



Veterans' Benefits: Benefits Available for Disabled Veterans

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Summary

Although U.S. Armed Forces are deployed around the globe, a number of servicemembers are currently serving in the Operation Enduring Freedom (OEF) and Operation Iraq Freedom (OIF) combat zone. As a result of the risks facing these servicemembers, some of them are incurring injuries or illnesses during their active service (or having existing medical conditions worsen as a result of their service). Congress has shown an interest in the treatment of injured servicemembers while undergoing medical treatment and their transition from military to civilian life as veterans. An injured servicemember (or veteran) may require specific types of assistance or benefits to enable him or her to have a better quality of life.

The Department of Veterans Affairs (VA) provides a range of benefits for veterans. However, certain benefits have specifically been created to assist disabled veterans.

Disability compensation provides a monthly cash benefit to veterans whose disabilities resulted from injury or disease contracted in or aggravated by military service. The amount is based on the level disability.

The Vocational Rehabilitation and Employment (VR&E) program is designed to help veterans with service-connected disabilities prepare for, find, and keep suitable jobs. Assistance is also available to help veterans with living skills.

Automobile and special adaptive equipment grants are available to certain disabled veterans and servicemembers to purchase new or used automobiles (or other conveyances) to accommodate a disability.

Clothing allowances are designed for certain veterans entitled to receive compensation for a service-connected disability for which he or she uses a prosthetic or orthopedic device.

Housing grants are provided for constructing an adapted home or modifying an existing home to meet the adaptive needs of certain veterans and servicemembers. Three grants are available for permanent residences, and two grants are available for temporary residences.

Service Disabled Veterans' Insurance (S-DVI) is life insurance for veterans who have received a service-connected disability rating by the VA.

This report provides information on these benefits, including eligibility, history, and the application process. Information regarding spending and the beneficiaries of these benefits is in the Appendix to this report. This report will be updated as new information becomes available.

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Although U.S. Armed Forces are deployed around the globe, a number of servicemembers are currently serving in the Operation Enduring Freedom (OEF) and Operation Iraq Freedom (OIF) combat zone. As a result of the risks facing these servicemembers, some of them are incurring injuries or illnesses during their active service (or having existing medical conditions worsen as a result of their service). Congress has shown an interest in the treatment of injured servicemembers while undergoing medical treatment and their transition from military to civilian life as veterans. An injured servicemember (or veteran) may require specific types of assistance or benefits to enable him or her to have a better quality of life.

The VA provides a range of benefits for veterans who meet certain eligibility criteria. However, certain benefits have specifically been created to assist disabled veterans. Among them are disability compensation, the vocational rehabilitation and employment program, automobile and special adaptive equipment grants, clothing allowances grants, adapted housing grants, and service-disabled veterans' insurance.

This report provides information on these benefits, including eligibility, legislative history, and the application process. The **Appendix** to this report provides a table with the number of beneficiaries and FY2007 outlays (spending) for each of the benefits discussed in this report.

Disability Compensation

Disability compensation provides a monthly cash benefit to veterans who have incurred an injury or disease contracted in, or aggravated by, active military service.¹ The benefit level is determined by the level of disability.² A disability rating is assigned (from 0% to 100% in increments of 10%) by the VA after a physical examination of all body systems for which the veteran is claiming a disability. However, a cash benefit is only provided to veterans with a rating of 10% or more.

The basic benefit amount ranges from \$123 to \$2,673 per month, depending on the disability rating. Additional amounts can be paid in certain circumstances, including severe disabilities or loss of limbs; having a spouse, dependent children,³ or dependent parents; or having a disabled spouse.

Legislative History

Prior to World War I, disability compensation was a component of the pension program based on military service in a particular conflict. The World War Veterans Act of 1924 (P.L. 242), and later codified by P.L. 85-56 and P.L. 85-857 established the modern disability compensation program.⁴

¹ 38 U.S.C. § 1131.

² For more information on the VA's disability rating schedule, see CRS Report RL33991, *Disability Evaluation of Military Servicemembers*, by Christine Scott, Sidath Viranga Panangala, and Charles A. Henning; and for a more thorough description of the rating process, see CRS Report RL33323, *Veterans Affairs: Benefits for Service-Connected Disabilities*, by Douglas Reid Weimer.

