entitled in the past, verify the MBR shows a terminated status before adjudicating the claim.

Prior Entitlement to Benefits

If the NH was previously entitled to benefits and the MBR shows LAF T1, T2, T3, T4, T7, T8, T9, X1, or X7, process the claim the same way you process a claim for a NH who was never entitled to benefits. For a list of Ledger Account File (LAF) codes, see **SM 00550.020**.

NH Entitled at Time of Death

When the deceased NH was entitled to benefits at the time of death, obtain an MBR to verify the date of death posted. If there is no date of death posted, input the death termination through the Death Information Processing System (DIPS). **GN 02602.051**

- From the I-Main menu, choose the DIPS link.

- Follow the prompts in completing your input.

Your input should update the NUMI by the next day. The MBR should automatically update within two days.

Input the death termination as early in the claims process as possible. You cannot adjudicate a survivor application through EC until the existing MBR indicates the NH is in LAF T1 or other terminated status.

Additional Considerations

MS 05205.003; **GN 01010.000ff**

It is important to know the information used to compute the benefit amount received by the deceased number holder.

To verify prior periods of disability (PPD), obtain DRAMS, MBR, and Inquiry Response queries.

DRAMS

The DRAMS query response contains information from other government agencies and prior SSA claims. The following information appears on DRAMS:

- Military service – 1940 to 1967;

- Prior periods of disability from 1957 to the present;

- Railroad Retirement Board Earnings;

- Japanese internment from 1941 to 1946;

- Alien non-payment.

Most cases involving a prior period of disability (PPD) process through EC. EC processes the case using PPD information from the MBR and the DRAMS file.

Adding Special Paragraphs to Notices

MCS automatically generates the appropriate notice. Use the NOT3 screen when adding special information to a notice. See **MS 03509.010** for instructions on coding paragraphs and the list of paragraphs and fill-ins. POMS **NL 00725.000ff** lists all system-generated and FO/PC requested paragraphs.


EC Lump Sum Death Payment Process

MS 03509.013; **RS 00210.005**

A lump sum death payment (LSDP) application taken in the same segment as the survivor application(s) can process separately. This is advantageous when the LSDP is ready for adjudication, but development for the other claim(s) is incomplete (e.g. no proof of marriage received). Before adjudicating the LSDP claim, complete all necessary clearance and suspension screens.
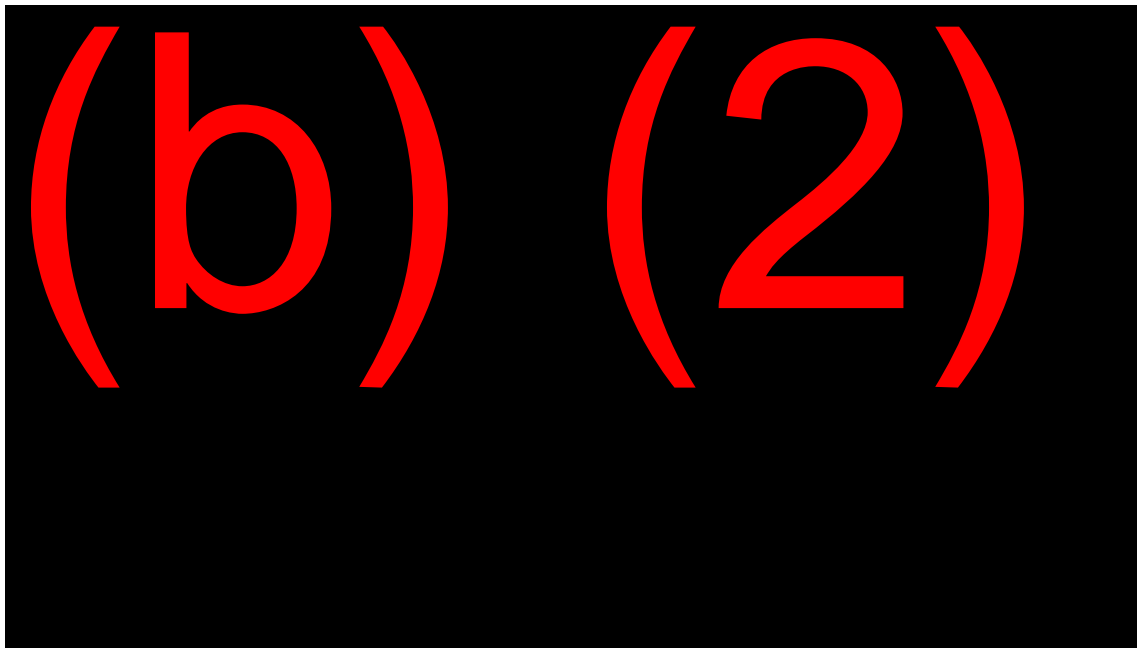
BECF

MS 03509.003
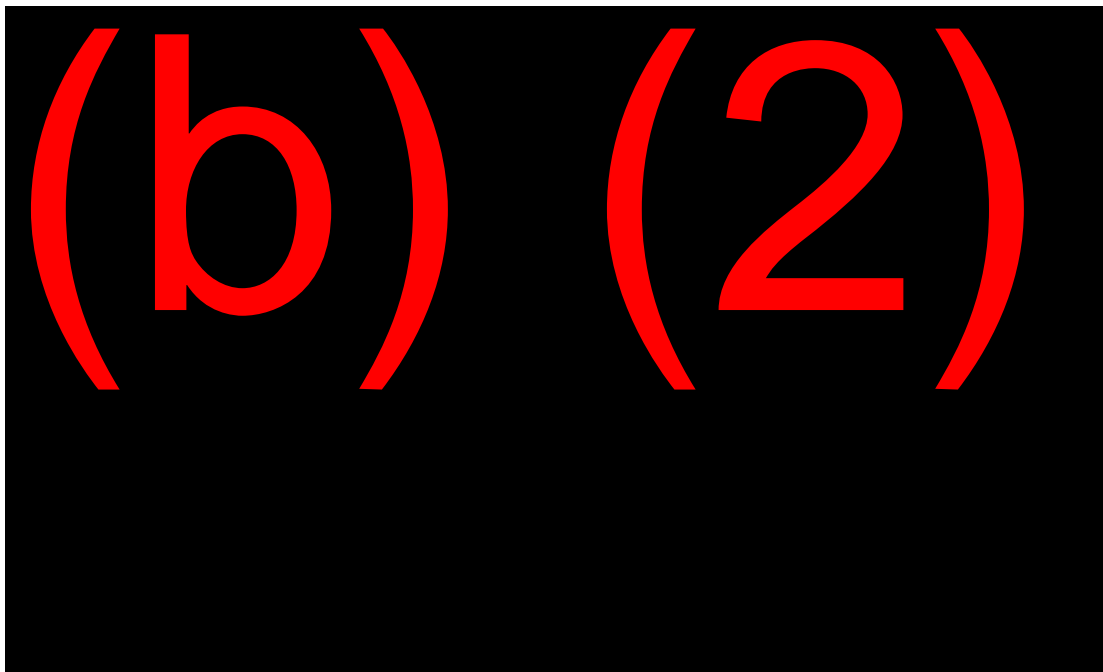
Use the BECF screen upon finding good cause for late filing of the LSDP. Input miscellaneous factor #5 if good cause exists.

