

Eligibility Basics

Eligibility is one of the most difficult challenges for most veterans and dependents to figure out. Eligibility requires for each veteran or dependent to meet specific criteria for each type of benefit that they wish to apply for. To make it more challenging there are also numerous types of benefits that may be available through state or local programs. Each program may have different eligibility criteria for each veterans or dependents.

A common rule is that a veteran must have at least one day of active duty to be eligible for the basic benefits. The rules also differ if the veteran's service is with a Reserve or National Guard component. Eligibility will also be different for veterans and dependents if the veteran's service was performed during a wartime or peacetime period. Eligibility may also be different if the veteran was in a combat area.

It is highly recommended that a veteran or dependent seek out assistance from one of the numerous organizations. Each county in the state of South Dakota has a Veteran Service Officer available for assistance. Typically, a County Veteran Service Officer (CVSO) is located at the county seat for each county. Several CVSO's, work on a part-time basis and are available by appointment only.

The VA has several benefits that veterans or their dependents may qualify for. Several of these programs are grouped together into one of the following categories. Fact Sheets are available for basic information at <http://www.vba.va.gov/VBA/benefits/factsheets/index.asp>

- Compensation & Pension
 - Disability Compensation
 - Pension
 - Survivor Benefits
 - Burial Benefits
- Healthcare (Health & Dental)
- Education
 - Certify Attendance
 - Post 9/11 GI Bill
 - Montgomery GI Bill
 - Dependent's Educational Assistance (Chapter 35)
- Home Loans
 - Certificate of Eligibility
 - Homes for Sale
- Vocational Rehabilitation
 - Vocational Training and Employment Services
 - Educational and Vocational Counseling
 - Vet Success
 - Jobs
- Life Insurance
 - Service members' and Veterans' Group Life Insurance (SGLI/VGLI)
 - Traumatic SGLI
 - Veterans Group Life Insurance
 - Insurance for Disabled Veterans
- Miscellaneous

General Eligibility

Eligibility for most VA benefits is based upon discharge from active military service under other than dishonorable conditions. Active service means full-time service, other than active duty for training, as a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, Environmental Science Services Administration or National Oceanic and Atmospheric Administration, or its predecessor, the Coast and Geodetic Survey. Generally, men and women veterans with similar service may be entitled to the same VA benefits.

Dishonorable and bad conduct discharges issued by general courts-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 veteran or dependent wanted for an outstanding felony warrant.

Certain VA Benefits Require Wartime Service

Certain VA benefits require service during wartime. Under the law, VA recognizes these war periods:

Mexican Border Period: May 9, 1916, through April 5, 1917, for veterans who served in Mexico, on its borders or in adjacent waters.

World War I: April 6, 1917, through Nov. 11, 1918; for veterans who served in Russia, April 6, 1917, through April 1, 1920; extended through July 1, 1921, for veterans who had at least one day of service between April 6, 1917, and Nov. 11, 1918.

World War II: Dec. 7, 1941, through Dec. 31, 1946.

Korean War: June 27, 1950, through Jan. 31, 1955.

Vietnam War: Aug. 5, 1964 (Feb. 28, 1961, for veterans who served "in country" before Aug. 5, 1964), through May 7, 1975.

Gulf War: Aug. 2, 1990, through a date to be set by law or Presidential Proclamation.

Priority Groups

After enrollment, each Veteran may be assigned to a priority group. This helps the VA in assigning workloads. Priority Group information changes periodically. To review current information, go to the VA.gov website to view current information.

<http://www4.va.gov/healtheligibility/eligibility/PriorityGroupsGroup.asp>

Priority Group 1

- Veterans with VA-rated **service-connected** disabilities 50% or more disabling
- Veterans determined by VA to be unemployable due to service-connected conditions

Priority Group 2

- Veterans with VA-rated **service-connected** disabilities 30% or 40% disabling

Priority Group 3

- Veterans who are Former Prisoners of War (POWs)
- Veterans awarded a Purple Heart medal
- Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty
- Veterans with VA-rated **service-connected** disabilities 10% or 20% disabling
- Veterans awarded special eligibility classification under Title 38, U.S.C., § 1151, "*benefits for individuals disabled by treatment or vocational rehabilitation*"
- Veterans awarded the Medal Of Honor (MOH)

Priority Group 4

- Veterans who are receiving **aid and attendance** or **housebound benefits** from VA
- Veterans who have been determined by VA to be **catastrophically disabled**

Priority Group 5

- Non-service-connected veterans and non-compensable service-connected veterans rated 0% disabled by VA with annual income and **net worth** below the **VA National Income Thresholds**
- Veterans receiving VA **pension benefits**
- Veterans eligible for Medicaid programs

Priority Group 6

- World War I veterans
- Compensable 0% service-connected veterans
- Veterans exposed to Ionizing Radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki
- Project 112/SHAD participants
- Veterans exposed to the defoliant Agent Orange while serving in the Republic of Vietnam between 1962 and 1975
- Veterans of the Persian Gulf War that served between August 2, 1990 and November 11, 1998
- 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 5 years post discharge

Veterans discharged from active duty before January 28, 2003, who apply for enrollment on or after January 28, 2008 are eligible for this enhanced enrollment benefit through January 27, 2011

Priority Group 7

- Veterans with gross household income below the geographically-adjusted income threshold (GMT) for their resident location and who agree to pay co-pays

Priority Group 8

- Veterans with income and/or **net worth** above the **VA National Income Thresholds** and the **VA National Geographic Income Thresholds** who agree to pay co-pays

Veterans eligible for enrollment: Non-compensable 0% **service-connected** and:

Sub-priority a: Enrolled as of January 16, 2003, and who have remained enrolled since that date and/or placed in this sub-priority due to changed eligibility status

Sub-priority b: Enrolled on or after June 15, 2009 whose income exceeds the current **VA National Income Thresholds** or **VA National Geographic Income Thresholds** by 10% or less

Veterans eligible for enrollment: Non-service-connected and:

Sub-priority c: Enrolled as of January 16, 2003, and who have remained enrolled since that date and/or placed in this sub-priority due to changed eligibility status

Sub-priority d: Enrolled on or after June 15, 2009 whose income exceeds the current **VA National Income Thresholds** or **VA National Geographic Income Thresholds** by 10% or less

Veterans not eligible for enrollment: Veterans not meeting the criteria above:

Sub-priority e: Non-compensable 0% **service-connected**

Sub-priority g: Non-service-connected

* Veterans assigned to Priority Groups 8e or 8g are not eligible for enrollment as a result of the enrollment restriction which suspended enrolling new high-income veterans who apply for care after January 16, 2003. Veterans enrolled in Priority Groups 8a or 8c will remain enrolled and eligible for the full-range of VA health care benefits.