

Chapter 6

Veterans' Benefits

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SYNOPSIS

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A variety of benefits provided by the U.S. Department of Veterans Affairs (VA) are available to eligible veterans and their families. This chapter focuses on benefits most likely to be of interest to older veterans and their families.

6-1. Disability Compensation

Disability compensation is a monetary benefit paid to veterans who are disabled by injury or disease incurred or aggravated during active military service. The service of the veteran must have been terminated through separation or discharge under conditions other than dishonorable. Disability compensation varies with the degree of disability and the number of dependents, and is paid monthly. The benefits are not subject to federal or state income tax. The payment of military retirement pay, disability severance pay, and separation incentive payments known as SSB (special separation benefits) and VSI (voluntary separation incentives) also affects the amount of VA compensation paid.

Former prisoners of war (POW) are eligible for disability compensation if they are rated at least 10 percent disabled from certain conditions presumed by federal law to be related to the POW experience. Former POWs who were imprisoned for at least 30 days are also eligible by federal law for certain presumptive conditions.

The Specially Adapted Housing Grant is available to severely disabled veterans or service members who are entitled to a home specially adapted for their needs due to loss of mobility. Under this entitlement, a Temporary Residence Adaptation grant (TRA) may be available to veterans who are or will be temporarily residing in a home owned by a family member. Any veteran who is entitled to receive compensation for a service-connected disability for which he or she uses prosthetic or orthopedic appliances may receive an annual clothing allowance. The allowance also is available to any veteran whose service-connected skin condition requires prescribed medication that irreparably damages the veteran's outer garments. Severely disabled veterans who are entitled to a Specially Adapted Housing grant may also be entitled to receive a grant to purchase a vehicle and the adaptive equipment needed so the veteran can access and utilize the vehicle.

Veterans whose service-connected disabilities are rated at 30 percent or more are entitled to additional allowances for dependents. The number of dependents and the degree of disability determines the additional amount.

A veteran who is determined by VA to be in need of the regular aid and attendance of another person, or a veteran who is permanently housebound, may be entitled to additional disability compensation or pension benefits. A veteran evaluated at 30 percent or more disabled is entitled to receive a special allowance for a spouse who is in need of the aid and attendance of another person.

6-2. Pension Benefits

Veterans with low incomes who are permanently and totally disabled, or are age 65 and older, may be eligible for monetary support if they have 90 days or more of active mili-

tary service, at least one day of which was during a period of war. Generally, veterans who entered active duty on or after September 8, 1980, or officers who entered active duty on or after October 16, 1981, may have to meet a longer minimum period of active duty.

Requirements for eligibility to receive pension benefits include the discharge from active duty under conditions other than dishonorable. Permanent and total disability cannot be as a result of the veteran's own willful misconduct. Payments are made to qualified veterans to bring their total income, including other retirement or Social Security income, to a level set by Congress. Unreimbursed medical expenses may reduce countable income.

6-3. Survivor Benefits

Dependency and indemnity compensation (DIC) is a monthly tax-free benefit that may be available to a veteran's survivor. For survivors to be eligible, the deceased veteran must have died from (1) a disease or injury incurred or aggravated while on active duty or active duty for training; (2) an injury incurred or aggravated in the line of duty while on inactive duty training; or (3) a disability compensable by VA. Death cannot be the result of the veteran's willful misconduct. If a spouse remarries, eligibility for benefits ceases, but it may be restored if the marriage is terminated later by death, annulment, or divorce.

DIC also may be authorized for survivors of veterans who, at the time of death, were determined to be totally disabled as a result of military service, even though their service-connected disabilities did not cause their deaths. The veteran must have been discharged under conditions other than dishonorable. The survivor qualifies if (1) the veteran was continuously rated totally disabled for a period of 10 or more years immediately preceding death; (2) the veteran was so rated for a period of at least five years from the date of military discharge; or (3) the veteran was a former POW who died after September 30, 1999, and who was continuously rated totally disabled for a period of at least one year immediately preceding death. Payments are subject to offset by any amount received from judicial proceedings brought on account of the veteran's death.

6-4. Health Care Benefits

VA operates the nation's largest integrated health care system, with more than 1,700 sites of care, including hospitals, community clinics, nursing homes, domiciliaries, readjustment counseling centers, and various other facilities. For additional information on VA health care, visit www1.va.gov/health/index.asp.

