

Reports of the death of an employee, applicant, or beneficiary received from a reliable source are considered first party reports and benefits must be terminated timely. Reliable sources include a representative payee, spouse, close relative, funeral director, physician, attorney, railroad employer, or labor organization. Action should be taken in accordance with one of the following sections, if appropriate.

## 145.5 Deceased Receiving Monthly Payments

When the report of death concerns an individual receiving monthly payments, take action to stop the release of monthly checks (see [FOM-I-115.40](#)), and advise how any subsequent checks received should be returned.

Note: When a report of death concerns a third party individual, who is receiving monthly legal partition payments, complete a First Notice of Death (FNOD) transaction on Application Express (APPLE). Send an email to the RPS Legal Partition group mailbox notifying them of the recipient's death, and advise that the partition amount should be restored to the employee.

The Legal Partition/Garnishment Unit will create a USTAR referral; i.e. "Third Party Died" (TPD). The examiner handling the referral will take action to restore the employee's annuity to its full amount. The examiner has 60 days from the date that the case is assigned to make the adjustment.

## 145.10 Initiating Development for Survivors

When you receive an initial report of death, complete a First Notice of Death (FNOD) transaction on Application Express (APPLE). See [FOM 1581.25.1](#) for instructions.

When returning a check to the U. S. Treasury, enter the following information in the lower left-hand corner of the check above the MICR line:

- Died
- Month and Year
- Your field office number

Also, enter the returned check(s) information on the FNOD transaction to record the return of the check.

If the report of death is from eligible survivors, develop an application and supporting evidence from each prospective applicant for entry on the APPLE system. If you are unable to determine what survivor benefits are payable, if any, based on the resources available to you, use Form RL-94-F as a "lead" form for such development. Send the Form RL-94-F to the nearest known surviving relative, or to

"The Family, or Friends of Family" of the deceased at the last known address. (See FOM 1-1745).

### **145.10.1 Pending And Tracing of Form RL-94-F**

Pend your file for 30 days for return of Form RL-94-F. If it is not returned after 30 days, trace with Form RL-57-B-F. If it is still not returned after the 15 days prescribed on the Form RL-57-B-F, abandon development. Retain the material in the field office file. Do not forward any materials involving the abandonment of the development of survivor applications to headquarters except in the situation where an applicant dies before their application is processed for payment. When an applicant dies before a decision is made on their application, FS will inform the RRB office that has jurisdiction of the application of all the tracing efforts. If tracing efforts have been exhausted, then FS must close the FNOD screen and ensure that APPLE (if applicable) reflects a status of CLOSEDTH for the application. The examiner updates the USTAR category code with a disposition of "DTH: Death – No Action Due to Death."

### **145.10.2 Assignments from HQ**

Upon receipt of a report of death from any source other than a field office, examiners will complete a FNOD transaction (if they have access) on APPLE, entering the appropriate field office's number on the transaction. By doing so, the appropriate field office will be notified through the SURPASS pending list to initiate development. Names and addresses of known survivors, and the appropriate applications to be developed, will be indicated, if possible. If an examiner cannot complete a FNOD then they should contact the appropriate FS and request that the FNOD be established.

### **145.10.3 SSA And CMS Death Match Operations**

The Railroad Retirement Board (RRB) receives monthly files containing death reports from the Social Security Administration (SSA) and the Centers for Medicare & Medicaid Services (CMS) for computer matching processes. The purpose of the computer matches is to help ensure the accurate payment of benefits through prompt investigation of reports of annuitant death and the termination of erroneous payments. The SSA/CMS/RRB Death Match Letters and SSA/CMS/RRB Death Match Suspensions are automated processes that matches PREH database records to the SSA and CMS death files, sends out verification letters (RL-75), and if no reply is received, the system automatically suspends all matched cases 30 days after the release date of the letters.

- A. PEMS-PES UI/SI/Dis/Fld Actions –The SSA/CMS/RRB Death Match is tracked by PEMS-PES UI/SI/Dis/Fld personnel through RRAPID's "DTHMATCH". This program can remove an annuitant from the automated suspension action by entering a "Y" on the "ERRONEOUS NOTICE OF DEATH" field. PEMS-PES UI/SI/Dis/Fld also investigates

referrals created by the automated program to determine if beneficiaries suspended for over 90 days should be terminated.

