

CHAPTER 40

**RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN –
CERTIFICATES OF ELIGIBILITY AND REPORT OF EXISTENCE**4001 ANNUAL CERTIFICATE OF ELIGIBILITY

400101. Purpose. The certificate validates the continued eligibility of annuitants, whether widow or widower, or eligible children. A widow or widower must remain unmarried for continued eligibility. Children must meet prescribed criteria contained in paragraph 350102 of this volume.

400102. Frequency of Certification

A. Annually. A certificate of eligibility must be sent to the DFAS-Denver Center each year by a:

1. Widow or widower of any age. The form must be signed by the widow or widower. If he or she is incompetent, the form must be signed by the legal fiduciary.

2. Custodian or legal fiduciary for minor children.

B. Biennially. A medical certification must be submitted every 2 years for any incapacitated child over 18 years of age, unless a medical prognosis indicates that the disability is permanent.

C. Other. A student between ages of 18 and 23 must provide evidence of intent to continue study or training at a recognized educational institution. The certificate is required for the school semester or other period in which the school year is divided.

1. Payments to students continue during any interval between school years that does not exceed 150 days if the students have demonstrated to the satisfaction of the DFAS-Denver Center that they have a bona fide intention of starting, resuming, or continuing a full-time course of study or training in a recognized educational institution immediately after that interval.

2. An eligible student annuitant under the RSFPP who is properly enrolled in a recognized educational institution employing the usual quarter or semester system, and who becomes ill or requires non-elective surgery during the school term, retains the student status for the rest of that term.

400103. Failure to Return Certificate of Eligibility. The annuity payment is suspended if the annuitant, custodian, or legal fiduciary fails to furnish the certificate as required. Payments will be restarted only after receiving satisfactory proof of eligibility.

4002 REPORT OF EXISTENCE (ROE)

400201. Purpose. The ROE fulfills the requirement for proof of existence for:

A. Annuitants who receive payments through foreign postal channels. Annuity checks mailed to an APO, FPO, or a finance officer or disbursing officer at an overseas address, do not require submission of a report of existence.

NOTE: Do not mail checks to an annuitant living in currency blocked countries. See Appendix A for a list of blocked countries.

B. Mentally incompetent annuitants who receive payments through a legal fiduciary.

C. Annuitants whose payments are sent to a third party, other than a financial institution for negotiation under a power of attorney.

400202. When Required. An ROE is required on a "1 month behind" basis for those annuitants that meet the criteria of subparagraphs 400201.B. and C., above, and semiannually for annuitants identified in subparagraph 400201.A., above. Receipt of the certificate within the above prescribed time frame after issuance of the annuity check verifies the annuitant's existence. Under no circumstances may the ROE be signed by other than the annuitant, custodian, or legal fiduciary.

400203. Failure to Return Report of Existence. The annuity payment is suspended if the annuitant, custodian, or legal fiduciary fails to return the ROE as required. Payments will be restarted only after receiving satisfactory proof of existence.