Veterans will be assigned to the highest priority group for which they qualify. VA uses the priority group system to balance demand with available resources. Changes in VA's available resources may reduce the number of priority groups VA can enroll. If this occurs, VA will publicize the changes and notify affected enrollees. Veterans will be enrolled to the extent that Congressional appropriations allow. If appropriations are limited, enrollment will occur based on the following priorities:

Priority Group 1: Veterans with service-connected disabilities rated 50 percent or more and veterans determined by VA to be unemployable due to service-connected conditions.

Priority Group 2: Veterans with service-connected disabilities rated 30 or 40 percent.

Priority Group 3: Veterans with service-connected disabilities rated 10 and 20 percent, veterans who are former POWs or were awarded a Purple Heart, veterans awarded special eligibility for disabilities incurred in treatment or participation in a VA vocational rehabilitation program, veterans whose discharge was for a disability incurred or aggravated in the line of duty, and veterans awarded the Medal of Honor.

Priority Group 4: Veterans receiving aid and attendance or house-bound benefits and veterans determined by VA to be catastrophically disabled. Some veterans in this group may be responsible for co-payments.

Priority Group 5: Veterans receiving VA pension benefits or eligible for Medicaid programs, and nonservice-connected veterans and noncompensable, zero percent, service-connected veterans whose annual income and net worth are below the established VA means test thresholds.

Priority Group 6: Compensable zero percent service-connected veterans; veterans exposed to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki; Project 112/SHAD participants; veterans who served in the Republic of Vietnam between January 9, 1962, and May 7, 1975; veterans of the Persian Gulf War who served between August 2, 1990, and November 11, 1998; veterans who served on active duty at Camp Lejeune for at least 30 days between August 1, 1953, and December 31, 1987; and veterans who served in a theater of combat operations after November 11, 1998, as follows:

- Currently enrolled veterans and new enrollees who were discharged from active duty on or after January 28, 2003, are eligible for the enhanced benefits for five years post discharge.
- Combat veterans who were discharged between January 2009 and January 2011 and did not enroll in the VA health care during their five-year period of eligibility have an additional one year to enroll and receive care. The additional one-year eligibility period began February 12, 2015, with the signing of the Clay Hunt Suicide Prevention for America Veterans Act.

Priority Group 7: Veterans with gross household income below the geographically-adjusted income limits (GMT) for their resident location and who agree to pay copays.

Priority Group 8: All other nonservice-connected veterans and noncompensable, zero percent, service-connected veterans who agree to pay co-payments. (Note: Effective January 17, 2003, VA no longer enrolls new veterans in Priority Group 8.)

Veterans enrolling in Priority Group 5 based on their inability to defray the cost of care must provide information on their annual household income and net worth so VA may determine whether they are below the annually adjusted "means test" financial threshold. Veterans completing a financial assessment must report their annual gross household income plus net worth, which includes Social Security, U.S. Civil Service retirement, U.S. Railroad retirement, military retirement, unemployment insurance, any other retirement income, total wages from all employers, interest and dividends, workers' compensation, black lung benefits, and any other gross income for the calendar year prior to application for care. Also considered are assets such as the market value of property that is not the primary residence, stocks, bonds, notes, individual retirement accounts, bank deposits, savings accounts, and cash. VA also is required to compare veterans' financial assessment information with a geographically based income threshold. If the veteran's income is below the threshold where the veteran lives, he or she is eligible for an 80 percent reduction in the inpatient co-payment rates.

Nonservice-connected veterans and noncompensable, zero percent, service-connected veterans whose income is above the national "means test" threshold must agree to pay appropriate co-payments for care. If they do not agree to make co-payments, they are ineligible for VA care. Veterans whose income is determined to be above the means test threshold and below VA's geographically based income threshold are responsible for paying 20 percent of the Medicare deductible for the first 90 days of inpatient hospital care during any 365-day period.

With certain exceptions, a veteran must agree to pay co-payments for extended care. A veteran's application for extended care services (VAF 10-10EC) requires financial information used to determine the monthly co-payment amount, based on each veteran's financial situation.

Prosthetic and Sensory Aid Services

VA will furnish needed prosthetic appliances, equipment, and devices, such as artificial limbs, orthopedic braces and shoes, wheelchairs, crutches and canes, and other durable medical equipment and supplies to veterans receiving VA care for any condition. VA will provide hearing aids and eyeglasses to veterans who receive increased pension based on the need for regular aid and attendance or being permanently housebound, receive compensation for a service-connected disability, or are former POWs. Otherwise, hearing aids and eyeglasses will be provided only in special circumstances, and not for normally occurring hearing or vision loss.