NOT3

[MS 03509.010](#)

When clearing the LSDP while the widow(er)'s claim is still pending, request paragraph CLOR05 (**NL 00725.160**) to inform the claimant we are processing the LSDP and will send notification once we decide on the widow(er)'s claim.

Be cautious when coding fill-ins because the fill-ins are case sensitive.

UTI: CLOR05 has two fill-ins:

> (1) Benefit type being awarded

> (2) Benefit type pending, e.g., widow's

Wording of the CLOR05 paragraph is: The (1) benefit is the only benefit we can pay ((you) or (him) or (her)) at this time. We will let you know if ((you are) or (he is) or (she is)) eligible for (2) benefits. ((You) or (He) or (She)) cannot receive any other type of benefits based on the application ((you) or (he) or (she)) filed.

After coding the NOT3 with CLOR05, the claimant's LSDP award notice includes the following paragraph:

"The Lump Sum Death benefit is the only benefit we can pay you at this time. We will let you know if you are eligible for Widow's benefits. You cannot receive any other type of benefits based on the application you filed."

Segmenting the LSDP: To "segment out" the LSDP, complete the following screens.

Decision Input – DECI

MS 03509.013
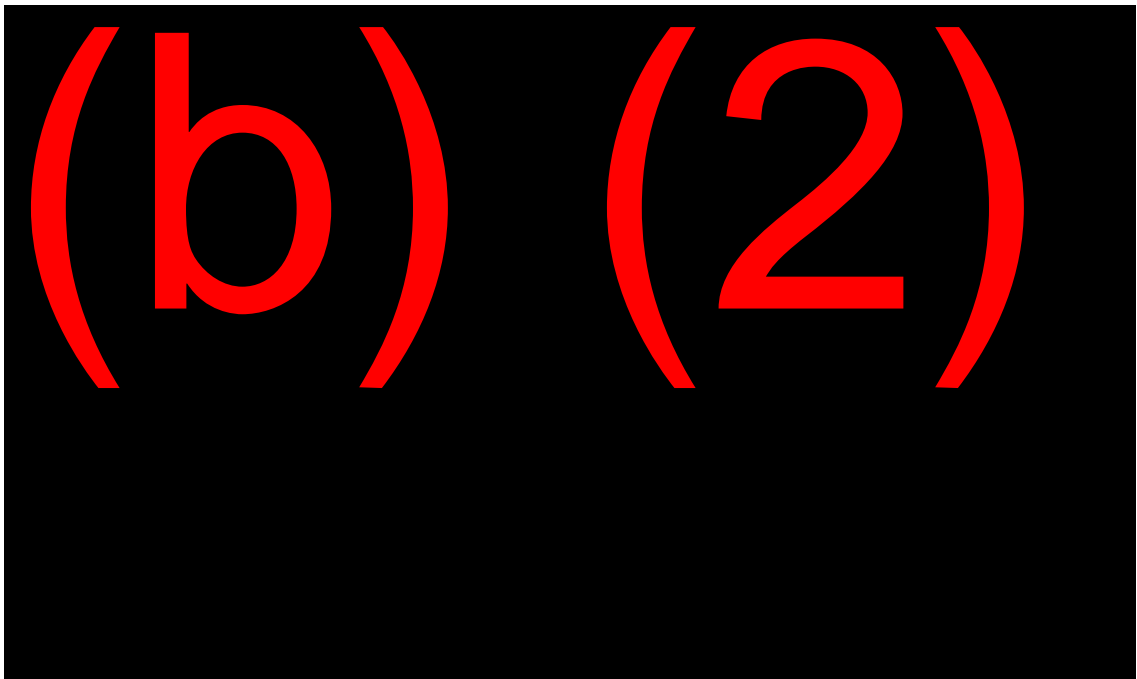
This screen records the adjudicative decision, diaries, listings and routing information. When adjudicating the Lump Sum Death Payment claim first, complete the Decision Input (DECI) screen (#23 from MCS Main Menu) showing decision "01" for the LSDP claim, but leave the DEC STAT blank for the survivor claim since it is not ready for processing.
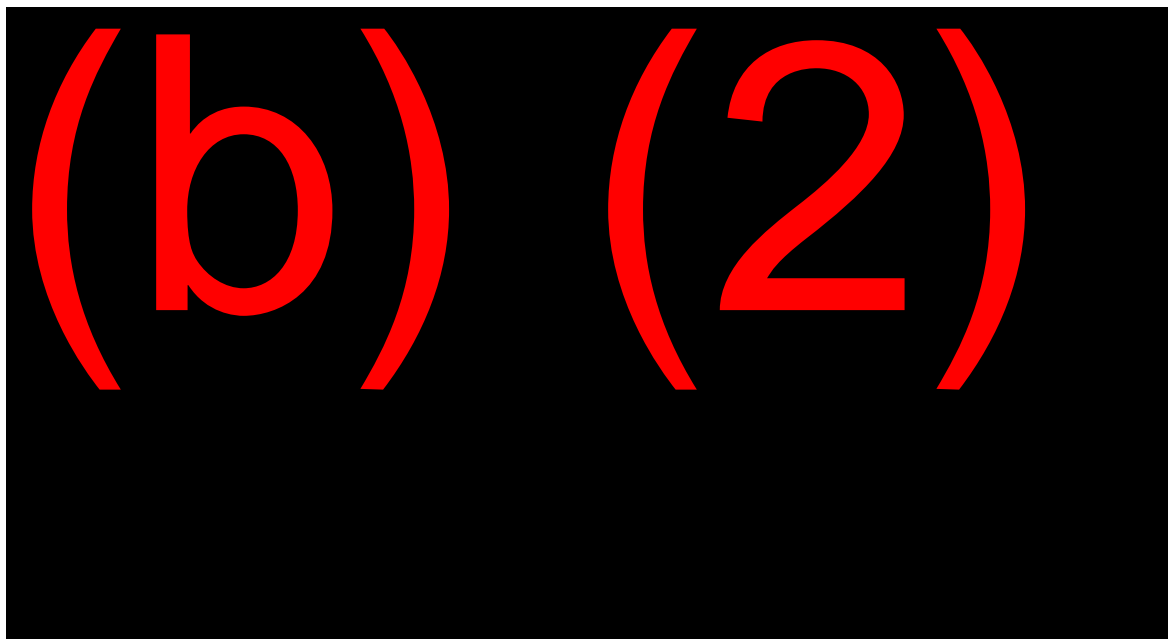
Earnings Comp Request -MREQ:

MS 03601.005

(b) (2)
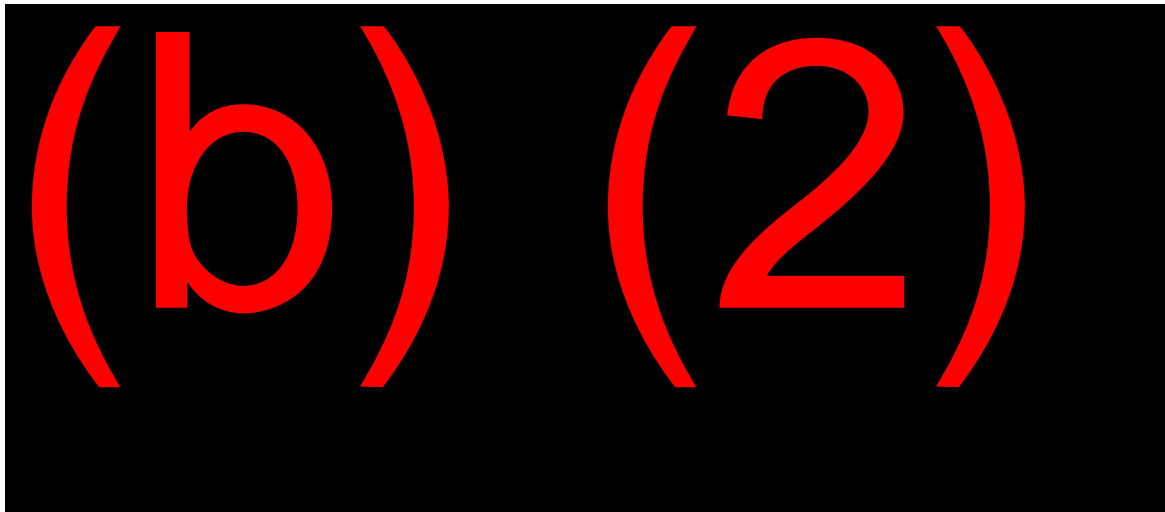
On the Earnings Comp Request (MREQ) screen (#21 from MCS Main Menu) choose "Y" for "ADJUDICATIVE REQUEST (Y/N)."
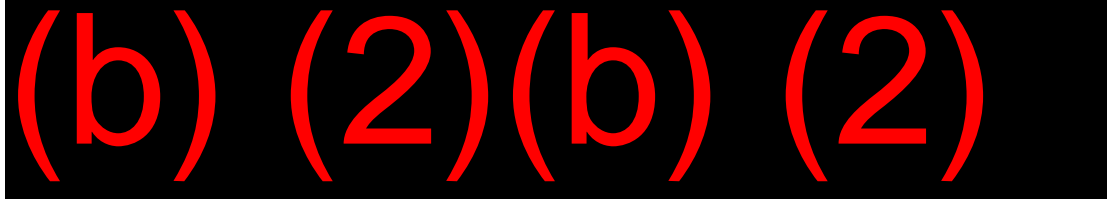
Earnings Comp Determination – MCR1:

MS 03601.007

(b) (2)

On the Earnings Comp Determination (MCR1) screen, select "1" in the Case Display field and "1" in the Claim Display field to review all of the EC screens. Verify on the MCR1 that the only active claim is the LSDP.

Earnings Comp Approval – DAPP:

MS 03601.034

(b) (2)(b) (2)

Finally, adjudicate the LSDP claim by entering a "Y" in the Permit Claim Processing field of the Earnings Comp Approval (DAPP) screen.

After this process is complete, the remaining survivor claim will be in a new segment. After receiving all necessary documentation, process the remaining claim(s). Take note – MCS EC will only allow one adjudicative action per day.

Lump Sum Only Claims for Entitled Children

Lump sum-only claims for entitled children occur when a child(ren) is the only applicant for the lump sum death payment and is already entitled to benefits on the deceased NH's record. For guidance, visit the (b) (2) (b) (2)(b) (2) , click on the (b) (2)(b) (2)(b) (2)(b) (2)(b) (2) link, and look for the (b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2) . Follow the instructions in the guide very carefully when processing this type of claim.

Dual Entitlement Processing Procedures

GN 01010.100 C.4; **MS 03601.001**

Maximizing EC Processing

A beneficiary has Dual entitlement (DE) when entitled to different types of benefits simultaneously on at least two records, such as RIB and WIB. In a majority of cases, dual entitlement claims filed at the same time process through EC.

EC can process DE claims with an existing MBR (e.g., a RIB beneficiary with an established MBR currently files a WIB claim).

EC can process a concurrent dual-entitlement (DE) claim as long as one of the following combinations of BICs is involved:

- RIB/DIB and WIB (A/HA and D);

- RIB/DIB and Mother's/Father's (A/HA and E/E4); and

- RIB/DIB and DWB (A/HA and W).

Processing Limitations

Always try processing claims through E/C.

If EC cannot process a claim, manually prepare an A101. In rare cases, an allowance may require an EF101 or a MACADE action for a disallowance.

Special Considerations in Subsequent Survivor Claims

GN 01010.100; SM 00355.000

Query Review in Subsequent Claims

To ensure accurate processing of subsequent survivor claims:

- Resolve Numident alerts **SM 00355.005**;

- Review a FACT MBR – check for name/BIC agreement to avoid issues in the PC. Also, check for possible overpayments or underpayments that may need to be recovered or paid **GN 01010.040**;

- Review prior MCS claims to determine whether all entitlement issues are resolved; and

- Obtain a certified E/R computation (EC or ICERS) and compare the E/R PIA to the MBR PIA. Include any lag earnings, if applicable.

PIA Comparisons

Items to remember when verifying the PIA on the Survivor Claim:

- WEP no longer applies when the NH dies, so we will recompute the PIA without it for a survivor benefit. (**RS 00605.360**)

- Determine if additional useable dropout years exist to increase the PIA on a Survivor Claim. (**RS 00605.017**)

- A recomputation to credit earnings in the year of the NH's death is effective in the month of death. (**RS 00605.401**)

- If a recomputation of less than $1.00 appears in the Survivor PIA, but was not paid to the NH, then it is not due and should not be included in the Survivor PIA. (**RS 00605.501 B.6**)

- Widow(er)'s claims may involve a WINDEX PIA.

If necessary, verify the PIA computation using ICF #24 to resolve discrepancies.

Resolving PIA Discrepancies

GN 01010.100 C.4

When resolving PIA discrepancies:

- Use the claimant, all available queries, and prior MCS claims' screens as resources;

- Obtain a certified E/R; and

- Review DRAMS for information about military service, prior periods of disability, railroad earnings, and Japanese internment, which might be material to the PIA.

MBR PIA is HIGHER – When the MBR PIA is higher, check for the following items not posted on the E/R:

- Military wages;

- Deemed Military Wage credits (DMW);

- Railroad earnings;

- Gaps in E/R;

- Changes in postings reflected on the DEQY; and

- Low earnings years in an otherwise consistent wage history.

