

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 2--Death of a Retired Officer: Reporting Procedures,
Burial Allowances, and Survivor Entitlements

CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Page</u>
A.	Purpose and Scope.....	1
B.	Authorities.....	2
C.	Responsibility.....	2
D.	Reporting the Death of a Retired PHS Officer.....	3
E.	Burial Entitlements For Deceased Retired PHS Officers.....	4
F.	Survivor Entitlements.....	6

Section A. Purpose and Scope

1. This INSTRUCTION:
 - a. Establishes procedures to be used in reporting the death of a retired PHS officer;
 - b. Discusses the burial entitlements payable by the Public Health Service (PHS) towards burial of the deceased retired officer; and
 - c. Establishes procedures for extending assistance to the survivors.
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 an active duty PHS officer is set forth in CCPM, Subchapter CC29.5, INSTRUCTION 1.

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. Burial entitlements may be provided to a deceased retired officer, pursuant to 10 U.S.C. 1481(a)(7), if the officer was admitted to a uniformed services medical treatment facility while on active duty for more than 30 days, was placed in retired status during that admission, and continued as a patient in the facility until the date of the officer's death. If these conditions are met, the officer is authorized burial entitlements identical to those available to officers who die on active duty. See CCPM, Subchapter CC29.5, INSTRUCTION 1 for guidance in this situation.
4. Transportation from the place of death to the place of burial of the remains of a deceased retired officer, who died in a uniformed services medical treatment facility to which he/she was admitted subsequent to retirement is authorized by 10 U.S.C. 1490.

Section C. Responsibility

1. PHS Components. The heads of PHS staff offices, PHS agencies, and PHS regional offices are responsible for notifying the Survivor Assistance Officer (SAO), Commissioned Personnel Operations Division (CPOD), Office of Personnel Management, Office of Management/PHS, by telegram or telephone of the death of a retired PHS officer.
2. Survivor Assistance Officer. The SAO is responsible for:
 - a. Contacting the survivors of the deceased retired officer immediately, and assuring them of the Service's interest in their welfare;
 - b. Advising the family and funeral home regarding burial entitlements and benefits;
 - c. Coordinating services provided to the family/survivors by the other uniformed services;

- d. Initiating internal procedures which will result in the issuance of a personnel order announcing the officer's death;
 - e. Furnishing 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; and
 - f. Reviewing bills from uniformed services mortuary affairs offices for transportation of the remains of retired PHS officers who die while in uniformed services medical treatment facilities, and forwarding valid claims to the Health Services Support Branch, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, for payment.
3. Survivors. The surviving family of a deceased retired officer is responsible for:
- a. Determining the method and place of burial of the deceased. 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 the last retired pay check to CPOD so that a new check may be issued covering only the period through the date of the retiree's death. The check should be returned to the address designated by the SAO.

Section D. Reporting the Death of a Retired PHS Officer

1. Office to Contact. The death of a retired PHS officer should be reported to the SAO in CPOD as soon as possible. The report should be made by calling area code 301-443-4590. Retired officers, their dependents, and the surviving dependents of deceased PHS officers only may call toll-free on 800-638-8744. Calls on this number from active PHS personnel, whether commissioned or civil service, will not be accepted.

2. Information to be Provided. The individual reporting the death of a retired 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 to 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; and
 - e. The funeral arrangements, to include:
 - (1) The name and address of the funeral director; and
 - (2) The time and place of funeral services and burial.

3. SAO Reporting Requirements. After receiving notice that a retired 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 Veterans Administration (VA), at VA Records Processing Center (233), P.O. Box 5020, St. Louis, MO 63113, 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 for benefits that must be filed 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 Deceased Retired PHS Officers

1. Upon receipt of notice that a retired PHS officer has died, the SAO will contact the family/survivors immediately. The SAO will inform the family/survivors of possible benefits they may be eligible to claim from PHS and other Federal agencies, such as VA or SSA.

