

From: [Communications, VCF \(CIV\)](#)
To: [Communications, VCF \(CIV\)](#)
Subject: CORRECTION: Replacement Services Policy
Date: Thursday, February 1, 2024 5:05:13 PM
Attachments: [image001.png](#)

This email is sent from an unattended mailbox.

The email sent earlier today mistakenly omitted important information regarding amendments related to replacement services. Please see the additional information provided below.

Good afternoon,

As part of the VCF's effort to reduce the overall timeframe for claims processing and its commitment to increased transparency, we are changing our policy regarding replacement services. As a result, the following updates were recently made to the VCF website:

- Updated Policies and Procedures [Section 2.4\(b\)](#): Replacement Services Loss and [Section 4](#): Appeals and Hearings
- [Document Checklist – Personal Injury](#)
- [Document Checklist – Deceased Claim](#)

What does this mean in a deceased claim? Under the new policy, if we determine that the Personal Representative qualifies for replacement services in a deceased claim, we will award a base amount based on the victim's age at death. The replacement services award will be increased if there is sufficient evidence of minor children, or a special needs child or adult living in the household.

What does this mean in a personal injury claim? In a personal injury claim, we are continuing our longstanding policy of not compensating for the loss of ability to perform household services, with three limited exceptions as detailed in our Policies and Procedures: (1) "Household Manager" exception; (2) "Special Needs" exception; and (3) "Basic Activities of Daily Living" exception.

Does my client still need to submit a replacement services statement? We have made it easier by removing the need for a replacement services statement in most situations and will rely on your claim form responses, although you still need to submit a statement if: (1) you did not already request one of the compensable replacement services categories on the claim form; and (2) you are claiming someone in the household had special needs or if you are claiming a personal injury exception.

When in the claims process does the new policy apply? The new replacement policy will apply to all pending claims, which means all claims (initial or on amendment) for which we

have not yet decided the replacement services award. Any claims seeking replacement services that have not reached “Determination Made: Processing” status as of today’s date will be calculated under the new policy.

Under what circumstances can my client appeal? Appeals will only be allowed in very limited circumstances as described in the Appeals section of the Policies and Procedures.

Will my client be permitted to amend their claim to request that their previous replacement services award be reconsidered under the new policy? No. We also will not allow amendments requesting review of claims for which the VCF denied to award replacement services.

We share the goal of deciding claims quickly and transparently, and these changes support that goal. Please direct any questions to our law firm liaisons at VCF.AttorneyInfo@usdoj.gov.

Thank you.

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