E/R PIA is HIGHER – Review for these items:

- Lag earnings missing on the initial award;

- High earnings years in an otherwise consistent wage history; and

- Presence of multiple SSNs suggesting the earnings records were erroneously combined.

Discrepancy Resolved

Document the claims file using the RPOC screen with the rationale used to resolve the discrepancy. Alert the PC to any unresolved issues including overpayment, underpayment, uncollected AET penalties or other applicable issue(s).

MBR PIA is correct:

- Take action to correct the E/R, and

- Prepare an A101 or EF101 using the MBR PIA.

E/R PIA is correct:

- Process through MCS EC, or

- Prepare an A101 or EF101 if a processing limitation prevents EC processing.

Discrepancy Not Resolved

When the PIA discrepancy cannot be resolved and immediate payment is due, document the claims file by completing the RPOC screen and **partially adjudicate** the award using the **lower** PIA on the partial award.

Complete the RPOC screen using information from both the MBR and certified E/R (e.g., ICERS, EC) including:

- Date the MBR and certified E/R received;

- The MBR PIA HISTORY DATA LINE information related to the NH termination effective date; and

- Type of certified E/R used and specific comparable information.

The following RPOC is an example of documenting the required information.
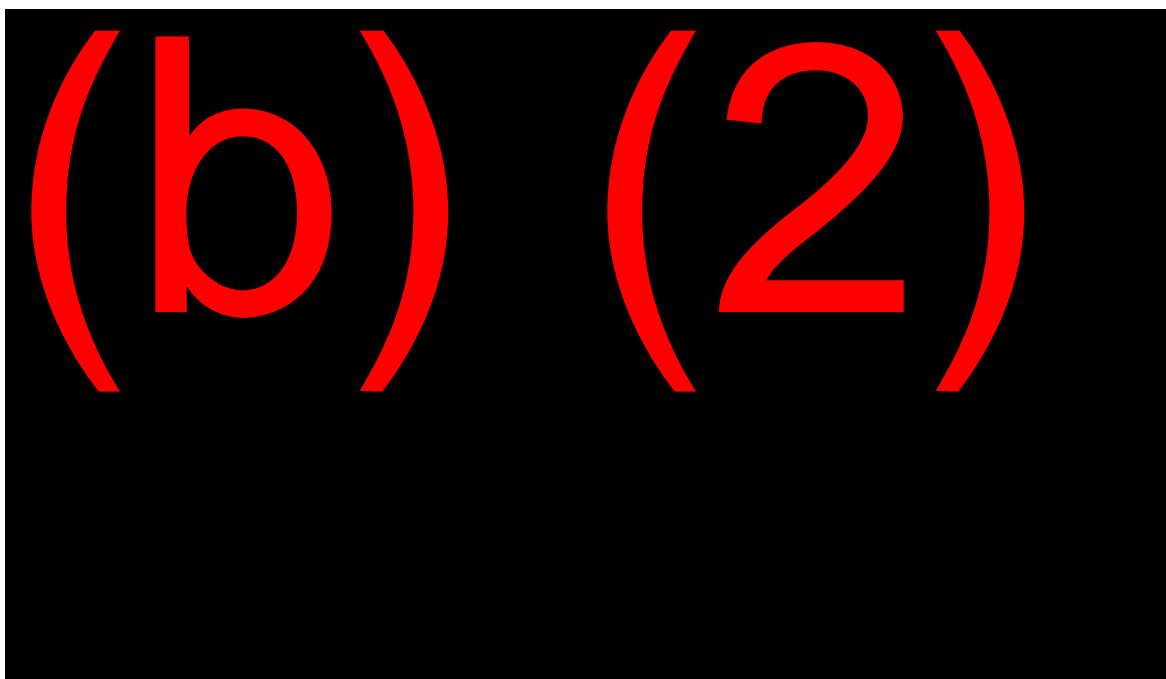
The MBR information shown is from the PIA HIS line of the MBR. The EC screens provide information on the PIA, FMAX, eligibility year, and AIME.

If the PIA discrepancy cannot be resolved, and the lower PIA is on the MBR, prepare an A101 or EF101. If you do not process manually with the lower MBR PIA, the system will use the erroneous higher PIA provided on the certified E/R. However, if the certified E/R is the basis for the lower PIA, process via MCS EC or manually via A101 or EF101 if an exception prevents EC processing.

Notify the payment center of the need to resolve the PIA discrepancy as a post-adjudicative action. **GN 01010.100 C.4**

Processing Survivor Claims with Railroad Involvement

RS 01601.310; **RS 01602.200- .210**; **RS 1601.300**

Wages earned in the RR industry are not covered under Social Security. The railroad worker pays a tax similar to the Social Security tax but it is for a railroad annuity instead. Similar to Social Security, the RRB offers an annuity program with payments to RR employees, dependents, and survivors. The RRB, not SSA, makes the determination as to whether the RR worker has met the requirements for benefits under the RRB system.

Vested

Part of the RRB determination is whether the worker is vested. The basic requirement are 120 months (10 years) of creditable railroad service or 60 months (5 years) of creditable railroad service if the service was performed after 1995. Service months don't need be consecutive. For Social Security purposes, we need to determine if the worker is vested with the railroad because it indicates whether SSA can use the railroad earnings in a Social Security computation.

Social Security **cannot** use the RR earnings of a vested worker in a life case. In a death case, it depends on which agency has jurisdiction of the claim.

Railroad Retirement Board

Only one agency – either SSA or RRB – can adjudicate a survivor claim regardless of insured or vested status. This is true even if a worker is vested under the RRB <u>and</u> insured for SSA. The agency having responsibility for handling the survivor claim will use **both** the Social Security earnings and the RR earnings to compute the survivor benefit payable. Although either agency can have jurisdiction, only the RRB has the authority to determine jurisdiction.

Jurisdiction determinations occur **only in survivor claims** where the deceased NH was vested with RRB. SSA cannot pay monthly survivor benefit payments until RRB makes the jurisdiction decision. Prior to taking a survivor's claim involving railroad earnings, check DRAMS to see which agency has jurisdiction.

As we mentioned earlier, the DRAMS query holds information from other government agencies, like the Railroad Board, and prior SSA claims (**MS 05205.003**). The DRAMS file updates weekly with jurisdiction information provided by the RRB. Keep in mind, sometimes entitlement to SSA benefits will cause an offset or deduction that adversely affects the RRB benefits.

Read **Exhibit 3** concerning jurisdiction of claims with RR involvement. RRB makes this jurisdiction decision based on whether the deceased worker had a 'current connection' with the railroad industry. See **RS 01601.100 B.4** for a definition of current connection.

Jurisdiction vs. Certification

Jurisdiction and certification are separate issues. A jurisdiction determination identifies who will take and adjudicate claims for survivor benefits. If RRB has **jurisdiction**, it pays survivor benefits. If SSA has **jurisdiction**, we pay the survivor benefits.

