



eligibility



LEGAL HELP FOR VETERANS, PLLC

About the Firm: Fighting Exclusively for Veterans' Rights

Legal Help For Veterans, PLLC is a law firm dedicated to assisting our Nation's veterans receive the veterans disability compensation to which they are entitled based on their service to the country.

The law firm has been assisting veterans since 1998. Our legal staff has decades of experience in dealing with medical disability matters and employs a network of medical specialists many former military physicians, who can ensure your claim has the best likelihood of success. Our staff includes former officers and enlisted personnel, health care professionals, and dedicated individuals.

We have an acclaimed national practice representing veterans from across the country. This representation occurs at the United States Court of Appeals for Veteran Claims, the Board of Veteran Appeals, and the regional offices throughout the country.

Over the years, Legal Help For Veterans has become a trusted name in the legal community for providing services to veterans. Our lawyers are regularly asked by law schools, bar associations, and veterans' service organizations to lecture and train others to practice in this area.



Brigadier General
Carol Ann Fausone (ret.)

Brigadier General Carol Ann Fausone (ret.) served for over 36 years with the U.S. Air Force and Michigan National Guard. As a nurse, her duty assignments took her around the country, and the world, assisting commanders with troop readiness.

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Am I eligible?



- Eligibility for most VA benefits is based upon discharge from active military service under other than dishonorable conditions. Active service means full-time service as a member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, or as a commissioned officer of the Public Health Service, or the National Oceanic and Atmospheric Administration (NOAA). Reservists and National Guard members may also qualify for VA health care benefits if they were called to active duty (other than for training only) by a Federal order and completed the full period for which they were called or ordered to active duty. Veterans who enlisted after Sept 7, 1980, or who entered active duty after Oct. 16, 1981, must have served 24 continuous months or the full period for which they were called to active duty in order to be eligible.
- Dishonorable and bad conduct discharges issued by general court-martial may bar VA benefits. Veterans in prison and parolees must contact a VA regional office to determine eligibility. VA benefits will not be provided to any veterans or dependent wanted for an outstanding felony warrant.
- Certain VA benefits require service during wartime.

Recognized Periods of Wartime

Under the law, VA recognizes these periods of war:

- Mexican Border** period (May 9, 1916, to April 5, 1917, for Veterans who served in Mexico, on its borders, or in adjacent waters)
- World War I** (April 6, 1917, to November 11, 1918)
- World War II** (December 7, 1941, to December 31, 1946)
- Korean Conflict** (June 27, 1950, to January 31, 1955)
- Vietnam War** era for Veterans who served **in the Republic of Vietnam** (November 1, 1955, to May 7, 1975)
- Vietnam War** era for Veterans who served **outside the Republic of Vietnam** (August 5, 1964, to May 7, 1975)
- Gulf War** (August 2, 1990, through a future date to be set by law or presidential proclamation)

Note: Congress has not established formal periods of war for participation in U.S. operations in Lebanon, Grenada or Panama. Service in these theaters alone does not qualify as wartime service. A veteran who did not serve during one of these designated periods is considered to have had peacetime service.

Eligibility Benefits

At a minimum, one must meet one of the following:

- Veteran was discharged from active-duty under other than dishonorable conditions.
- Veteran died while serving on active-duty.
- Veteran served at least 20 years in the National Guard or Reserves and qualified for military retirement pay (or would have qualified, except death occurred before age 60).
- Spouses and dependent children of Veterans who were eligible for burial may also be interred in state Veterans cemeteries.



The DD214

The DD214 is a document that contains a Veteran's separation/discharge documents issued upon a military service member's retirement, separation, or discharge from active-duty. Generally, you need to be discharged under other-than-dishonorable conditions to receive VA benefits. However, some veterans may now be eligible to upgrade their discharge status if they were discharged under other-than-honorable circumstances and that discharge was due to PTSD (Post Traumatic Stress Disorder) symptoms.

I need to replace or obtain my DD214. How do I do that?

If you need to replace or obtain your DD214, contact the
National Personal Records Center:

National Personal Records Center www.archives.gov/st-louis

9700 Page Ave.
St. Louis, MO 63132
(314) 801-0800
(314) 801-9049 (fax)

VA



U.S. Department of Veterans Affairs

Enrollment

For most veterans, entry into the VA Health Care System (VHA) begins by applying for enrollment.

To apply, complete VA Form 10-10EZ, Application for Health Benefits, which may be obtained from any VA health care facility or regional benefits office, online at <https://www.va.gov/vaforms/medical/pdf/10-10EZ-fillable.pdf> or by calling 1-877-222-VETS. Once enrolled, veterans can receive health care at VA health care facilities anywhere in the country.