³ This includes children between the ages of 18 and 23 attending college.

⁴ For more information on the legislative history of the disability compensation program, see *VA Disability Compensation Program Legislative History December 2004 Report*, by VA Office of Policy, Planning, and Preparedness, pp. 33-39, available at https://www.1888932-2946.ws/vetscommission/e-documentmanager/gallery/Documents/Reference_Materials/LegislativeHistory_12-2004.pdf. (Hereinafter referred to as *VA Disability* (continued...))

Eligibility and Application Process

A veteran may be eligible for disability compensation if (1) the veteran is disabled resulting from personal injury suffered or disease contracted in the line of duty, or for aggravation of a preexisting injury suffered or disease contracted in the line of duty, in the active military, naval, or air service, during a period of war and (2) if the veteran was discharged or released under conditions other than dishonorable from the period of service in which the injury was incurred.⁵ The VA makes a case-by-case determination of whether the discharge was under “conditions other than dishonorable” and can review dishonorable discharges to determine whether the veteran may be eligible for VA benefits.⁶

The application process requires proving a medical diagnosis of current disability, medical evidence of the in-service incident or the worsening of an injury or disease, and a link between the in-service incident or the worsening of a disease and military service. To apply, a veteran completes VA Form 21-526 and provides the following materials: discharge or separation papers (Department of Defense Form DD214 or its equivalent) and dependency records (marriage license and children’s birth certificates). The VA will then review the documentation and schedule an examination for the disability evaluation.

After the examination, a disability rating is assigned. If the rating is 10% or more, the veteran will then receive his or her disability compensation payment at the beginning of the next month.

Vocational Rehabilitation and Employment Program

The Vocational Rehabilitation and Employment (VR&E) program is designed to help veterans with service-connected disabilities prepare for, find, and keep suitable jobs. Veterans with severe service-connected disabilities who cannot immediately consider work are offered other services by the VR&E to improve their ability to live as independently as possible.⁷

Legislative History

The vocational rehabilitation program for veterans began in 1918. With the end of World War I, concerns were raised about ensuring that returning disabled service members be provided a mechanism for resuming productive economic lives. The Vocational Rehabilitation Act (P.L. 65-178), which was enacted by Congress in 1918, provided for “vocational rehabilitation and return to civil employment of disabled persons discharged from military or naval forces of the United States.”⁸

(...continued)

Compensation Program Legislative History December 2004 Report).

⁵ 38 U.S.C. § 1110.

⁶ For a more detailed description of eligibility and the claims process, see CRS Report RL33113, *Veterans Affairs: Basic Eligibility for Disability Benefit Programs*, by Douglas Reid Weimer.

⁷ 38 U.S.C. § 3102.

⁸ *VA Disability Compensation Program Legislative History December 2004 Report*.

Under current law, the VR&E program must provide a number of services including the following:⁹

- a comprehensive rehabilitation evaluation to determine a veteran's abilities, skills, interests, and needs;
- vocational counseling and rehabilitation planning;
- employment services such as job-seeking skills, resumé development, and other work readiness assistance;
- assistance finding and keeping a job (including the use of special employer incentives);
- on-the-job training, apprenticeships, and non-paid work experiences (if needed);
- post-secondary training at a college, vocational, technical, or business school;
- supportive rehabilitation services (including case management, counseling, and referral); and
- independent living services.

Eligibility and entitlement must be established for participation in this program. A veteran who has an employment handicap and is eligible for the VR&E program is entitled to all applicable services.

Eligibility and Application Process

The eligibility process involves a two-step process to establish eligibility and entitlement. To be eligible in the VR&E program, a veteran must (1) have received or will receive a discharge that is other than dishonorable and (2) have a service-connected disability rating of at least 10%.¹⁰

There is a limitation in the period of eligibility. VR&E services may be used up to 12 years from the latter of the following dates:

- date of separation from active military service or
- date the veteran was first notified by the VA of a service-connected disability rating.

The period of eligibility may be extended if a Vocational Rehabilitation Counselor (VRC) determines that a veteran has a serious employment handicap.