On the other hand, a certification determination identifies who will certify payment to the Treasury Department or the RRB. The purpose of certification is to **permit RRB to maintain control** over current and/or future monthly benefits.

Remember, RRB imposes a dollar-for-dollar offset of the Tier 1 portion of the RR annuity for any Social Security benefit potentially payable to the claimant. In the online objectives, you learned Tier 1 benefits are based on RR and Social Security earnings. This RR annuity is calculated similar to an SSA benefit. Tier II on the other hand, is based only on RR earnings and similar to a private pension. The certification responsibility is determined by the claimant's relationship to the RR worker. **RS 01601.310**

When SSA **certifies** benefits to RRB, SSA adjudicates the claim, but makes no payment and authorizes RRB to make the payments on our behalf. In survivor cases, SSA certifies to RRB survivors vested with RRB and entitled or eligible to a RR annuity, even if the NH never worked for the RRB.

EXAMPLE: Rich Pennybags worked for the Short Line Railroad for 11 years. He was receiving both retirement benefits and a railroad annuity when he died last month. His wife comes in to file for survivor benefits. Since he has over 120 months of RR service, the RRB has jurisdiction.

DRAMS

If there is a possibility the deceased NH was vested with the RRB, check the DRAMS query (#16 on the Master File Query).

The DRAMS query will show one of the following statements depending on the information received from the RRB:

- RRB HAS DETERMINED THAT RRB HAS JURISDICTION;

- RRB HAS DETERMINED THAT SSA HAS JURISDICTION; or

- RRB HAS NOT DETERMINED JURISDICTION AS OF mm/dd/yy.

If DRAMS indicates that the RRB has not yet determined jurisdiction, an Informational/Certified Earnings Record (ICERS) must be requested to obtain the jurisdiction determination. When a Certified Earnings record is requested, RRB is notified that a jurisdiction determination is needed. The RRB then makes this decision and faxes it to the requesting field office under the unit code provided in the request or sent to the requesting field office via a PCACS request for assistance.

NOTE: If DRAMS shows a jurisdiction determination has not been made and the case has fewer than 120 RR service months and fewer than 60 service months after 1995, you can assume SSA has jurisdiction.

RRB Has Jurisdiction

If the RRB has jurisdiction, **refer the claimant immediately to the local RRB office to file a claim**. An SSA application for survivor benefits will protect a claimant for benefits from the RRB only if there is RR involvement.

If you have already taken a claim and the ICERS, DRAMS, or the EC screens reveal RRB has jurisdiction over the survivor claim, take the following actions:

- Use a DPS letter to notify the survivor(s) RRB has jurisdiction.

    NOTE: It should be unusual for you to need this letter because you should check the DRAMS query **before** taking the claim. If RRB has jurisdiction, simply refer the person to the RRB rather than taking the claim. If the person insists on filing, take the application. A claimant may always file a claim if he/she insists.

- Transfer the claim to RRB. To do this, print a hardcopy of the claims screens and EC determination from the DAPR screen to include in the claim (as a record of SSA's certified earnings). Mail all claims material to the RRB per **RS 01602.200 D.1**. Resolve any earnings issues (OEO feedback, etc.) before you print the hardcopy.

- Manually clear (MANCLR) the MCS claim to your office code to lock the segment and clear the claim from WMS/WMI.

EXAMPLE: Gary was receiving retirement benefits and a railroad annuity when he died on March 10 of this year. His wife, Jean, filed an application

for widow's benefits with SSA and the EC screens indicate that RRB has jurisdiction.

We must then notify Jean that RRB has jurisdiction of her claim and we will transfer the claim. Print the claim and EC screens, Manually Clear the claim, and mail the application and any other documents to the RRB in Chicago.

SSA Has Jurisdiction

If SSA has jurisdiction of the survivor's claim, then take the claim and process it through EC. If you are unable to process the claim through EC, prepare an A101. In rare cases, an EF101 may be required.

Special processing may be necessary if a claimant who is vested with the RRB files for benefits on the record of a deceased NH. Keep in mind you will process a claim as an "RR CERT" case when RRB needs notification of the Social Security benefit. This occurs in the following situations:

- The claimant is vested with RRB, or

- The claimant is the spouse of a RR worker who is vested with RRB, or

- The claimant is the survivor of a RR worker who is vested with RRB, or

- The claimant's Social Security benefits are based on the covered earnings of a RR worker who is vested with RRB. This does not apply if the worker is deceased with no current connection.

If a survivor claim is with RRB and RRB determines that SSA has jurisdiction, RRB will mail the claims material to SSA. A RRB application protects a claimant for Title II benefits; however, if we are unable to treat the RRB application as a duplicate claim, secure an SSA application and adjudicate accordingly (**RS 01602.205**).

LSDP

If RRB has jurisdiction of the claim, do not take either the LSDP or the survivor claim. Refer the claimant to the RRB. **RS 01601.150**

In addition, if certification of survivor benefits to the RRB is mandatory, process the LSDP first through EC without coding RR CERT on the BECF screen. When processing the WIB claim segment later, enter RR CERT (#4) under Miscellaneous Factors on the BECF for the WIB claim and process it through EC as usual. Never certify a LSDP to RRB.

EXAMPLE:

Linda worked over 120 months for RRB. Her husband Ron, who never worked for RRB, passed away. The LSDP to Linda is payable through EC. Code the widow's benefit, remembering to certify to RRB.

If the LSDP will not process through EC and the WIB will be RR CERT, prepare an A101/EF101 paying both the LSDP and the WIB. On the BCRN screen, under the remarks section of the (A101), enter **"CERTIFY-LSDP"** and **"DO NOT CERTIFY-RR CERT-WIB."**

OBJECTIVE 2:

Adjudicate survivor claims through
the manual process (A101)

Manual Processing (A101) Screens

Manual processing occurs more frequently with survivor claims. The following situations, not previously mentioned, require manual processing:

- Other survivors are already entitled on the account and the family maximum is involved;

- A survivor claim involves retroactivity to life benefits;

- EC data conflicts with data on the MBR.

A101 Entries

Several survivor claim screens in an A101 require additional information.

INTE Screen

MS 03512.003

In addition to entering the appropriate BIC for the claimant, if a LSDP is payable, input a Beneficiary Entitlement Code (BEC) code on the INTE screen.

Use a BEC **G** if paying the LSDP to a LISH spouse. Use BEC **N** if paying the LSDP to a spouse who is <u>not</u> living in the same household <u>and</u> is

actually or potentially entitled as a widow(er). Use BEC code of **C** or **J** if paying the LSDP to a child.