Once an annuitant's death has been verified, PEMS-PES UI/SI/Dis/Fld will terminate the benefits and create a FNOD transaction. PEMS-PES UI/SI/Dis/Fld will also enter the following message in the remarks section of the FNOD record:

"If DOD is erroneous, please notify the PEMS-PES UI/SI/Dis/Fld Supervisor"

B.

Field Office Actions – The RL-75 letters are released after the 20th of every month and can be viewed in the Imaging system the following day. In the event an erroneous report of death is received, contact the supervisor in PEMS-PES UI/SI/Dis/Fld prior to any reinstatement action to reconcile the erroneous report. The telephone number of the PEMS-PES UI/SI/Dis/Fld supervisor is 312-751-4388.

Field office involvement will be requested only as a last resort, when all attempts by PEMS-PES UI/SI/Dis/Fld to verify the information prove to be unsuccessful. If an assignment is received, the field office is to promptly handle as follows:

- Personally visit the address shown on the annuitant's record.
  - If you are able to see the annuitant and verify their identity when you visit the known address, you know the report of death is erroneous. Contact the PEMS-PES UI/SI/Dis/Fld supervisor of your findings. The telephone number of the PEMS-PES UI/SI/Dis/Fld supervisor is 312-751-4388.
  - If you are unable to see the annuitant because the annuitant is deceased, terminate benefits immediately and contact the PEMS-PES UI/SI/Dis/Fld supervisor of your actions.
- If personal contact cannot be made with the annuitant, proceed to investigate the report of death through reliable sources; e.g. a representative-payee, spouse, close relative, funeral director, physician, attorney, railroad employer, or labor organization.
- If it appears evident that the annuitant is deceased, suspend benefits immediately and contact the PEMS-PES UI/SI/Dis/Fld supervisor of your actions.
- All assignments must be concluded with a definitive report that the annuitant is alive or deceased.

If annuity payments were made after the confirmed date of death, the case is referred for an overpayment determination and recovery action.

## **145.15 Action To Be Taken Upon Return Of Form RL-94-F**

### **145.15.1 Form RL-94-F Indicates Development Not Required**

When the RRB has jurisdiction and the completed Form RL-94-F indicates there are no eligible survivors, image the Form RL-94-F and retain in the field office file. When an applicant dies before a decision is made on their application, FS will inform the RRB office that has jurisdiction of the application of all the tracing efforts. An examiner and their manager will determine if all tracing efforts have been exhausted and if the case should be 'closed' (meaning no decision is rendered). If tracing efforts have been exhausted, then FS must close the FNOD screen and ensure that APPLE (if applicable) reflects a status of CLOSEDTH for the pending application. The examiner updates the USTAR category code with a disposition of "DTH: Death – No Action Due to Death."

### **145.15.2 Possible Payment to Foreign Beneficiaries Indicated**

When information indicates that there are survivors eligible for insurance annuities or an LSDP (Lump Sum Death Payment) who reside in a foreign country, enter the information from the Form RL-94-F and the assignment number of the appropriate field office, i.e. the field office assignment number, on APPLE as indicated in [FOM 145.10](#).

### **145.15.3 RL-94-F Indicates Governmental Unit Eligible**

Forward to headquarters the completed Form RL-94-F and related correspondence when it appears that the only possible beneficiary is a state or local governmental unit (including a state or local government welfare agency) which is equitably entitled to an LSDP but which has made no inquiry concerning the benefit.

NOTE: Do not solicit applications from state or local governmental units, including state or local governmental welfare agencies, which are equitably entitled to LSDPs, except where instructions to do so are received from Headquarters.

It is the policy of the RRB not to solicit applications in such cases unless a residual will be payable, and/or there are other beneficiaries involved. However, an application and any assistance required should be furnished any such governmental unit which is equitably entitled and makes inquiry concerning the benefit. Any county unit in Indiana or Montana that has made an allowance toward the burial expenses of a veteran may not file for reimbursement according to Section 59-1009 of Indiana statutes and Section 71-120 of Montana statutes. See [FOM-I-605](#) for elaboration.