After eligibility is established, the veteran meets with a VRC for a comprehensive evaluation to determine whether the veteran is entitled to services. The comprehensive evaluation includes the following:

- an assessment of the veteran's interests, aptitudes, and abilities;

⁹ For more information regarding the services of the VR&E program, see CRS Report RL34627, *Veterans' Benefits: The Vocational Rehabilitation and Employment Program*, by Christine Scott, and Carol D. Davis.

¹⁰38 U.S.C. § 3102.

- an assessment of whether service-connected disabilities impair the veteran's ability to find or hold a job using the occupational skills that he or she has already developed; and
- vocational exploration and goal development.

An entitlement determination is required to enter the VR&E program. On the basis of the results of the comprehensive evaluation, a VRC determines whether a veteran has an employment handicap. A veteran is entitled to services if the veteran is within the period of eligibility, has a 20% or greater service-connected disability rating, and has an employment handicap.

If the service-connected disability rating is less than 20% or if the veteran is beyond the period of eligibility, then a serious employment handicap must be found to establish entitlement to VR&E services.

After the entitlement determination is made, the VRC and the veteran work together to

- select a VR&E program track leading to an employment or independent living goal;
- identify viable employment or independent living service options;
- determine transferable skills;
- explore labor market and wage information;
- identify physical demands and other job characteristics;
- narrow vocational options to identify a suitable employment goal;
- investigate training requirements;
- identify resources needed to achieve rehabilitation; and
- develop an individualized rehabilitation plan to achieve the identified employment or independent living goal.

The rehabilitation plan is an individualized written outline of the services, resources, and criteria that will be used to achieve successful rehabilitation. It is an agreement that is signed by the veteran and the VRC and is reviewed annually to determine whether any changes are needed.

Depending on their circumstances, veterans will work with their VRCs to select one of the following five tracks of services:¹¹

- re-employment;
- rapid employment services for new employment;
- self-employment;
- employment through long-term services; or
- independent living services.

¹¹ For more information on the five tracks of services, see CRS Report RL34627, *Veterans' Benefits: The Vocational Rehabilitation and Employment Program*, by Christine Scott, and Carol D. Davis.

After a rehabilitation plan is developed and signed, a VRC or case manager will continue to work with the veteran to implement the plan to achieve suitable employment or independent living. The VRC or case manager may coordinate services such as tutorial assistance, training in job-seeking skills, medical and dental referrals, adjustment counseling, payment of training allowance, if applicable, and other services as required to achieve rehabilitation.

If a veteran is found to be ineligible for services, the VRC will help him or her locate other resources to address any rehabilitation and employment needs identified during the evaluation. Other resources that the veteran may be referred to include state vocational rehabilitation programs, Department of Labor employment programs for disabled veterans, local agencies providing services for employment or small business development, Internet-based resources for rehabilitation and employment, and information about applying for financial aid.

Automobile and Special Adaptive Equipment Grants

Financial assistance is available to certain disabled veterans and servicemembers to purchase new or used automobiles (or other conveyances) to accommodate a disability. The veteran or servicemember may only receive the automobile grant once in his or her lifetime. The grant is up to \$11,000 and is paid directly to the seller of the automobile to be applied to the total price of the automobile.¹² Certain veterans who need to have a vehicle specially adapted due to their service-connected disability may qualify for the adaptive equipment grant.

Legislative History

P.L. 79-663 in 1946 and P.L. 80-785 in 1948 appropriated funding for helping disabled World War II veterans in purchasing automobiles. The two laws specified a \$1,600 per-vehicle allowance, but they did not place a limitation on the number of cars a veteran could purchase. Because this limitation was not in place, some qualified veterans could not receive benefits due to a shortfall in funding.

In 1950, P.L. 81-798 authorized the VA to pay up to \$1,600 of the costs for disabled World War II veterans to purchase specially adapted automobiles, with a limit of one assisted automobile purchase per veteran. The benefit amount has increased over the years. Most recently, The Transportation Equity Act of the 21st Century (P.L. 105-178) increased the benefit amount from \$5,500 to \$8,000; the Veterans Education and Benefits Expansion Act of 2001 (P.L. 107-103) increased the benefit amount to \$9,000; and the Veterans Benefits Act of 2003 (P.L. 108-183) increased the benefit amount to \$11,000.