6-5. Services and Aids for Blind Veterans

Blind veterans may be eligible for services at a VA medical center or for admission to a VA blind rehabilitation center. Services are available at all VA medical facilities through the Visual Impairment Services coordinator. In addition, blind veterans enrolled in the VA health care system may receive VA aids for the blind, including:

- 1) A total health and benefits review;
- 2) Adjustment to blindness training;
- 3) Home improvements and structural alterations to homes;
- 4) Specially adapted housing and adaptations;
- 5) Automobile grants;
- 6) Low-vision aids and training in their use;
- 7) Electronic and mechanical aids for the blind, including adaptive computers and computer-assisted devices such as reading machines and electronic travel aids;
- 8) Guide dogs, including the expense of training the veteran to use the dog; and
- 9) Talking books, tapes, and Braille literature.

6-6. Home Improvements

VA provides funding for eligible veterans to make home improvements necessary for the continuation of treatment or for disability access to the home and essential lavatory and sanitary facilities provided.

6-7. Outpatient Dental Treatment

Outpatient dental treatment provided by VA includes examinations and the full spectrum of diagnostic, surgical, restorative, and preventive procedures. Veterans eligible to receive dental care include:

- 1) Veterans having service-connected and compensable dental disabilities or conditions;
- 2) Former POWs;
- 3) Veterans with service-connected, noncompensable dental conditions as a result of combat wounds or service injuries;
- 4) Veterans with nonservice-connected dental conditions determined by VA to be aggravating a service-connected medical problem;
- 5) Veterans having service-connected conditions rated as permanently and totally disabling or rated 100 percent by reason of individual unemployability;
- 6) Veterans participating in a vocational rehabilitation program under Chapter 31 of Title 38 in the U.S. Code;
- 7) Certain enrolled homeless veterans participating in specific health care programs;

- 8) Veterans with nonservice-connected dental conditions for which treatment was begun while the veteran was an inpatient in a VA facility when it is necessary to complete such treatment on an outpatient basis; and
- 9) Veterans requiring treatment for dental conditions clinically determined to be complicating a medical condition currently under treatment.

Recently discharged veterans who served on active duty 90 days or more and who apply for VA dental care within 180 days of separation from active duty may receive a one-time treatment for dental conditions if the veteran's certificate of discharge does not indicate that the veteran received necessary dental care within a 90-day period prior to discharge or release.

6-8. Outpatient Pharmacy Services

While many veterans are exempt from medication copays, nonservice-connected veterans in Priority Groups 7 and 8 and veterans enrolled in Priority Groups 2 through 6 will be responsible for a small copay.

6-9. Nursing Home Care

VA provides nursing home services through three national programs: VA owned and operated nursing homes, state veterans homes owned and operated by the state, and contract community nursing homes. Each program has its own admission and eligibility criteria. VA owned and operated homes typically admit residents requiring short-term skilled care, or who have a 70 percent or more service-connected disability, or who require nursing home care because of a service-connected disability. The state veterans home program is a cooperative venture between VA and states whereby VA provides funds to help build the home and pays a portion of the costs for veterans eligible for VA health care. States, however, set eligibility criteria for admission. The contract nursing home program is designed to meet the long-term, nursing home care needs of veterans who may not be eligible and/or qualify for placement in a VA or state veterans home or if there is no VA or state home available.

To be placed in a nursing home, veterans generally must be medically stable, have a condition that requires inpatient nursing home care, and be assessed by an appropriate medical provider to be in need of institutional nursing home care. They also must meet the eligibility requirements for the home to which they are applying. For VA nursing homes, they may have to pay a co-payment depending on their financial status. VA social workers can help interpret eligibility and co-payment requirements.

In addition to nursing home care, VA offers other extended care services either directly or by contracting with community agencies, including adult day care, respite care, geriatric evaluation and management, hospice and palliative care, and home-based primary care. These services may require co-payment.

6-10. Domiciliary Care

Domiciliary care provides rehabilitative and long-term health maintenance care for veterans who require minimal medical care but do not need the skilled nursing services provided in nursing homes. VA may provide domiciliary care to veterans whose annual income does not exceed the maximum annual rate of VA pension or to veterans the Secretary of Veterans Affairs determines have no adequate means of support. The co-payments for extended care services apply to domiciliary care.

