

MANUAL: Personnel  
Chapter Series CC--Commissioned Corps Personnel Manual  
Part 2--Commissioned Corps Personnel Administration

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Public Health Service

Chapter CC29--Officer Relations, Services, and Benefits  
Subchapter CC29.5--Death Benefits  
Personnel INSTRUCTION 1--Death of an Active Duty Officer: Reporting  
Procedures, Burial Allowances and Survivor  
Entitlements

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Section A. Purpose and Scope

1. This INSTRUCTION:
  - a. Establishes procedures to be used in reporting the death of an active duty officer;
  - b. Discusses the burial entitlements payable by the Public Health Service (PHS) upon the death of an active duty officer; and
  - c. Establishes procedures for extending assistance to survivors of deceased active duty officers.
2. Information about burial entitlements and compensation payable by the Veterans Administration (VA) is contained in the Commissioned Corps Personnel Manual (CCPM), Subchapter CC29.5, INSTRUCTIONS 3 and 6.

3. Information about the Survivor Benefit Plan is contained in CCPM, Subchapter CC29.5, INSTRUCTION 5.
4. Information about benefits and procedures upon the death of a retired PHS officer is set forth in CCPM, Subchapter CC29.5, INSTRUCTION 2.

#### Section B. Authorities

1. In accordance with 42 United States Code (U.S.C.) 213a(a)(5) and (6), PHS officers and their survivors are entitled to death and survivor benefits authorized by 10 U.S.C. Chapters 73 and 75 respectively.
2. In accordance with 10 U.S.C. Chapter 55, the surviving dependents of PHS officers are entitled to medical care under the Uniformed Services Health Benefits Program (USHBP).
3. Most travel and transportation entitlements pertaining to the deceased officer's dependents and their personal property are set forth in Chapters 7, 8, 10, and 11 of the Joint Travel Regulations of the Uniformed Services (JTR). Burial entitlements for deceased uniformed services personnel, including transportation of the remains of deceased officers from the place of death to the place of burial, are authorized by 10 U.S.C. 1481-1482 and 1490.
4. The authority to pay a travel allowance to the surviving dependents of a deceased active duty officer, for round-trip travel to attend the deceased's burial ceremony, is 37 U.S.C. 411f, as added by P.L. 99-145.
5. Regulations governing the establishment of PHS rates of payment for funeral and burial expenses for deceased active duty officers are prescribed in CCPM, Subchapter CC49.5, INSTRUCTION 2, "Burial Payments."
6. Under 10 U.S.C. 1481(a)(7), when an active duty officer is hospitalized in a uniformed services medical treatment facility, is placed in retired status, and subsequently dies while still a patient in the hospital on a continuous basis, the deceased officer is entitled to the same burial entitlements and allowances payable upon the death of an active duty officer.

#### Section C. Responsibility

1. PHS Components. The heads of PHS staff offices, PHS agencies, and PHS regional offices are responsible for:
  - a. Assuring that assistance is rendered to the survivors of PHS commissioned officers who die while assigned to their respective organizations;

- b. Notifying the Survivor Assistance Officer (SAO), Commissioned Personnel Operations Division (CPOD), Office of Personnel Management, Office of Management/PHS, by telegram or telephone of an officer's death;
  - c. Arranging and paying for travel and transportation entitlements for the deceased active duty officer, his/her dependents, and their household goods; and
  - d. Designating a program contact to CPOD so that the SAO can work with this individual in determining what entitlements are applicable in each case. If no such individual is designated, CPOD may request the designation of such a person.
  - e. Reviewing and making proper disposition of the station personnel records concerning the deceased officer in accordance with the Privacy Act system of records notice for record system 09-37-0008. A copy of this system notice is contained in CCPM, Subchapter CC26.1, INSTRUCTION 7, "Rights, Responsibilities, and Personnel Records of PHS Commissioned Officers Under the Privacy Act."
2. Survivor Assistance Officer. The SAO is responsible for:
- a. Contacting the survivors of deceased active duty officers immediately, and assuring them of the Service's interest in their welfare;
  - b. Determining the immediate needs of the family;
  - c. Advising the family and funeral home regarding burial entitlements and benefits;
  - d. Counseling and assisting the survivors in obtaining monetary and other benefits from PHS as applicable in their particular cases;
  - e. Coordinating services provided to the family/survivors by the other uniformed services;
  - f. Initiating internal procedures which will result in the issuance of a personnel order announcing the officer's death; and
  - g. Initiating issuance of a "PHS Statement of Service" documenting the deceased officer's service with PHS, for the surviving dependents to use when claiming benefits from sources other than PHS.

