

VA



U.S. Department of Veterans Affairs
Veterans Benefits Administration

Fiduciary Program

What is the Department of Veteran Affairs Fiduciary program?

The fiduciary program provides oversight of VA's most vulnerable beneficiaries. These are Veterans and survivors who are unable to manage their VA benefits on their own. This might be because of injury, disease, advanced age or youth. VA appoints fiduciaries to manage VA benefits for these beneficiaries. VA also conducts oversight of VA-appointed fiduciaries to ensure VA beneficiaries' needs are met.

What Is a Fiduciary?

A fiduciary is a person or entity appointed by VA to receive benefits on behalf of a beneficiary. The benefits must be used to support the beneficiary or their dependents.

When Is a Fiduciary Needed?

Every beneficiary has the right to manage his or her VA benefits. However, if medical evidence indicates they cannot manage their benefits, VA can appoint a fiduciary to assist the beneficiary. A fiduciary may also be appointed if a court declares a beneficiary unable to manage financial affairs. The decision can be appealed to the Board of Veterans Appeals.

What Is the Fiduciary Appointment Process?

Prior to appointment, VA will assess the well-being and needs of the beneficiary and dependents. This assessment is partly based on a face-to-face meeting at the beneficiary's home.

Please note: A face-to-face meeting with the beneficiary and fiduciary can now be conducted via the Pension & Fiduciary Service Video Conferencing platform.

The fiduciary will also be assessed. This ensures the selected person is qualified and willing to serve. The assessment may include:

- A face-to-face meeting which can be conducted virtually using the Pension & Fiduciary Service Video Conferencing platform
- A credit history check
- A criminal background check
- Character witness interviews

The fiduciary may also be required to submit annual accountings or obtain a surety bond or complete a periodic fund usage review for VA. VA instructs the fiduciary on the duties and requirements of the position. VA will also provide information about the beneficiary's needs, including monthly bills.

After the initial fiduciary appointment, VA conducts follow-up visits. These visits monitor the beneficiary's well-being and the fiduciary's performance. If there are unmet needs or issues, VA may appoint a new fiduciary.

Who May Serve as a Fiduciary?

VA selects the most effective and least restrictive fiduciary arrangement. The most important consideration is whether the beneficiary can manage their benefits under Supervised Direct Pay with limited VA supervision. Then, VA will consider the following people for a fiduciary:

- the beneficiary's preference
- the beneficiary's spouse
- a relative who has care or custody of the beneficiary or his/her funds
- any other relative of the beneficiary
- any friend, acquaintance, or other person who is willing to serve as fiduciary for the beneficiary without a fee
- the chief officer of a public or private institution in which the beneficiary receives care or which has custody of the beneficiary
- the bonded officer of an Indian reservation, if applicable
- an individual or entity who

- has been appointed by a court with jurisdiction to handle the beneficiary's affairs, or
- is not willing to serve without a fee, or
- a temporary fiduciary, if necessary.
- *If none of the above are available, VA will appoint a paid fiduciary.
- If the beneficiary has a legal guardian appointed to handle the beneficiary's affairs, the FE will presume that the beneficiary does not have the capacity to state a preference and will consider individuals and entities in the order of preference.

How Do I Become a Fiduciary?

If you are interested in serving as a fiduciary, submit a request with the beneficiary's name and VA file number, along with your name and contact information, to your nearest VA regional office. You can find your nearest office at <https://www.va.gov/directory/guide/division.asp?dnum=3> or by calling 800-827-1000.

If you are interested in serving as a professional fiduciary, submit your resume with a cover letter to VA_Fiduciary@va.gov Include your name, the name of your organization or business, and your mailing and email addresses.

You can find additional information at <https://www.benefits.va.gov/FIDUCIARY/>.