6-11. Medical Care for Dependents and Survivors

CHAMPVA, the Civilian Health and Medical Program of the Department of Veterans Affairs, provides reimbursement for most medical expenses: inpatient, outpatient, mental health, prescription medication, skilled nursing care, and durable medical equipment. To be eligible for CHAMPVA, an individual cannot be eligible for TRICARE (the medical program for civilian dependents, provided by the Department of Defense) and must be one of the following: (1) the spouse or child of a veteran who VA has rated permanently and totally disabled for a service-connected disability; (2) the surviving spouse or child of a veteran who died from a VA-rated service-connected disability, or who, at the time of death, was rated permanently and totally disabled; or (3) the surviving spouse or child of a military member who died in the line of duty, not due to misconduct. However, in most cases, these family members are eligible for TRICARE, not CHAMPVA.

A surviving spouse under age 55 who remarries loses CHAMPVA eligibility on midnight of the date of remarriage. However, eligibility may be re-established if the remarriage is terminated by death, divorce, or annulment, effective the first day of the month after the termination of the remarriage or December 1, 1999, whichever date is later. A CHAMPVA-eligible surviving spouse who is 55 or older does not lose eligibility upon remarriage. Individuals who have Medicare entitlement may also have CHAMPVA eligibility secondary to Medicare. Eligibility limitations apply.

6-12. Burial Benefits

Veterans discharged from active duty under conditions other than dishonorable and service members who die while on active duty, as well as spouses and dependent children of veterans and active duty service members, may be eligible for VA burial and memorial benefits. The veteran does not have to predecease a spouse or dependent child for them to be eligible for benefits.

With certain exceptions, active duty service beginning after September 7, 1980, as an enlisted person, and after October 16, 1981, as an officer, must be for a minimum of 24 consecutive months or the full period of active duty (as in the case of reservists or National Guard members called to active duty for a limited duration). Eligibility is not established by active duty for training in the reserves or National Guard.

Reservists and National Guard members, as well as their spouses and dependent children, are eligible if they were entitled to retirement pay at the time of death, or would have been if they were over age 60.

Burial in a VA national cemetery is available for eligible veterans and their spouses and dependents at no cost to the family, and includes the gravesite, grave liner, opening and closing of the grave, a headstone or marker, and perpetual care as part of a national shrine. For veterans, benefits also include a burial flag (with a case, for active duty veterans) and military funeral honors. Family members and other loved ones of deceased veterans may request Presidential Memorial Certificates.

VA operates 135 national cemeteries, of which 73 are open for new interments (casket and cremation) and 17 accept only cremated remains. Burial options are limited to those available at a specific cemetery but may include an in-ground casket, or interment of cremated remains in a columbarium, in the ground, or in a scatter garden. Surviving spouses of veterans who died on or after January 1, 2000, do not lose eligibility for burial in a national cemetery if they remarry. Burial of dependent children is limited to unmarried children under 21 years of age, or under 23 years of age if a full-time student at an approved educational institution. Unmarried adult children who become physically or mentally disabled and incapable of self-support before age 21, or age 23 if a full-time student, also are eligible for burial.

6-13. Resources

Phone Numbers

Education: (888) 442-4551

Headstones and markers: (800) 697-6947

Health care: (877) 222-8387

Life insurance: (800) 669-8477

Special health issues: (800) 749-8387

TTD: Dial 711

VA benefits: (800) 827-1000

Websites

Burial and memorial benefits: www.cem.va.gov

Department of Defense: www.defense.gov

Education benefits: www.benefits.va.gov/gibill

Federal jobs: www.usajobs.gov

Health care eligibility: www.va.gov/healthbenefits

Home loan guaranty: www.benefits.va.gov/homeloans

Life insurance: www.benefits.va.gov/insurance

Mental health: www.mentalhealth.va.gov

Records: www.archives.gov/st-louis/military-personnel

Returning veterans: www.oefoif.va.gov

Veterans employment and training: www.dol.gov/vets

Veterans preference: www.fedshirevets.gov

Vocational rehabilitation and employment: www.benefits.va.gov/vocrehab

VA benefit payment rates: www.benefits.va.gov/compensation

VA facilities: www2.va.gov/directory/guide/home.asp

VA forms: www.va.gov/vaforms

VA website: www.va.gov

Written Materials

Federal Benefits for Veterans, Dependents and Survivors (2016 edition):

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www.va.gov/opa/publications/benefits_book.asp