Eligibility and Application Process

The adapted automobile grants are available to any veteran or servicemember entitled to compensation as the result of certain injuries incurred or diseases contracted in or aggravated by

¹² 38 U.S.C. § 3902.

active military, naval, or air service. Those specific injuries include the loss or permanent loss of use of one or both feet, one or both hands, or permanent impairment of vision.¹³

Veterans can apply for the grant by submitting VA Form 21-4502 (completing only Section I) to the local VA regional office to establish entitlement. The VA will complete Section II, which certifies eligibility, and return the original to the veteran. The veteran is then responsible for obtaining the invoice from the seller, completing Section III, and submitting the completed form to the local VA regional office.

If the veteran is entitled to adaptive equipment only (i.e., service-connected for ankylosis, or stiff or fixed joints, of the knees or hips), the veteran would complete VA Form 10-1394, *Application for Adaptive Equipment-Motor Vehicle*, and submit it to the local VA medical center. Additionally, VA Form 10-1394 should be completed for approval of equipment not specified on VA Form 21-4502.

Clothing Allowance Grant

The clothing allowance benefit is designed for any veteran who is entitled to receive compensation for a service-connected disability for which he or she uses a prosthetic or orthopedic device. The allowance is also available to any veteran whose service-connected skin condition requires prescribed medication that irreparably damages the veteran's outer garments.

Legislative History

In 1972, Congress mandated under P.L. 92-328 that the VA Administrator shall pay a clothing allowance to each veteran because of a service-connected disability. This law was passed due to disability devices wearing out or tearing up the clothing of the veteran. The allowance was originally set at \$150 per year, but it has been increased by legislation to the current annual level of \$677.¹⁴

Eligibility and Application Process

To apply for the annual clothing allowance, a veteran completes VA Form 10-8678.¹⁵

Enrollment for the benefit is for one year. Each year the enrollment is reviewed and may be renewed depending upon the priority group.¹⁶ Priority groups range from 1 to 8 with 1 being the highest priority for enrollment. This assignment is based on eligibility status, which is determined during the application process.¹⁷

¹³ 38 U.S.C. § 3901.

¹⁴ 38 U.S.C. § 1162. The current level of \$677 was payable beginning on August 1, 2008.

¹⁵ To download this form, go to <https://www.1010ez.med.va.gov/sec/vha/1010ez/>.

¹⁶ For more information regarding this benefit, contact the nearest VA Regional Office.

¹⁷ For more information on priority group assignment, see CRS Report RL33993, *Veterans' Health Care Issues*, by Sidath Viranga Panangala.

Adapted Housing Grants

Housing grants are provided for constructing an adapted home or modifying an existing home to meet the adaptive needs of veterans and totally disabled members of the Armed Forces before discharge or release from the Armed Forces. Three grants are available for permanent residences, and two grants are available for temporary residences. However, the eligibility criteria differs for these five programs (see discussion on “Eligibility and Application Process” below).

Specially Adapted Housing Grant

The specially adapted housing (SAH) grants are for constructing an adapted home or modifying an existing home to meet the adaptive needs of veterans or totally disabled members of the Armed Forces before discharge or release from the Armed Forces. The goal is to provide a barrier-free living environment that affords the veteran or servicemember a level of independent living that he or she may not have otherwise enjoyed. The grant is currently limited to \$60,000 per lifetime.¹⁸

Special Home Adaptation Grant

There is also the special home adaptation (SHA) grant. This grant is used to assist disabled veterans and service members with mobility throughout their homes. This grant is currently limited to \$12,000 per lifetime.

Home Improvements and Structural Alterations Grant

Under the home improvements and structural alterations (HISA) grant program, assistance is provided for any home improvement necessary for the continuation of the disabled veterans and service members' treatment, or for disability access to the home and essential lavatory and sanitary facilities. A HISA grant is available to veterans and service members who have received a medical determination indicating that improvements and structural alterations are necessary or appropriate for the effective and economical treatment of his or her disability. A veteran or service member may receive both a HISA grant and either a SHA or SAH grant.

Temporary Residence Grants

The VA can also provide specially adapted housing grants to disabled veterans and service members temporarily living in a home owned by a family member up to \$14,000 for a SAH or \$2,000 for a SHA grant.¹⁹

Legislative History

In 1948, P.L. 80-702 authorized the VA to pay up to 50% of the cost for a disabled veteran to purchase a new home or modify existing housing to adapt it to accommodate his or her disability.