ACCT Screen

MS 03514.003
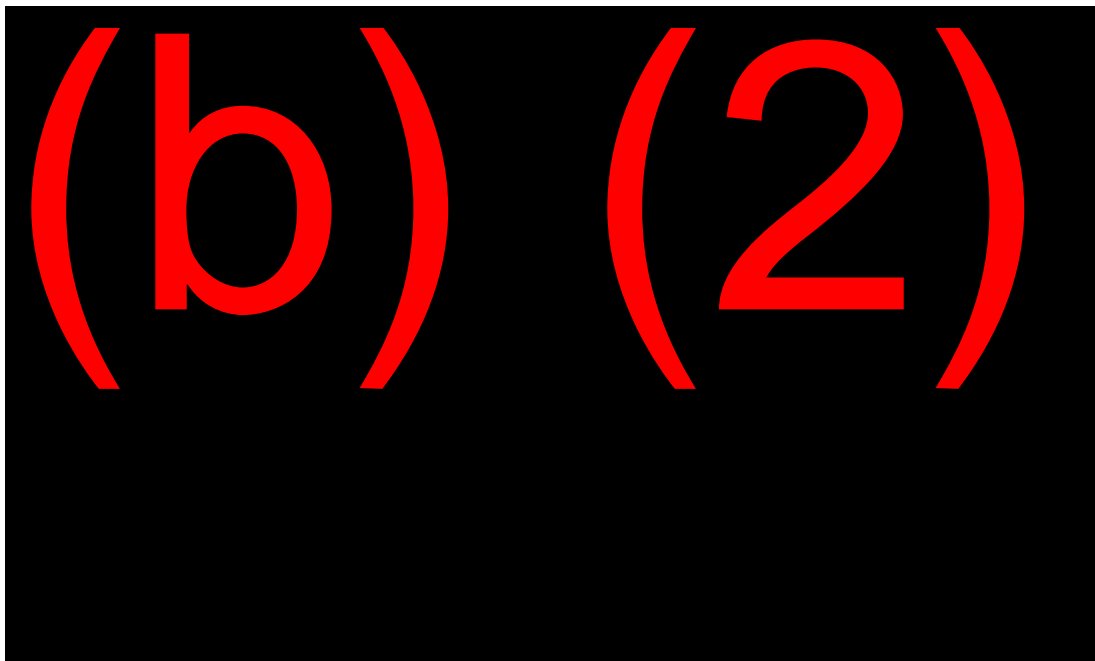
On the ACCT screen, you must enter a Type of Action Code of "S" for a survivor claim.

AIN2 Screen

[MS 03514.022](#)

The insured status screens only appear in the A101 if the processing limitation or exception in EC prevents the system from determining insured status. If you must complete these screens, you can find the information you need on an ICERS request.
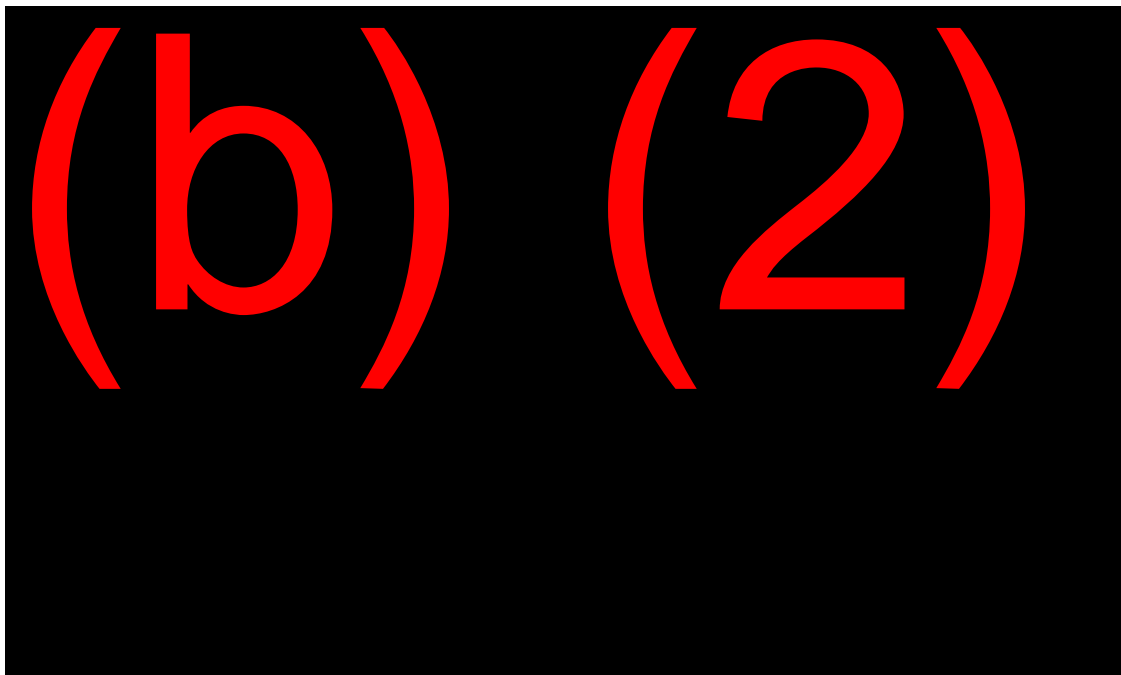
On the Insured Status 2 (AIN2) screen, enter the information regarding the NH's insured status.

If the NH is fully insured enter a Y in either the Exclusion or Non-Exclusion fields, and input the number of QCs required and earned.

If the NH is only Currently Insured, enter Y to either the Exclusion or Non-Exclusion fields and a "6" shows in the CURRENTLY INSURED QCS REQUIRED field and CURRENTLY INSURED QCS EARNED field. A discussion regarding the difference between the Exclusion and Non-Exclusion Insured Status fields comes later in the Disability Unit.
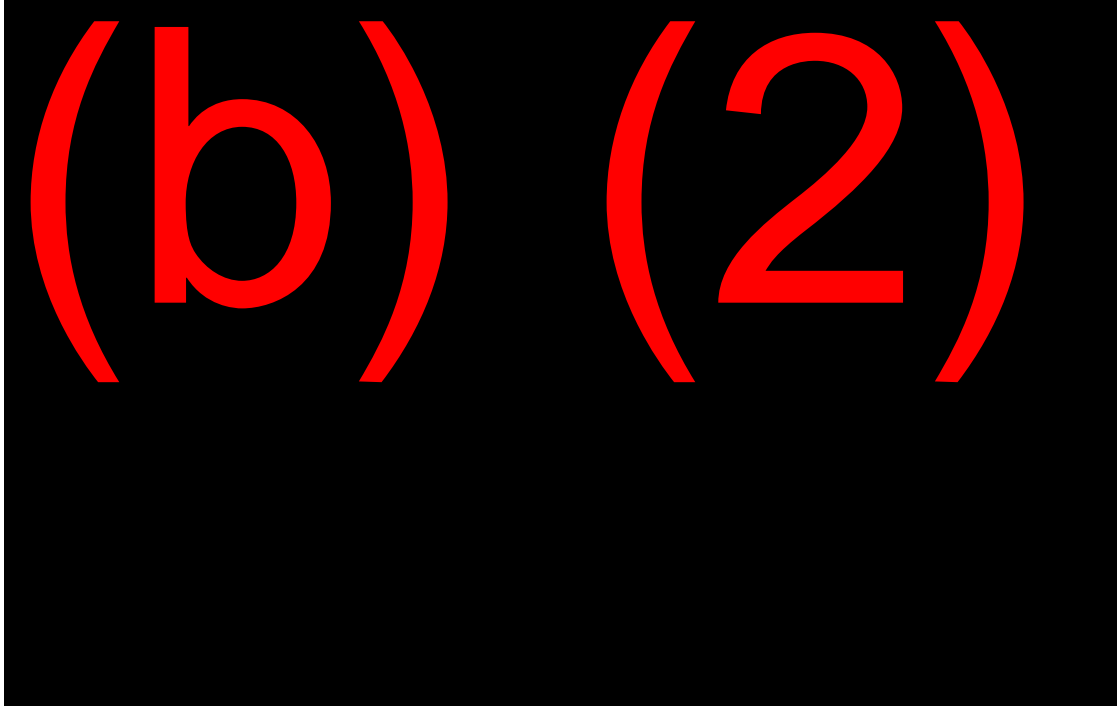
PIAD Screen