3. Survivors. The surviving family of a deceased officer is responsible for:
  - a. Determining the method and place of burial of the deceased, and informing the SAO and PHS program of their preferences. The individuals listed below are designated, in order, to make these determinations, in accordance with 10 U.S.C. 1482(c):
    - (1) The surviving spouse of the decedent;
    - (2) Blood relatives of the decedent;
    - (3) Adoptive relatives of the decedent; or
    - (4) If no person covered by (1), (2), or (3) above can be found, a person acting in loco parentis to the decedent.
  - b. Advising the SAO of a current address and telephone number at which they can be contacted.
  - c. Returning an active duty pay check issued to the officer for any period beyond the date of the officer's death so that a new check can be issued through the date of death. The check should be returned to the address designated by the SAO.
  - d. Completing the required forms and vouchers to receive reimbursement for authorized expenses incident to burial, as directed by the SAO. The survivors must also obtain itemized receipts for any of their authorized expenses to ensure their reimbursement to the maximum amount authorized.

Section D. Reporting the Death of an Active Duty Officer

1. Office to Contact. The death of an active duty officer should be reported to the SAO as soon as possible. The report should be made by calling area code 301-443-4590 (an FTS number).
2. Information to be Provided. The individual reporting the death of an active duty officer to the SAO should be prepared to provide as much of the following information as is available at the time initial notification is made. However, the report of death should not be delayed until all the information described below is available. The information that should be provided includes:
  - a. The identity of the deceased officer;
  - b. The name of next-of-kin, relationship, address, and telephone number;

- c. Time, date, and place of death;
  - d. The full circumstances of death;
  - e. The funeral arrangements, to include:
    - (1) The name and address of the funeral director;
    - (2) The time and place of funeral services and burial; and
  - f. The PHS program to which the officer was assigned.
3. SAO Reporting Requirements. After receiving notice that an officer has died, the SAO will prepare Form PHS-2709, "Report of Death of Commissioned Officer," and notify, as appropriate, the following:
- a. Those offices and individuals in CPOD who have a need to know;
  - b. The VA at VA Records Processing Center (233), P.O. Box 5020, St. Louis, MO 63115, and the Social Security Administration (SSA), at 206 N. Washington Street, Alexandria, VA 22314. (Note: The survivor or executor of the estate of the deceased must contact these agencies him/herself to make claim for any benefits. The notification made by the SAO is as a courtesy and does not take the place of any claim by the family or executor.);
  - c. The USPHS Commissioned Officers Association; and
  - d. Other organizations and associations as may be indicated.

Section E. Burial Entitlements for PHS Officers Who  
Die While on Active Duty

1. Overview of Entitlements. PHS will pay authorized expenses upon the death of an active duty officer. These include:
- a. Transportation of the remains to the place of burial;
  - b. Transportation of an escort for the remains to the place of burial and return; and
  - c. Burial expenses, including certain funeral costs.
2. Transportation of Remains. When an officer dies while on active duty, PHS will pay transportation costs for the remains, accompanied by an escort, from the place of death to the town or city of burial designated by the survivors. Travel orders (Form HHS-1) for this transportation are to be issued by those officials to whom this authority has been

delegated, as shown in CCPM, Subchapter CC34, INSTRUCTION 1, "Authorities Relating to Travel and Transportation."