¹⁸ 38 U.S.C. § 2101.

¹⁹ For more information on active duty adaptive housing grants, see <http://www.homeloans.va.gov/sah.htm>.

The law had a one-year limitation (after discharge) for the entitlement, but this was flexible under specific circumstances. It also gave the VA authority to add other chronic diseases within its eligibility lists.

In 2006, the law made several significant changes to the SAH benefit. An eligible veteran or active duty service member can now use the benefit for up to three occurrences as long as the aggregate granted by the administrator does not exceed the maximum amount allowable.

This benefit extended to previous grant recipients. However, they could obtain subsequent grants to pay for adaptations made prior to June 15, 2006, or to reduce an existing mortgage principal balance for properties acquired prior to June 15, 2006.

The Housing and Economic Recovery Act of 2008 (P.L. 110-289) made several changes related to home modifications for veterans:

- amends eligibility Chapter 21 of Title 38, United States Code, by inserting after Section 2101 that members of the Armed Forces with service-connected disabilities and individuals residing outside the United States are also eligible for adapted housing benefits and assistance;
- adds assistance for members of the Armed Forces with service-connected disabilities residing temporarily in housing owned by a family member;
- amends Section 2101 of Title 38, United States Code, by providing specially adapted housing assistance for individuals with severe burn injuries;
- amends Section 2102A(e) of Title 38, United States Code, by extending assistance for individuals residing temporarily in housing owned by a family member; and
- increases the benefit amount for specially adapted housing for disabled veterans.

The Veterans' Benefits Improvement Act of 2008 (P.L. 110-389) required the Secretary to provide, at no cost, a handbook to veterans of appropriate designs for specially adapted housing. The handbook is to be updated every six years to take into account new or unique disabilities.

Eligibility and Application Process

The SAH benefit is available to veterans and service members who have a service-connected disability due to military service. This service-connected disability must entitle them to compensation for permanent and total disability due to

- the loss or loss of use of both lower extremities, such as to prevent locomotion without the aid of braces, crutches, canes, or a wheelchair;
- blindness in both eyes, having only light perception, plus the loss of use of one lower extremity;
- the loss or loss of use of one lower extremity together with (1) residual of organic disease or injury, or (2) the loss or loss of use of one upper extremity, which also affects the functions of balance or propulsion as to prevent movement without the aid of braces, crutches, canes, or a wheelchair;

- disability due to a severe burn injury; and
- the loss or loss of use of both upper extremities such as to prevent the use of the arms at or above the elbow.

The SHA grant is available to veterans and servicemembers who have service-connected disability due to military service, entitling them to compensation for permanent and total disability due to

- blindness in both eyes with 5/200 visual acuity or less or
- the anatomical loss or loss of use of both hands or extremities below the elbow.

The HISA program is available for both service-connected disabled individuals and non service-connected disabled veterans as detailed below:

- home improvement benefits up to \$4,100 may be provided to service-connected disabled individuals and
- home improvement benefits up to \$1,200 may be provided to nonservice-connected disabled veterans.

To apply for the SAH and SHA grants, a servicemember completes and submits VA Form 26-4555, *Veterans Application in Acquiring Specially Adapted Housing or Special Home Adaptation Grant*, to the local VA regional office. To apply for the HISA grant, the servicemember completes VA Form 10-0103, *Veterans Application for Assistance in Acquiring Home Improvement and Structural Alterations*, and submits it to the local VA medical center.²⁰

Service Disabled Veterans' Insurance (S-DVI)

Service Disabled Veterans' Insurance (S-DVI) is life insurance for veterans who have received a service-connected disability rating from the VA. The basic S-DVI program insures eligible veterans for up to \$10,000 of coverage. Veterans who have basic S-DVI coverage and are totally disabled before age 65 are eligible to have their premiums waived.²¹

If a premium waiver is granted, a totally disabled veteran may apply for additional coverage up to \$20,000 under the Supplemental S-DVI program. Premiums for Supplemental S-DVI coverage, however, cannot be waived. The cost varies depending upon age, type of plan, and the amount of coverage.