[MS 03514.005](#)

Use the PIAD screen to record the PIA Data for the NH.
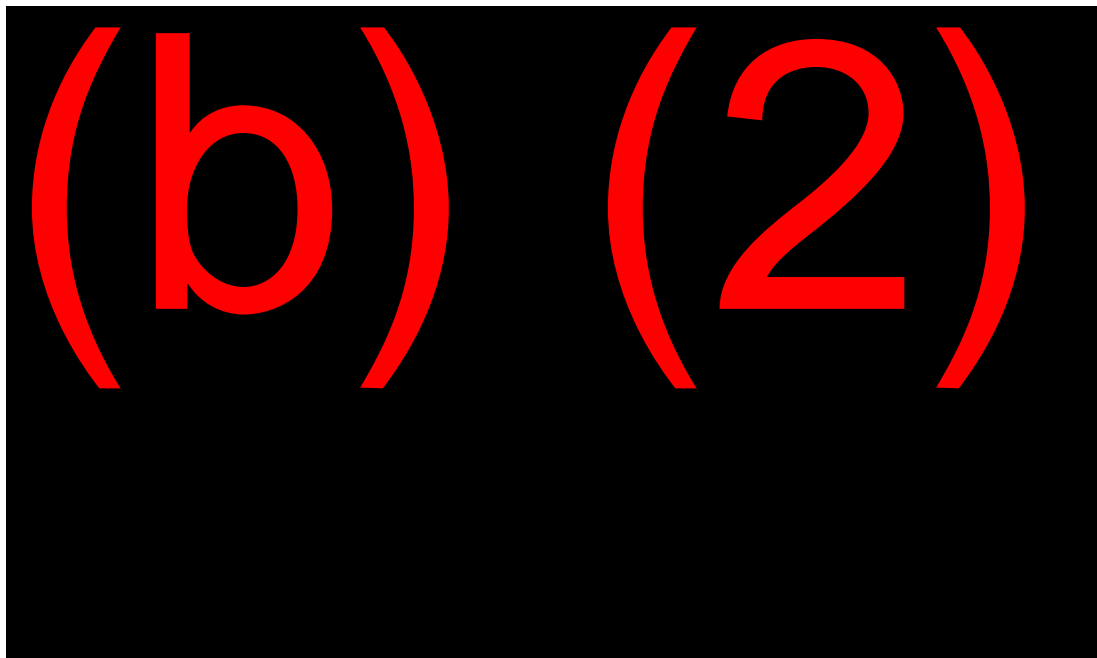
When a WINDEX PIA is involved in a Widow's claim, this screen's coding is completely different. For WINDEX PIA involvement, input the PIA information for the NS78 PIA in the first month of the Widow's entitlement on the first line. Next, complete a second line with the same effective date showing the WIB PIA. The PBP (PIA Benefit Pointer) field will have a "0" when basing the PIA on the NS78 and will have a "1-5" for the WINDEX PIA. The number you choose depends on which claimant has the WINDEX PIA. For example, if the first claimant has the WINDEX, the PBP is "1." Also, remember to input the ELY for the WINDEX PIA. Leave the other fields blank on the WINDEX line.

BENE Screen

[MS 03514.004](MS 03514.004)

Code the BENE screen with information regarding the claimant. Complete the BN PIA POINTER field with the same code you used for the widow on the PIAD Screen. So, if the WINDEX PIA applied to the first claimant on the PIAD screen, input a "1" in the BN PIA Pointer field for that claimant.

If a widow(er)'s payment is based on the "RIB Limitation," be sure to enter a "Y" in the RIB LIMITATION APPLIES field.

If the Monthly Benefit Amount for the Widow increases because the deceased NH was due DRCs, enter the number of DRCs and the month and year last considered for the DRCs. This information propagates from the DPIA screen if EC is able to determine the PIA.

Refer to the Auxiliary Adjudication lesson for additional information and instructions on processing an A101.
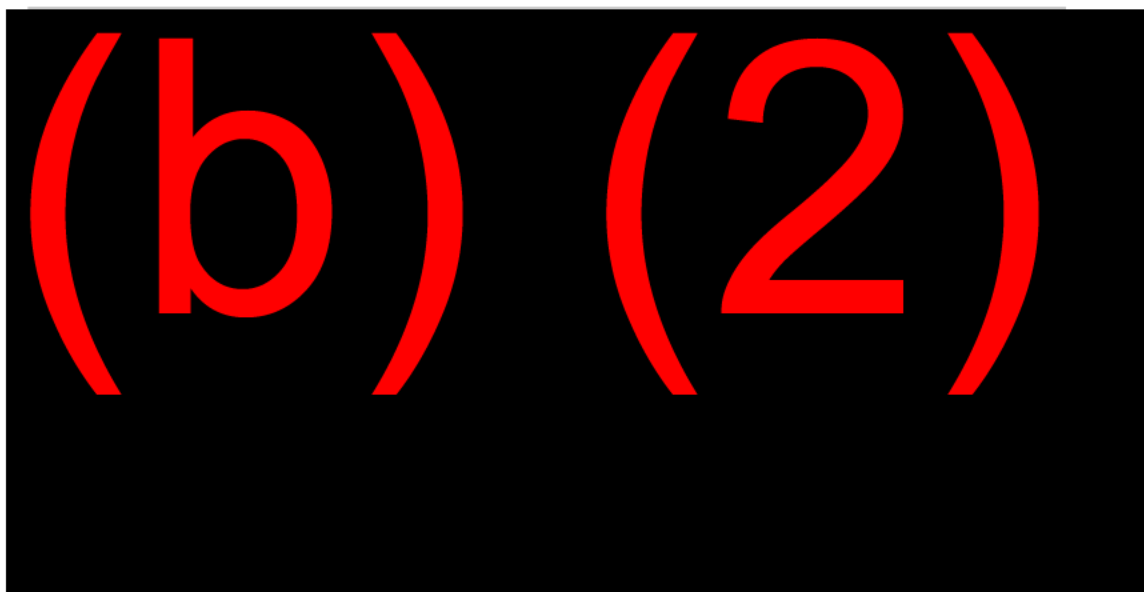
Disallowance

When MCS EC cannot adjudicate the disallowance of a survivor claim, process the disallowance using MACADE. The (b) (2)(b) (2)(b) (2)(b) (2) contains instructions for processing a (b) (2)(b) (2)(b) (2) .

