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CHERYL LUSSIER POPPE
ACTING SECRETARY, DVS

To: All Veterans Service Officers and all Department of Veterans Services Staff

From: Acting Secretary Cheryl Poppe, Department of Veterans Services

Re: MGL Chapter 115 Section 6B Survivor Annuity COVID-19

Date: August 21, 2020

Due to the current COVID-19 global health emergency, the Commonwealth of Massachusetts has lost many of our most vulnerable citizens. Among these losses are the passing of approximately 1,300 veterans statewide who call Massachusetts home. Massachusetts is a national leader in offering benefits for those who have served their country by providing far reaching protections and benefits enacted through Chapter 115 of the Massachusetts General Laws. These protections and benefits have served veterans and their families for many years and in light of the current COVID-19 emergency, the Department of Veterans Services is issuing new guidance on the implementation of the survivor annuity benefit codified in MGL Chapter 115 Section 6A-6C.

As you are aware, the statute provides veterans who suffer certain specifically listed permanent injuries while on active duty with a \$2,000 annual annuity. Essentially, the state annuity benefit provides Massachusetts veterans who receive a service-connected rating of 100% (disability is 100% connected to their service) from the federal Veterans Administration with eligibility for the \$2,000 annual annuity benefit.

The annuity benefit may be transferred to the surviving parents and surviving spouse (if that surviving spouse does not remarry) provided that the veteran who was receiving the annuity died **as a result of injury sustained or disease contracted during active service in time of war or insurrection or combat** (MGL Chapter 115 Section 6B.)

Because Veterans with compromised health may have been at an increased risk of serious outcomes or complications from COVID-19 due to their service connected disability, the

Department of Veterans Services is issuing this guidance to authorizers and veterans service officers who work with families who lost 100% service-connected veterans to COVID-19. **When processing a claim for the survivor annuity, authorizers and veterans service officers should request a letter from the veteran's treating provider stating that the veteran's outcome after contracting COVID-19 may have been exacerbated by the veteran's service-connected disability prior to issuing a decision approving or denying a survivor annuity claim under MGL Chapter 115 Section 6B. If the letter states that the veteran's service-connected disability exacerbated the outcome after contracting COVID-19, assuming all other requirements are met, the application should be approved.**

If you have any questions about this guidance, please feel free to contact our counsel, Matthew Deacon at matthew.deacon@mass.gov. Thank you for all the hard work you do helping our Veterans during these challenging times.



Cheryl Lussier Poppe
Acting Secretary
Department of Veterans' Services