- a. Transportation Costs. The cost of transportation will include removal of remains from place of death to a mortuary, procurement of burial and shipping permits, removal from the mortuary to a common carrier, shipment by common carrier, and one removal at destination from the common carrier to a mortuary or other place of delivery. The remains may be transported by means other than common carrier, provided that the cost does not exceed the sum the Government would have paid had the remains been transported by common carrier. Common carrier is defined as any firm furnishing commercial transportation as a public service under rates prescribed by lawful authority. This includes railroad, airplane, or ship.
  - b. Methods of Transportation. Remains may be shipped by common carrier or hearse, as follows:
    - (1) By Rail. Shipment of the remains will be in baggage service. If there is an escort, a transportation request for both the remains and escort will be issued. If shipment is made without an escort, the remains may be shipped by purchase of first-class adult ticket.
    - (2) By Air Freight. A Government Bill of Lading will be issued for shipment of remains by air freight. Transportation for an escort will be authorized if the escort can accompany the remains on the same airplane. If there is no passenger seating aboard the airplane, no escort will be authorized if the remains are shipped by air freight.
    - (3) By Hearse. Hearse transportation is authorized for removal of remains from the place of death to a mortuary; from a mortuary to the common carrier terminal; from the common carrier terminal at burial destination to the first place of delivery; in lieu of common carrier provided the cost of hearse services does not exceed the cost of common carrier transportation; and between two points where suitable common carrier transportation is not available. Payment for hearse services will be made in accordance with the procedures for payment of burial expenses (see Section E.4.a.(3) below).
3. Transportation of Escort. Round trip transportation expenses are authorized for one person to accompany the remains of an active duty officer to the place of burial.

a. Methods of Escort Travel.

- (1) By Rail. When an escort accompanies the remains shipped by rail in baggage service, one first-class ticket will be utilized by the escort for transportation. Return travel of the escort will be by use of common carrier which is the most economically advantageous to the Government. If return travel of the escort is to be by rail, one of the tickets required for shipment should be requested for round trip. If return travel of the escort is to be via another mode, the escort will be furnished a separate transportation request for such travel.
- (2) By Air Freight. Remains shipped by air freight may be accompanied by an escort only if the carrier can provide accommodations for the escort aboard the plane on which the remains are shipped. Return travel of the escort will be by use of common carrier transportation which is the most economically advantageous to the Government.

b. Authorized Escorts. An escort may be either a PHS officer or a member of the family. When neither a PHS officer nor a family member are able to act as an escort, the Director, CPOD, may authorize another individual to act as escort.

- (1) If the escort is a PHS officer, the officer will be in duty status while serving as the escort. Travel and transportation allowances authorized for the officer will be as prescribed in the JTR for temporary duty.
- (2) If the escort is a member of the family or an individual designated by the Director, CPOD, the individual will be issued invitational orders by the PHS activity to which the deceased officer was assigned. The orders will cite 42 U.S.C. 213a(a)(6), as the authority. These orders will state that the escort is entitled to travel and per diem (at rates prescribed for officers in Chapter 4, JTR) while actually accompanying the remains, including return travel and per diem at rates indicated, to the location from where the remains were transported. Transportation as an escort will be in addition to the transportation which a family member may also be entitled to as a dependent, as indicated in Section F. of this INSTRUCTION.

4. Funeral Arrangements. The most immediate concern of the family will be the funeral arrangements. Normally, the funeral home assists the family with these arrangements. The SAO/CPOD should offer assistance to the family and funeral home by advising them of the following burial entitlements and benefits.

a. PHS Burial Allowance.