Mother's/Father's

A claimant for surviving mother's/father's benefits must have in-care a child of the deceased NH. **RS 00208.005**

DCIC

MS 00705.015

The MCS claim path must include a Dependent Child in Care (DCIC) screen documenting the claimant meets the child-in-care requirement. The DCIC screen is a Common Screen; once established for a claimant, it is available for post-entitlement processing through POS.

In addition, the NMAR and BMAR screens document the claimant meets the marriage requirement.

A101 Required

When the qualifying child is already entitled and on the MBR, MCS EC will not adjudicate a claim for mother's or father's benefits. You receive the processing limitation "CHECK BIC C1 – CHILD ON DCIC IS NOT ON THE CURRENT SEGMENT PLEASE UPDATE DCIC AND RETRIGGER CLAIM." This limitation cannot be resolved when the child is already on the MBR, so you must manually process the mother's/father's claim.

Child, Student, and Childhood Disability Benefit

Child Under 18

The MCS application includes the Child Relationship (CREL) screen documenting the child's verified relationship to the NH. The CREL is a Common Screen.

Child entitled as a Student

The MCS application path will include the CREL as well as the Student Entitlement (STUD) screen. The STUD screen is a Common Screen and used for post entitlement processing via POS.

Childhood Disability Beneficiary

The MCS application path also includes the CREL. Additionally, if the child alleges a childhood disability, on the Child's Identification 1 (CHD1) screen, "IF OVER 16 IS CHILD DISABLED (Y/N)" must be answered "Y".

Special processing is required if the applicant for CDB is currently entitled on the MBR as a child under 18 or entitled as a student. For guidance, access the (b) (2)(b) (2)(b) (2), locate the (b) (2)(b) (2)(b) (2)(b) (2)(b) (2) link, then look for (b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2)

Benefits Due Retroactive to Life

If an individual files for survivor benefits and could have been entitled as an auxiliary within a retroactive period, process the claim using an A101. Examples of this situation are:

- A DIB claim for the NH is pending in the system, but the auxiliary claims are deferred. The NH has died and benefits are payable as auxiliary benefits prior to the NH's death as well as on-going survivor benefits; or

- A NH filed a DIB claim but subsequently passed away, and survivors come in to file for benefits before DDS/ODAR/AC makes a medical decision on the DIB claim.

Instructions on how to process these types of claims are on the (b) (2)(b) (2)(b) (2)(b) (2). Search for the workflow entitled (b) (2) (b) (2)(b) (2)(b) (2)(b) (2)(b) (2)(b) (2).

EXHIBIT 1: ALLOWANCE

EC Process, steps to take:

1. Complete MCS screens;

2. EC establishes control on WMS;

3. Review EC screens;

4. Complete clearance screens;

5. Complete DECI with a decision code;

6. Process claim through EC via entry on DAPP;

7. EC clears WMS; and

8. EC generates notice, reflects clearance on WMS clearance list and establishes MBR.

A101 Process, steps to take:

1. Complete MCS screens;

2. EC establishes control on WMS;

3. Determine PIA via MBR, EC screens or ICER request;

4. Complete DECI and attempt Adjudicative EC;

5. Page through EC screens to propagate data to A101;

6. Input INTE (PROC code of A) to create A101;

7. Enter information on A101 screens;

8. Adjudicate A101;

9. Input INTE (PROC code of N) to transfer to PC;

10. PC technician prepares MACADE screens for payment; and

11. MADCAP generates notice, payment, and establishes MBR.

EXHIBIT 2: A101 REMINDERS

SCREEN NAME	HELPFUL REMINDER
INTE	BEC code of G on the INTE screen if LSDP paid to a living-in-same-household spouse (**MS 03512.003**)
ACCT	TOA code on the ACCT screen is "R"=Retirement, "S"=Survivor, D=Disability, L=Lump Sum, H=Medicare, E=ESRD HI/SMI (**MS 03514.003**).
AIN2	Show "6" in the CURRENTLY INSURED QCS REQUIRED field and CURRENTLY INSURED QCS EARNED field on the AIN2 Screen if the deceased NH had <u>current insured status only</u>.
BENE/PIAD	PBP (PIA Benefit Pointer) on the PIAD screen and BPP (Beneficiary PIA Pointer) on the BENE screen must be coded with other than "0" if WINDEX (Widow(er)'s Index) PIA is involved. Code the ELY and IME for WINDEX PIA cases on the PIAD screen. (**MS 03514.004**; **MS 03514.005**)
BENE	If the widow(er) is paid based on the "RIB Limitation" or rate increases because the deceased NH was due DRCs, entries are required on the BENE screen. (**RS 00615.320**; **RS 00615.702**)

BCRN	The purpose of the A101 (BCRN screen) remarks field is to provide complete processing instructions for the A101. Remarks are needed (but frequently omitted) in the following situations: • Overpayment involved; • Diary to be cancelled; • Special payment cycle code needed; • Suspension or termination of benefits required; • RPOC screen must be reviewed by the BA for correct processing;

SCREEN NAME	HELPFUL REMINDER
	• Attorney involvement; • Other remarks to assist the BA in processing the award correctly such as "Parisi adjustment needed." If remarks do not fit on the screen, continue on an RPOC and refer to the RPOC on the BCRN screen. (**MS 03514.006**)
MBEN	If EC was able to do a computation, even if there was a PROC LIM, the resulting MBA will propagate to this field. If EC was unable to do a computation, nothing will propagate to this field. Ensure that the amount posted is the amount <u>before</u> adjustment for GPO, WC/PDB, PARISI, 202(J)(1), etc. (**MS 03514.008**)

EXHIBIT 3: JURISDICTION OF CLAIMS WITH RR INVOLVEMENT

RS 01601.300

Definition of Jurisdiction

The Agency (RRB or SSA) with adjudication responsibility.

Applies To

Survivor claims only.

Who Makes Determination of Jurisdiction

RRB only; SSA does not have this authority (because it is dependent on RRB insured status regardless of SSA insured status).

Criteria RRB Uses to Determine Jurisdiction

Was DNH completely or partially insured under the RR Act?

- If no, SSA has jurisdiction.

- If yes, go to step 2.

Did DNH have a "current connection"? (**RS 01601.100 B.4**)

- If no, SSA has jurisdiction.

- If yes, RRB has jurisdiction.

Earnings to be used

Both SSA and RR earnings are used, regardless of jurisdiction.