

## § 8.0

## 38 CFR Ch. I (7–1–16 Edition)

### APPEALS

- 8.30 Appeals to Board of Veterans Appeals.
- 8.31 Total disability for twenty years or more.
- 8.32 Authority of the guardian.
- 8.33 Cash value for term-capped policies.

AUTHORITY: 38 U.S.C. 501, 1901–1929, 1981–1988, unless otherwise noted.

### APPLICATIONS

#### § 8.0 Definitions of terms used in connection with title 38 CFR, part 8, National Service Life Insurance.

(a) *What does the term “good health” mean?* The term *good health* means that the applicant is, from clinical or other evidence, free from any condition that would tend to:

- (1) Weaken normal physical or mental functions; or
- (2) Shorten life.

NOTE TO PARAGRAPH (a): Conditions that would affect “good health” are diseases or injuries or residuals of diseases or injuries. A “residual” is a disability that remains following the original disease or injury.

(b) *What does the term “good health criteria” mean?* The term *good health criteria* means the underwriting standards that determine whether a person is in good health. “Good health criteria” are based whenever possible, as far as practicable, on general insurance usage. “Underwriting” is the process that sets the terms, conditions, and prices for an insurance policy, by rating an applicant’s mortality risk.

(c) *What does the term “organic loss of speech” mean?* The term *organic loss of speech* means the loss of the ability to express oneself, both by voice and whisper, through the normal organs of speech if the loss is caused by physical changes in such organs. The fact that some speech can be produced through the use of artificial appliance or other organs of the body will not impact this definition.

(d) *What does the term “disease or injury traceable to the extra hazards of the military service” mean?* The term *disease or injury traceable to the extra hazards of the military service* means a disease or injury that was either caused by or can be traced back to the performance of duty in the active military, naval, or air service.

(e) *What does the term “guardian” mean?* The term *guardian* means any representative certified by the appropriate Veterans Service Center Manager, under § 13.55 of this chapter, to receive benefits in a fiduciary capacity on behalf of the insured or the beneficiary, or to take the actions listed in § 8.32.

[67 FR 54738, Aug. 26, 2002]

### EFFECTIVE DATE

#### § 8.1 Effective date for an insurance policy issued under section 1922(a) of title 38 U.S.C. (Service-Disabled Veterans’ Insurance).

(a) *What is the effective date of the policy?* The effective date is the date policy coverage begins. Benefits due under the policy are payable any time after the effective date.

(b) *How is the effective date established?* The effective date is the date you deliver both of the following to VA:

- (1) A valid application.
- (2) A premium payment.

NOTE 1 TO PARAGRAPH (b): If your valid application and premium are mailed to VA, the postmark date will be the date of delivery.

NOTE 2 TO PARAGRAPH (b): If a postmark date is not available, the date of delivery will be the date your valid application and premium are received by VA.

(c) *Can you have a different effective date?* Yes, if you would like an effective date other than the date of delivery as described in paragraph (b) of this section, you may choose one of the following three options as an effective date:

(1) The first day of the month in which you deliver your valid application and premium payment to VA. For example, if VA receives your application and premium payment on August 15, you may request an effective date of August 1.

(2) The first day of the month following the month in which you deliver your valid application and premium payment. For example, if VA receives your application and premium payment on August 15, you may request an effective date of September 1.

(3) The first day of any month up to six months prior to the month in which you deliver your valid application and