- (1) When an officer dies while on active duty, PHS will pay for the usual and customary burial services, up to a maximum of \$1750\*, when burial is in a private cemetery. When burial is in an national cemetery, the maximum allowance payable is \$1180\*. Allowable services and items include:
  - (a) Preparation of remains, including cremation;
  - (b) Casket (or urn) and outer case;
  - (c) Services of the funeral director, including the use of his/her facilities and equipment;
  - (d) Limousine for the immediate family;
  - (e) Hearse (in addition to that which is authorized under paragraph 2.b.(3) of this Section);
  - (f) Use of cemetery equipment in opening and closing the grave; and
  - (g) Related interment expenses.
- (2) When the remains are consigned directly to a national cemetery without use of a funeral home, the burial allowance payable is \$75.
- (3) The funeral home will normally bill the PHS program to which the officer was assigned at the time of death and then bill the family or the estate for any amount not paid by PHS. Standard Form-1034, "Public Voucher for Purchases and Services Other Than Personal," is the form that should be provided to a funeral home or cemetery for use when requesting payment for these expenses.

\* These rates became effective October 1, 1985. Every two years, the Department of Defense (DoD) surveys private sector funeral homes and private cemeteries to determine average costs. The rates payable by DoD as the burial allowance are based on the results of this survey. PHS bases the rates it pays on the DOD rates.

- b. Burial in a National Cemetery. The eligibility requirements, locations of the national cemeteries, and procedures to be followed for burial will be explained to the family. Most funeral home directors are familiar with procedures to follow when burial is requested in a National Cemetery. More information about the National Cemetery System is shown in CCPM, Subchapter CC29.5, INSTRUCTION 3, "Burial in National Cemeteries."

#### Section F. Survivor Entitlements

1. Overview of Benefits. PHS will make certain payments and provide services as follows to the survivors of a deceased active duty officer:
  - a. Payment of a death gratuity, equal to \$3,000, plus certain additional housing or housing allowances for up to 90 days following the officer's death;
  - b. Payment of unpaid pay and allowances, and for unused annual leave earned up until the date of the officer's death;
  - c. Travel and transportation expenses for the immediate family to the place of burial and return;
  - d. Issuance of new identification cards to the eligible survivors; and
  - e. Transportation of the survivors and their household goods to a home of their selection.
2. Death Gratuity. PHS pays a death gratuity of \$3,000 to the survivors of deceased active duty officers and officers who die within 120 days after leaving active duty (through inactivation, termination, or retirement). In addition, the survivors may receive up to 90 days of Basic Allowance for Quarters (BAQ) and Variable Housing Allowance (VHA) if they do not reside in Government quarters. If the survivors were residing in Government quarters on the date of death, and they vacate the quarters prior to the expiration of the 90 days, they may be paid BAQ and VHA for the balance of the 90 days following the date of death. The money is intended for use for the immediate expenses of the survivors pending settlement of the officer's estate. More information about the death gratuity is set forth in CCPM, Subchapter CC22.5, INSTRUCTION 2.
3. Unpaid Pay, Allowances, and Leave. The officer's estate is entitled to all unpaid pay and allowances due the officer through the date of his/her death, as well as a lump-sum payment for unused annual leave (limited to a maximum of 60 days, including any previous lump sum payment for unused annual leave paid after February 9, 1976). If the survivors receive a paycheck which includes payment for any period after the officer's death, it should be returned to CPOD so that a new check can be issued for the correct amount and the accumulated unused annual leave. The check should

be returned to the address designated by the SAO when he/she counsels the survivors on their benefits.