### 145.15.4 RL-94-F Indicates Eligible Survivors

- A. Eligible survivors reside in your area - If there are eligible survivors residing within the territory served by your field office, develop an application and supporting evidence from each prospective applicant.
- B. Eligible survivors reside in another field office area - If a returned Form RL-94-F indicates there are eligible survivors outside of your area, follow the instructions in [FOM I-1581](#) which explain how to enter the information from the RL-94-F on APPLE. Be sure to include the assignment number of the field office serving the area where the eligible survivor is located. The originating field office should retain the original Form RL-94-F if there are eligible survivors located in its area; if not, the original Form RL-94-F, together with any related correspondence, should be forwarded to the office serving the area where most of the survivors reside.

### 145.15.5 Form RL-94-F Indicates Burial Expenses Not Yet Paid

When the Form RL-94-F indicates that there is no survivor eligible for an annuity in the month of death and no widow(er) eligible for the LSDP by virtue of relationship, the B/E has not been paid and shows the person who intends to pay the B/E, contact the person by phone to obtain the information needed to enter an application on APPLE. If you are unable to reach the person by phone, use Form RL-54-F to transmit an application by mail. The letter explains the 2-year filing limitation and how payment can be authorized to the funeral home. Pend the case for 30 days. If no response is received, image and retain both Form RL-94-F and Form RL-54-F in the field office file. Do not forward any materials involving the abandonment of the development of survivor applications to headquarters except in the situation where an applicant dies before the payment of their application. When an applicant dies before a decision was made on their application, FS will inform the RRB office that has jurisdiction of the application of all the tracing efforts. If tracing efforts have been exhausted, then FS must close the FNOD screen and ensure that any pending application reflects a status of CLOSEDTH on APPLE. The examiner updates the USTAR category code with a disposition of "DTH: Death – No Action Due to Death."

### 145.15.6 Referral to SSA

When information furnished in reply to the questions on Form RL-94-F indicates that SSA has jurisdiction, refer the inquirer to the servicing SSA district office. In addition, follow the instructions in [FOM 1581.20](#) to enter or change a current connection on APPLE.

If a person who has been referred to SSA again gets in touch with an RRB office for the purpose of filing a claim because SSA told him or her that no benefits are payable under the Social Security Act, accept and develop the application in APPLE even though it appears that there is no insured status under the Railroad

Retirement Act. The current connection will be verified by headquarters when the application is submitted. No erroneous payment will result from your action.

### **145.15.7 Form RL-94-F Returned as Undeliverable**

When Form RL-94-F is returned as undeliverable, and you have exhausted all means of locating survivors, abandon the case, image the undelivered RL-94F and envelop, and notate the field office file that all reasonable efforts to locate survivors have been unsuccessful. When an applicant dies before a decision is made on their application, FS will inform the RRB office that has jurisdiction of the application of all the tracing efforts. If tracing efforts have been exhausted, then FS must close the FNOD screen and ensure that the application reflects a status of CLOSEDTH on APPLE. The examiner updates the USTAR category code with a disposition of "DTH: Death – No Action Due to Death."

### **145.20 Erroneous Reports Of Death**

An erroneous report of death occurs when an individual is reported to be deceased but is actually alive. The erroneous report may be the result of an administrative error or, if the individual is an annuitant, the erroneous report could be the result of the annuitant's annuity payment being returned by the Postal Service or his or her financial institution (FI), or a PAM termination transaction from SSA.

NOTE: An erroneous report of death does **not** include an "incorrect or discrepant date of death". An incorrect date of death occurs when the individual died but the reported month and/or year of death is earlier or later than the actual month and/or year of death. A discrepant day of death occurs when the reported day of death is earlier or later than the actual day of death. The month and year of death are correct. Also see [RCM 6.6.141](#).

#### **145.20.1 Death Terminations Entered On APPLE**

Death terminations entered on the APPLE system are processed nightly. When an error is discovered, promptly determine what corrective actions are necessary. In some cases, the APPLE FNOD and FAST-S/T transactions can be deleted; avoiding the need to reinstate the annuity.

- Error discovered before APPLE and FAST-S/T processing

If the error is discovered on the same day as the initial entry, but before nightly processing has occurred, the FNOD transaction can be deleted (Refer to the [FOM 1581.25.4](#) for instructions on deleting a pending APPLE FNOD transaction). The deletion of the FNOD on APPLE will also delete the pending transaction on FAST-S/T. This action will prevent the annuity from being terminated and a Death Notification Entry (DNE) from being released to the FI.