2. PHS has no authority to pay for funeral costs, burial expenses, transportation of the remains (except as explained in E.3. and 4., below), transportation of any of the family or survivors, or other related expenses upon the death of a retired PHS officer.
3. When an officer becomes a patient in a uniformed services medical treatment facility while serving on active duty for a period of more than 30 days, is retired while continuing as a patient in the facility, and subsequently dies while such a patient, although in retired status, the officer is entitled to the same burial entitlements authorized for a deceased active duty officer under 10 U.S.C. 1481(a)(7). See CCPM Subchapter CC29.5, INSTRUCTION 1 for more information.
4. Pursuant to 10 U.S.C. 1490, if a retired PHS officer dies while admitted to a uniformed services medical treatment facility, PHS will pay for the cost of transportation of the remains from the place of death to the place of burial. This includes an intermediate stop to deliver the remains to the funeral home or mortuary where preparation of the remains will occur and the funeral services will be held; and subsequent transportation of the remains to the place of burial. However, the cost of such transportation may not exceed the cost of transportation back to the deceased's last permanent residence, and transportation may not be to a place outside the United States. Any cost which exceeds what it would have cost to transport the remains from the place of death to the deceased's last permanent residence will be paid for by the deceased's estate.
 - a. When a PHS retiree dies in a uniformed services medical treatment facility, the SAO should be contacted immediately, at 301-443- 4590 (both commercial and FTS calls) or at the toll-free number, 800-638-8744. The SAO will authorize shipment of the remains, as follows:
 - (1) If possible, transportation arrangements should be made and initially paid for by the mortuary affairs office of the uniformed services facility in which the officer died.
 - (a) When transportation of the remains is arranged and paid for by another uniformed service, the uniformed service will follow its applicable regulations and policies concerning such services.
 - (b) When the service has been accomplished, the mortuary affairs office will complete and submit a claim for payment on Standard Form 1080 or 1081, with itemized receipts, to the SAO at Commissioned Personnel Operations Division, Room 4-35, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

- (c) The SAO will review the claim to ensure its correctness and completeness. Any conflict or questions will be referred to the uniformed service submitting the claim for resolution. When the SAO finds the claim valid, he/she forwards it to the Health Services Support Branch (HSSB), Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, for payment. Payment will be authorized by HSSB from the appropriations made for medical care for PHS beneficiaries.
- (2) When the uniformed service facility in which the PHS retired officer dies cannot provide for transportation of the remains, the SAO may authorize the uniformed services facility or the family to obtain these services from the private sector.
- (a) When transportation of the remains is procured from the private sector, the uniformed services facility or family member that arranged for the transportation will submit a claim for reimbursement from PHS in accordance with the procedures described in E.4.a.(1) above.

Section F. Survivor Entitlements

1. If the deceased retired officer participated in the Survivor Benefit Plan, PHS will begin payment of an annuity to the surviving beneficiary as appropriate. For information about the Survivor Benefit Plan and the annuity payable to the designated beneficiary, see CCPM, Subchapter CC29.5, INSTRUCTION 5.
2. The deceased retiree's estate is entitled to receive unpaid PHS retired pay through the date of the officer's death. If a check including retired pay beyond the date of the retiree's death is received, the survivors must return the check to CPOD to the address provided by the SAO and a new check will be issued.
3. If a retired officer's death occurs within 120 days of the date of his/her retirement, PHS will pay a death gratuity of \$3,000 to the surviving dependents of the deceased officer to help defray the immediate expenses of the family until the officer's estate can be settled.

4. The surviving dependents of a deceased retired officer must be issued new identification and privilege cards (ID cards) showing the change in their status. These cards may be issued by ID card issuing officials at any uniformed services facility, or may be issued by mail from the Parklawn Services Center, ID Card Section, 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).
5. No travel or transportation benefits are payable by PHS for any travel performed by the dependents of the deceased retired officer.