4. Travel to Place of Burial. The spouse and dependent children of a deceased active duty officer may be paid an allowance for their travel and transportation expenses incurred in order to attend the burial of the deceased officer. This entitlement is available for such travel commenced after September 30, 1985.
  - a. The allowance is only payable for travel to a place in the U.S., Puerto Rico, or U.S. possessions, unless the deceased member was ordered or called to active duty from a place outside the U.S., Puerto Rico, or the U.S. possessions.
  - b. The allowance may not exceed the rate payable for two days of such travel, unless the travel is to an outside place as described in F.4.a. above, in which case payment of the allowance may be extended to accommodate the time necessary for such travel.
  - c. When there is no eligible spouse nor dependent children, the parents of the member (including a stepparent or parent by adoption, or any person, including a former stepparent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member became age 21), may be paid the travel and transportation allowances authorized in this section.
5. Identification Cards. The surviving dependents of a deceased active duty officer must be issued new uniformed services identification and privilege cards (ID cards) to document the change in their status. The ID cards can be obtained by the dependents from any uniformed services ID card issuing official, or by mail from the ID Card Section, Parklawn Services Center, Room 5B-07, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Proper documentation of dependency status must be provided to the issuing official (see CCPM, Subchapter CC29.2, INSTRUCTION 2).
6. Travel of Dependents to Permanent Home. If the deceased officer died while on active duty, PHS will pay for the travel of dependents (wife, unmarried children under 21 years of age including adopted children and stepchildren, and the officer's dependent parents) to the place selected as their permanent home. Only one move of any dependent is authorized at Government expense, and to be payable by the Government, this one move must be completed within one year of the officer's death. This benefit is subject to Part D, Chapter 7, JTR.
7. Shipment of Household Goods and Privately Owned Motor Vehicles. PHS will also pay for the shipment of the deceased active duty officer's household goods and one privately owned motor vehicle to the survivors' new home or

to the home of the person entitled to receive them. Such shipments must be turned over to a shipping officer or carrier for shipment within one year following the date of the officer's death unless an extension is authorized. If the estate of the decedent becomes subject to litigation during the one-year limit, shipment must be made within one year of the date of final decree. The above entitlements are subject to the JTR, Chapter 8, Part G and Chapter 11.

8. Storage. Household goods surrendered for shipment within the time limits of F.7. above may be placed in temporary storage for a period not to exceed 90 days. This may be extended for not more than an additional 90 days, if required. Household goods may be placed in non-temporary storage for a period not to exceed one year from the date of the active duty officer's death. Costs for storage of household goods beyond the established time limitations will not be paid for by the Government. If the estate of an officer is subject to litigation, such effects may be stored or continued in storage at Government expense until such time as proper disposition can be made. The above entitlements are subject to Part C, Chapter 8, of the JTR.
9. Authorization for Travel and Transportation. Travel of dependent survivors of the active duty officer, shipment of household goods (or house trailer), and privately owned vehicle will be authorized by Travel Orders (HHS-1). In addition, a Government Bill of Lading will be issued by the appropriate shipping officer to the shipping agent to cover the expenses of the shipment of household goods.
10. Arrangement for Shipment of Household Goods. The PHS shipping officer servicing the officer's last active duty station will arrange for shipment of the household goods. Application for shipment of household goods will be made on Form PHS-4013-1, "Application for Shipment of Household Goods." This form should be completed by the survivor, or other person legally entitled to the goods, and submitted along with a copy of the travel order to the shipping officer. If shipment of an automobile is authorized, information on the procedure to follow should be obtained from the shipping officer.

#### Section G. Forms

In order to claim benefits from VA or SSA, the survivors should contact those agencies and request information about the benefits and copies of the forms that must be used to claim them. Forms needed to claim benefits and services provided by PHS on behalf of the deceased officer and the deceased's surviving dependents, as applicable, are:

<u>Form No.</u>	<u>Title</u>	<u>Use</u>
SF-1174	Claim for Unpaid Compensation of Deceased Members of the Uniformed Services	For payment of money due on the pay account of a deceased officer, including allowances or other accounts to his/her credit
SF-1034	Public Voucher for Purchases and Services Other Than Personal	For payment of funeral and burial expenses
SF-1012	Travel Voucher	For payment of travel expenses after travel has been performed
HHS-1	Travel Order	Authorization for travel of survivors and shipment of household goods
PHS-4013-1	Application for Shipment of Household Goods	For arranging shipment of household goods of the deceased officer's family
SF-1103	Government Bill of Lading	For payment for shipment of household goods for the deceased officer's family
DD Form 1884	Survivor Benefit Plan Application for Annuity	To make application for payment of a Survivor Benefit Plan Annuity
DD Form 1172	Application for Uniformed Services Identification and Privilege Card	For dependents' ID cards
VA 29-8283	Claim for Death Benefits (Servicemen's Group Life Insurance)	For payment of Servicemen's Group Life Insurance