

DISABILITY COMPENSATION AND PENSION BENEFITS

You may be eligible for compensation for injuries or illnesses you suffer as a result of active duty or for any you had before service that were made worse because of your active duty service.

What is VA Disability Compensation? Disability Compensation is a benefit paid to a veteran because of injuries or diseases that happened while on active duty or were made worse by active military service. The benefits are tax-free.

How Much Does VA Pay for Disability Compensation? The basic benefits are based on how disabled you are. Your benefits may be increased if:

- You have very severe disabilities to include loss of limb(s).
- You have a spouse, child(ren), or dependent parent(s).
- You have a seriously disabled spouse.

Disability Compensation Topics

Prisoners of War: Former prisoners of war who were incarcerated for at least 30 days are considered eligible for disability compensation if they become at least 10 percent disabled from diseases associated with being held as a prisoner of war.

Agent Orange and Other Herbicides: Nine diseases are considered service-related for compensation purposes for veterans exposed to Agent Orange and other herbicides in Vietnam. They are chloracne, porphyria cutanea tarda, soft-tissue sarcoma, Hodgkin's disease, multiple myeloma, respiratory cancers, non-Hodgkin's lymphoma, prostate cancer, and acute subacute peripheral neuropathy.

Veterans Exposed to Radiation: Veterans exposed to ionizing radiation while on active duty may be eligible for disability compensation if they have disabilities related to that exposure.

Gulf War Related Conditions: Gulf War veterans who suffer from chronic disabilities resulting from undiagnosed illnesses may receive disability compensation. The illnesses must have begun during active duty during the Gulf War or become evident to a degree of 10 percent or more at any time through December 31, 2001.

Allowances for Dependents: Veterans whose service-connected disabilities are rated at 30 percent or more are entitled to additional allowances for dependents. The additional amount is determined according to the number of dependents and the degree of disability. A disabled veteran evaluated 30 percent or more is entitled to a special allowance for a spouse who is in need of the aid and attendance of another person.

Incarcerated Veterans: Va benefits are restricted if a veteran, surviving spouse, child, or dependent parent is convicted of a felony and imprisoned for more than 60 days. The disability compensation paid to an incarcerated veteran is limited to the 10 percent disability rate. Any amounts not paid may be apportioned to eligible dependents. Payments are not reduced when the recipient is participating in a work-release program, residing in a halfway house, or under community control.

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What is Disability Pension? Disability Pension is a benefit paid to wartime veterans with limited income if they are no longer able to work.

Who is Eligible to Receive a Disability Pension?

You may be eligible if:

- You were discharged from service under other than dishonorable conditions, AND
- You served 90 days or more of active duty with at least one day during a period of war, AND
- You have disabilities that keep you from working a regular, full-time job, AND
- Your countable family income is below a yearly limit set by law.

How Much Does VA Pay?

VA pays you the difference between your countable family income and the yearly income limit which describes your situation. This difference is usually paid in 12 equal monthly payments.

Disability Pension Topics

Improved Pension: Veterans with low incomes may be eligible for monetary support if they served 90 days or more of active military service, one day of which was during a period of war. The veteran must be permanently and totally disabled for reasons other than the veteran's own willful misconduct. The pension is reduced by the amount of the countable income of the veteran and the income of the spouse or dependent children. When a veteran without a spouse or child is being furnished nursing home or domiciliary care by VA, the pension cannot exceed \$90 per month.

Protected Pension Programs: Pensioners entitled to benefits as of December 31, 1978, who choose not to receive a pension under the Improved Pension Program continue to receive pension benefits at the rate they were entitled to receive on December 31, 1978, as long as they remain permanently and totally disabled, do not lose a dependent, and their incomes do not exceed the income limitation.

Aid and Attendance or Household: A veteran who is a patient in a nursing home, who is otherwise determined by VA to be in need of the regular aid and attendance of another person, or who is permanently housebound may be entitled to higher income limitations or additional benefits, depending on the type of pension received.

Other Disability Benefits

Automobile Assistance: Veterans and service members qualify for this benefit if they have service-connected loss of one or both hands or feet or permanent loss of use or permanent impairment of vision of both eyes (VA regulations specify how great the impairment must be in order to qualify for this benefit). Veterans entitled to compensation for ankylosis of one or both knees or one or both hips may be eligible for adaptive equipment for an automobile.

Clothing Allowance: 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 damages the veteran's outer garments.

For information on these topics, visit VA's web site at www.vba.va.gov