- Error discovered after APPLE processing but before FAST-S/T processing

If the error is discovered after nightly processing has occurred and the termination action is still pending on FAST-S/T, the pending transaction can be deleted from FAST-S/T (see [FOM-I-1565.60](#)). This action will prevent the annuity from being terminated.

Additionally, the annuity status on APPLE must be corrected from FNOD to ERRDTH (erroneous death). Indicate in the remarks section of the FNOD screen that the death report was erroneous, i.e. "Date of death of 01-02-14 is erroneous. Annuitant is alive". Refer to [FOM1 1581.25.4](#) for instructions on correcting an APPLE FNOD record.

**NOTE:** If benefits are paid via EFT, a DNE will be released to the FI. The FI's Automated Clearing House (ACH) department must be notified that the DNE was released to them in error, not to return any payments, and to remove any death alert indicators from their records.

- Error discovered after APPLE and FAST-S/T processing

If the error is discovered after nightly processing has occurred and the FAST-S/T transaction has also processed, the annuity will be terminated and must be manually reinstated. Also, the annuity status on APPLE must be corrected from FNOD to ERRDTH (Refer to [FOM1 1581.25.4](#) for instructions on correcting an APPLE FNOD record). The remarks section of FNOD screen must indicate that the death report was erroneous, i.e. "Date of death of 01-02-14 is erroneous. Annuitant is alive".

**NOTE:** If benefits are paid by EFT, a DNE will be released to the FI. The FI's ACH department must be notified that the DNE was released to them in error, not to return any payments, and to remove any death alert indicators from their records.

**IMPORTANT:** The RRB receives death reports from the SSA and CMS computer matching processes (see section [FOM1 145.10.3](#)). These reports are thoroughly investigated by PEMS-PES UI/SI/Dis/Flid. If the following message appears in the remarks sections of the APPLE Notice Of Death screen:

**" IF DOD IS ERRONEOUS PLEASE NOTIFY PEMS-PES  
UI/SI/DIS/FLD SUPERVISOR "**,

the erroneous death report must be reconciled **prior** to any reinstatement action. The telephone number of the PEMS-PES UI/SI/Dis/Flid supervisor is 312-751-4388.

### **145.20.2 Death Terminations Because of Returned Payments or PAM**

If the source of the erroneous report of death is a returned payment or PAM transaction activity, there is nothing to prevent the annuity from being terminated,

even if the activity is waiting to be processed. The annuity will have to be manually reinstated.

**NOTE:** The RRB will not release a DNE to the FI when the source of the erroneous report of death is a returned payment or PAM transaction. However, it is possible for the FI to have received a DNE from another government agency. If the annuitant's benefits were paid via EFT, it is recommended that you notify the FI that the annuitant is not deceased.

### 145.20.3 Erroneous Report of Death of an Employee

If an erroneous report of death is received for an employee who has not yet filed an annuity application, complete and forward RRAILS Form GL-7 (Memorandum – Incorrect Data on Marc or EDM) to Policy & Systems – Compensation & Employer Services Center (P&S-CESC). P&S-CESC will correct the employee's record on the Employment Data Maintenance (EDM) system.

### 145.20.4 Erroneous Report of Death of an Annuitant

If an erroneous report of death is received for an annuitant and the annuity has been terminated, or a returned payment or PAM transaction termination activity is pending, send a “high priority” e-mail message to the Customer Service Representative in the Retirement Benefits Division (RBD) or the Survivor Benefits Division (SBD), depending on the annuitant type. The e-mail message must clearly identify the erroneously terminated annuitant and verify the address and representative payee, if any, information displayed on DATAQ.

**IMPORTANT:** The RRB does not have authority to adjudicate Social Security (SS) benefits certified to the agency for payment without the prior approval of SSA. If the annuitant is receiving an SS benefit paid by the RRB, the terminated SS benefit **cannot** be reinstated unless approval is first received from SSA.

