

April 15, 2015

**Dear Veteran and Spouse:**

**Subject: Disability Due to Military Service**

**DISABILITY COMPENSATION**

Disability Compensation is a monetary benefit paid to veterans who are determined by the U.S. Dept. of Veteran Affairs to be disabled by an injury or illness that was incurred or aggravated during active military service. These disabilities are considered to be service connected. To be eligible for compensation the veteran must have been separated or discharged under conditions other than dishonorable.

Monthly disability compensation varies with the degree of disability and the number of eligible dependents. Disability compensation benefits are not subject to federal or state income tax.

A determination may be made by the Dept. of Veteran Affairs that a disability is service connected but the degree/severity at the time of examination is such that no compensation is given. That rating is zero percent. The V.A. however will treat that specific medical disability at a U.S. Dept. of Veteran Affairs Medical Facility for no charge. The veteran must comply with V.A. medical enrollment criteria at their V.A. Hospital.

The Dept. of Veteran Affairs assigns percentage of disability for compensation at increments of ten percent. The percentage of disability determination may qualify the veteran for other entitlement such as V.A. Loan or treatment for not service connected medical need etc. Example - rating of 50% or more may result in waiver of co-pay for non-service connected medication.

After receiving a rating the veteran needs to ask the V.A. what entitlements are for the assigned rating. Normally the V.A. forwards an explanation of entitlements but some veterans do not read the notice. Further the veteran must go to a V.A. Medical Hospital to register and be issued an identification card. The reason for this is that the U.S. Dept. of Veteran Affairs has independent elements administering entitlements. The element making the award and paying compensation is not responsible for providing medical care or burial at a V.A. National Cemetery. The award is the authority for the V.A. Hospital to treat the recognized service connected disability.

Each veteran must apply/make a claim to the V.A. Regional Office. It is critical that the veteran justify the claim. The veteran must be specific as to disability i.e. right hand, left foot, etc.. Dates of injury, location, unit of assignment, treatment locations with dates are needed. The V.A. will request the veteran medical folder to verify injury i.e. claim. If there is no in service record then the veteran must seek the aide of a Veteran Service Officer serving the area or a recognized Veteran Organization representative such as the Veteran of Foreign Wars, etc.

There are some presumptions for service connected disability. One example is Agent Orange. The presumptions are explained/listed in the Dept. of Veteran Affairs publications explaining benefits. On line information can be seen at [www.va.gov](http://www.va.gov). Phone inquiry is 1-800-827-1000.

#### **2014 VA DISABILITY COMPENSATION**

Disability Rating	Monthly Rate
10 percent	\$130.94
20 percent	\$258.83
30 percent	\$400.93
40 percent	\$577.54
50 percent	\$822.15
60 percent	\$1041.39
70 percent	\$1312.40
80 percent	\$1525.55
90 percent	\$1714.34
100 percent	\$2858.24

Above monetary amount may change annually as a result of Congressional approval.

Veteran income or assets do not impact amount of monetary compensation paid monthly, as done for pension payment by the V.A. for non-service connected condition. Should a veteran have a criminal conviction then the compensation may be impacted.

### **DEPENDENT COMPENSATION**

A veteran seeking or given a service connected disability rating is encouraged to complete and forward to the V.A. the V.A. form utilized to document name, address etc. of spouse and dependent child(ren). This data may increase monetary compensation for select entitlements. Further upon notice of death to the V.A., the V.A. should send forms or information to advise the spouse of possible entitlement. As situation changes, current data update must be given to the V.A.

Your spouse may be eligible for a monthly payment of \$1233.23 as of July 1, 2014 if the veteran service connected death is directly caused by the disability or injury for which the V.A. had documented the eligibility. The death certificate listing cause of death will be requested by the V.A. to determine if spouse will qualify for the monthly payment. This is not a pension. Therefore asset or income is not a factor. Spouse must apply for compensation.

The spouse of a veteran who was rated totally disabled for ten years or more due to service connected condition at the time of death and the cause of death is not the service connected disability/injury then a spouse may qualify for a monthly payment. Each case of this type is evaluated by the V.A. upon receipt of a claim from the spouse, it is not automatically given.

**Further information Paul R. Bergeron @ 1-781-784-1500 ext. 1180**

Further use [www.v.a.gov](http://www.v.a.gov) or Call 1-800-827-1000