Enrollment Priority Groups

<u>Priority</u>	<u>Description</u>
Priority 1:	<input type="checkbox"/> Have a service-connected disability that we've rated as 50% or more disabling, or <input type="checkbox"/> Have a service-connected disability that we've concluded makes you unable to work (also called unemployable), or <input type="checkbox"/> Received the Medal of Honor (MOH)
Priority 2:	<input type="checkbox"/> Veterans with VA service-connected disabilities rated as 30% or 40% disabling
Priority 3:	<input type="checkbox"/> Veterans who are Former Prisoners of War (POWs), or <input type="checkbox"/> Veterans awarded a Purple Heart medal, or <input type="checkbox"/> Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty, or <input type="checkbox"/> Veterans with VA service-connected disabilities rated 10% or 20% disabling, or <input type="checkbox"/> Veterans awarded special eligibility classification under Title 38, U.S.C. §1151, "benefits for individuals disabled by treatment or vocational rehabilitation"
Priority 4:	<input type="checkbox"/> Veterans who are receiving aid and attendance or housebound benefits from VA, or <input type="checkbox"/> Veterans who have been determined by VA to be catastrophically disabled
Priority 5:	<input type="checkbox"/> Don't have a service-connected disability, or you have a non-compensable service-connected disability that we've rated as 0% disabling, and you have an annual income level that's below our adjusted income limits (based on your resident zip code), or <input type="checkbox"/> Veterans receiving VA pension benefits, or <input type="checkbox"/> Veterans eligible for Medicaid programs
Priority 6:	<input type="checkbox"/> Have a compensable service-connected disability that we've rated as 0% disabling, or <input type="checkbox"/> Were exposed to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki, or <input type="checkbox"/> Participated in Project 112/SHAD, or <input type="checkbox"/> Served in the Republic of Vietnam between January 9, 1962 and May 7, 1975, or <input type="checkbox"/> Served in the Persian Gulf War between August 2, 1990 and November 11, 1998, or <input type="checkbox"/> Served on active duty at Camp Lejeune for at least 30 days between August 1, 1953 and December 31, 1987 You may also be assigned to priority group 6 if you meet all of the requirements listed below: <input type="checkbox"/> Are currently or newly enrolled in VA health care, and <input type="checkbox"/> Served in a theater of combat operations after November 11, 1998, or were discharged from active duty on or after January 28, 2003, and <input type="checkbox"/> Were discharged less than 5 years ago Note: As a returning combat Veteran, you are eligible for these enhanced benefits for 5 years after discharge. At the end of this enhanced enrollment period, you will be assigned to the highest priority group you qualify for at that time.
Priority 7:	<input type="checkbox"/> Your gross household income is below the geographically adjusted income limits (GMT) for where you live, and who agree to pay copays. View current copay rates
Priority 8:	<input type="checkbox"/> Your gross household income is above VA income limits and geographically adjusted income limits for where you live, and you agree to pay copays. View current copay rates . If you are assigned to priority group 8, your eligibility for VA health care benefits will depend on which subpriority group you are placed in.

<http://www.va.gov/healtheligibility/eligibility/PriorityGroupsAll.asp>

Dependents Care

Eligibility: Spouses and Children of Veterans:

- Have service-connected disabilities that are total and permanent.
- Died as a result of a service-connected disability.
- Suffered from a permanent and total service-connected disability at the time of their death.
- Suffered from a permanent and total service-connected disability at the time of their death.



CHAMPVA Eligibility

To be eligible for CHAMPVA, you cannot be eligible for TRICARE, and you must be in one of these categories:

- The spouse or child of a Veteran who has been rated permanently and totally disabled for a service-connected disability by a VA regional office.
- The surviving spouse or child of a Veteran who died from a VA-rated service-connected disability.
- The surviving spouse or child of a Veteran who was at the time death rated permanently and totally disabled from a service-connected disability.
- The surviving spouse or child of a military member who died in the line of duty, not due to misconduct (in most of these cases, these family members are eligible for TRICARE, not CHAMPVA).

To continue to receive CHAMPVA benefits after age 65, you must meet the following conditions:

- If you turned 65 on or after June 5, 2001, you must be enrolled in Medicare Part A and Part B to remain eligible for CHAMPVA.
- If you turned 65 or older prior to June 5, 2001, and were otherwise eligible for CHAMPVA, and were entitled to Medicare Part A coverage, then you may be eligible for CHAMPVA without having to have Medicare Part B coverage.
- If you turned 65 before June 5, 2001, and have Medicare Part A and Part B, you must keep Part A and Part B to be eligible for CHAMPVA.

For more information about CHAMPVA:

VHA Office of Community Care
CHAMPVA Eligibility
PO Box 469028
Denver CO 80246-9028
800-733-8387



THE VETERAN ADVOCATE, LLC



VETERAN INFORMATION

VETERAN NAME:	
Veteran's DOB:	
Address:	
Telephone Number:	
Social Security #:	
Spouse's Name & DOB:	
Is someone other than Veteran inquiring?	NAME & CONTACT # & RELATIONSHIP

CHECKLIST

<input type="checkbox"/>	Branch of Service: (Army, Marine, Navy, Air Force Coast Guard)	
<input type="checkbox"/>	Years of Service: (Please List YYYY-YYYY, Month if known)	
<input type="checkbox"/>	Status: (Active Duty, Guard, Reservists)	
<input type="checkbox"/>	Does Veteran have DD214?	
<input type="checkbox"/>	Was Veteran "boots on the ground"? War time era? (List era if known)	
<input type="checkbox"/>	Marriage Certificate?	
<input type="checkbox"/>	Death certificate?	
<input type="checkbox"/>	Does Veteran have a disability claim and pension with the VA?	
<input type="checkbox"/>	If YES, what is the % disability rating?	
<input type="checkbox"/>	Is Veteran enrolled in the VA Medical System?	
<input type="checkbox"/>	Medical Needs/Diagnosis:	
<input type="checkbox"/>	Comments:	

The Veteran Advocate • 41700 W. Six Mile Road, Suite 101 • Northville, Michigan 48168
 (734) 780-4770 • General@legalhelpforveterans.com

VA Disability & Appeals

Legal Help For Veterans, PLLC has over twenty years of experience helping veterans apply for service-connected disability benefits and starting their claims, appealing VA decisions, and filing claims for an increased disability rating so veterans can receive a higher level of benefits.

If you were denied service-connection or benefits for any service-connected disease, our firm can help. We can also put you and your family in touch with other critical resources to ensure you receive the treatment that you deserve.

Give us a call at 800-693-4800 or visit us online at www.LegalHelpForVeterans.com.



*“It Is Our Duty To
Protect Those
Who Protected
Us.”*

**-BRIGADIER GENERAL
CAROL ANN FAUSONE (RET.)**



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Warriors for Veterans®