**Exception:** If any of the conditions listed below are met and documented **and**, the RRB did not receive a PAM termination transaction from SSA, the SS benefit can be reinstated without prior approval from SSA:

- The erroneous report of death was due to administrative error, i.e. wrong payee terminated. Document the error in the e-mail message to RBD or SBD Customer Service Representative.
- The FI or postal service returned a payment in error **and** furnished the RRB with a signed statement attesting to the error. Fax the statement to the RBD or SBD Customer Service Representative. The Customer Service Representative will image the statement.
- A second payment was returned for death, based on the first erroneous report of death, after the benefit was reinstated.

- A face-to-face interview was conducted with the annuitant in question by an official representative of the RRB, e.g. contact representative. Documentation must be a written statement by the interviewer, signed by the supervising manager, and faxed to the RBD or SBD, Customer Service Representative. The Customer Service Representative will image the statement.

**NOTE:** If a PAM termination transaction was received, advise the annuitant to contact SSA immediately. Documentation that will support reinstating the benefit should be faxed to the RBD or SBD Customer Service Representative. The Customer Service Representative will fax Form RR-4, *RRB Priority Action Fax Sheet* with an RR-3, *Report of Events Affecting SSA Payment*, to the appropriate SSA Program Center. This will help expedite reinstatement of the SS benefit.

### 145.20.5 Actions by the Field Office

In addition to reporting the erroneous death report to the RBD or SBD Customer Service Representative, field offices are also responsible for the actions described in items a through d below.

- a. APPLE FNOD Record. Field offices are responsible for correcting the APPLE FNOD record and deleting any pending FAST-S/T transactions. See [FOM-I-1565.60](#) for instructions on how to delete a pending FAST-S/T transaction. Refer to [FOM 1581.25.4](#) for instructions on how to correct/delete an APPLE FNOD record.
- b. DNE. If benefits are paid by EFT, a DNE will be released to the FI. Field offices are responsible for telephoning the FI's ACH department and informing them that the reported death was in error, not to return any payments, and to remove any death alert indicators from their records. While most financial institutions will cooperate, field offices should also instruct annuitants to contact their financial institution to ensure the death report is removed. Use the on-line Financial Organization Master File ([FOMF](#)) to obtain the FI's telephone number.

**NOTE:** The RRB will not release a DNE to the FI when the source of the erroneous report of death is a returned payment or PAM transaction. However, it is possible for the FI to have received a DNE from another government agency. If the annuitant's benefits were paid by EFT, it is recommended that you alert the FI that the annuitant is not deceased and to remove any death alerts from their records.

- c. Medicare State Buy-In. Field offices are responsible for releasing Form RL-380-F, State Verification of Medicare Buy-In, to the appropriate State Medicaid agency, if premiums were being paid through State Buy-In.

- d. Securing Documentation. Field offices are responsible for securing the supporting documentation when the erroneous report of death was due to administrative error or a returned payment, and the annuitant is receiving a SS benefit paid by the RRB. The documentation is to be forwarded to RBD or SBD Customer Service Representative.

**NOTE:** If the erroneous report of death is received directly at RRB headquarters, it will be referred to the RBD or SBD Customer Service Representative. The Customer Service Representative will take the actions described above, i.e. delete any pending FAST-S/T transaction, take action to have the application status in APPLE corrected, secure documentation for reinstating the SS benefit, and notify the FI of the erroneous DNE report.

If Medicare is involved and premiums are being paid through State Buy-In, the RBD or SBD Customer Service Representative will advise the Medicare Section that Form RL-380-F must be released.

#### 145.20.6 Actions by the Customer Service Representative

The RBD or SBD Customer Service Representative will set the case up for reinstatement of the annuity by the close-of-business the day following the receipt of the e-mail notice of the erroneous report of death. The customer service representative will also take the actions described below (also see [RCM 6.4.46 F](#)).

- Reinstatement Direct Deposit information, if applicable.
- Notify the payee that the annuity was suspended in error.
- Notify the Debt Recovery Section (DRS) to delete/cancel any pending reclamation action and correct the accounts receivable record.
- Notify the last railroad employer when the employee is erroneously terminated.
- Notify the Medicare Section when Medicare is involved.
- Correct the CHICO master if an interim widow status has been entered erroneously into the record.
- Notify other Headquarters units, i.e. PEMS-PES-RET/SUR/TAX, P&S-CESC, P&S-RAC when applicable.