Legislative History

The Insurance Act of 1951 (P.L. 85-857) established the Service-Disabled Veterans' Insurance (S-DVI) program for veterans with service-connected disabilities. S-DVI is open to veterans who separated from the service on or after April 25, 1951, who received a service-connected disability

²⁰ For more information, see <http://www.homeloans.va.gov/sah.htm>.

²¹ 38 U.S.C. § 1922.

rating of 0% or greater. The Veterans' Benefit Act of 1992 (P.L. 102-568) adjusted the current program and provided for \$20,000 of supplemental coverage to S-DVI policyholders.²²

To protect veterans who become incompetent from a service-connected disability while eligible to apply for S-DVI and who die before an application is filed, P.L. 85-857 was amended in 1991 by P.L. 102-86. This insurance is issued posthumously, and it is payable to a preferred class of the veteran's relatives in a lump sum.²³

To provide veterans with financial relief from high premium rates at advanced ages, S-DVI term premiums were "capped" at the age 70 renewal rate effective November 1, 2000, by P.L. 106-419. This means that the annual premium for these policies will not exceed \$69.73 per \$1,000 of coverage.

The Veterans' Benefits Improvements Act of 2008 (P.L. 110-389) provided that the costs of administering the insurance program be paid from premiums credited to the fund, and that payments for claims in excess of premiums credited (after administrative expenses are paid) are to be paid from appropriations.

Eligibility and Application Process

To be eligible for S-DVI, a veteran must have²⁴

- received other than a dishonorable discharge;
- been released from active duty after April 25, 1951; and
- received a rating for a new service-connected disability within the last two years.

However, the veteran does not need to have a 100% rating to be eligible. Veterans who receive a new rating of even 0% are eligible for the coverage.²⁵ The veteran must apply for the insurance within two years from the date he or she is notified that service-connection has been established.

S-DVI policyholders are eligible for supplemental coverage if

- they are eligible for a waiver of premiums on their S-DVI policy due to total disability;
- they apply for the coverage within one year from notice of the grant of waiver; or
- they are under age 65.

A veteran applies for the basic S-DVI using the VA Form 29-4364. To apply for the supplemental S-DVI, the veteran must complete VA Form 29-0189 or submit a letter requesting supplemental S-DVI. To receive a total disability waiver of S-DVI premiums, a veteran must fill out VA Form

²² Ibid.

²³ For a definition of the preferred class of veteran's relatives, see *VA Life Insurance Programs for Veterans and Servicemembers 2008 Booklet*, at <http://www.insurance.va.gov/inForceGliSite/GLIhandbook/glibooklet.pdf>.

²⁴ 38 U.S.C. § 1922.

²⁵ A veteran can have a service-connected disability with a rating of 0%.

29-357. Submission of all forms can be done at the local VA regional office or online at the Department of Veteran Affairs website.²⁶

²⁶ For more information on the veteran's insurance application process, refer to <http://www.insurance.va.gov/inForceGliSite/buying/SDVI.htm>.

Appendix. Utilization of Disabled Veterans Benefits

Table A-1. Beneficiaries and Spending on Benefits for Disabled Veterans in FY2007

Benefit	Number of Beneficiaries (in thousands)	Outlays (Spending) (in millions of \$)
Disability Compensation(for veterans)	2,789.5	29,091.2
Vocational Rehabilitation and Education (for veterans, spouses, and certain dependents) ^a	67.2	568.3
Adaptive Automobile and Equipment Grants (for disabled veterans and servicemembers)	8.5	53.4
Clothing Allowances (for veterans)	89.0	58.7
Adaptive Housing Grant (for veterans and disabled servicemembers)	0.8	27.8
Service Disabled Veterans' Insurance(for veterans) ^b	162.6	83.9

Source. Table provided by the CRS compilation of data from the Department of Veteran Affairs (VA), *FY2009 Budget Submission Benefits and Burial Programs and Departmental Administration*, Volume 3 of 4, Table, pp. 2A-2 to 2A-3, 2B-2 to 2B-3, and 2G-10 to 2G11. Available at http://www.va.gov/budget/summary/2009/Volume_3-Benefits_and_Burial_and_Dept_Admin.pdf.

- a. This does not include those receiving VR&E counseling services.
- b. Outlays for Service-Disabled Veterans Insurance are gross outlays. Net outlays after offsetting collections are \$(-8.1) million.

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