

# Designee for Patient Personal Property – Completion of VA Form 10-10118

## Description

On November 14, 2014, the Department of Veterans Affairs (VA) published a final regulation, AO-41, that amended Title 38 Code of Federal Regulations (CFR) Sections 12.1 through 12.5 and the documentation requirement on the designee for patient personal property.

VA Form 10-10118, Designee for Patient Personal Property, is now requested upon every admission of a competent patient in a VA medical facility.

## Impact

For patients who are admitted at a VA medical facility on or after December 15, 2014, VA will request and encourage a competent patient to designate in writing, using VA Form 10-10118, the individual to whom VA will deliver the patient's funds and effects in the event of the patient's death in the VA medical facility.

**Designee:** The individual named by the competent patient is known as the designee. VA will request VA Form 10-10118 at the time of each admission and the patient can change or revoke the designation in writing, on such form, at any time during that period of care. The completed form must be received by the VA medical facility Director or designee prior to the patient's death for the designation to be effective.

Patients can now designate certain family members previously not considered under 38 CFR § 12.1, this includes:

- spouse
- parent
- child
- step family member
- extended family member; or
- individual who lives with the patient but is not a member of the patient's family.

**Note:** The designee can be a VA employee only when the individual is a member of the patient's family.

**Retention of Patient's Funds and Effects:** Patients are encouraged to only retain funds and effects that are required and necessary during an admission, and to place any other items in the custody of a family member or friend.

**Delivery of Patient's Funds and Effects:** The delivery of the patient's funds or effects to the designee is only a delivery of possession, not the title or legal ownership of such items. If a designee is not named or if the designee is unable or unwilling to accept delivery of the funds and effects in the event of the patient's death, VA will take the appropriate actions under 38 CFR § 12.5.

**Incompetent Patient:** If during an admission, a patient is determined to be incompetent, the designation on VA Form 10-10118 will not change for funds and effects from non-VA sources, unless a court appointed guardian or conservator changes or revokes such designation.

**Note:** If during an admission, the Veterans Benefits Administration determines the patient is incompetent to manage their monetary VA benefits, the designation on VA Form 10-10118 will cease for the disposition of such funds deposited by VA into the Personal Funds of Patients.

## Additional Information

VA Form 10-10118 is available at <http://www.va.gov/vaforms/>.