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CHAMPVA POLICY MANUAL

CHAPTER: 1
SECTION: 2.3
TITLE: BENEFICIARY

AUTHORITY: 38 CFR 3.50, 3.52, 3.53, 3.55, 3.57, (except subsection (d)), 3.58, and 17.270, 17.271; Public Law 93-82 (effective September 1, 1973), and 101-508 Section 8053; **38 USC 1318 and Section 5313B**

RELATED AUTHORITY: **VA-OPGC-ADV 9-97, 1996**

I. EFFECTIVE DATES

The effective beginning date of CHAMPVA eligibility is the later of:

1. the date of the veteran's permanent and total (P&T) rating, or
2. the date of death which qualifies the veteran as an eligible CHAMPVA sponsor, or
3. the date of dependency is considered to be the date of marriage, date of birth certificate, or date of adoption.

II. DEFINITIONS

- A. A beneficiary is a survivor or dependent of an eligible sponsor.
- B. A dependent is the spouse, child, or stepchild of living and deceased sponsors.
- C. A surviving spouse is the widow/widower of the deceased sponsor.

III. POLICY

An eligible beneficiary is entitled to coverage for medical services as described in Chapter 2 of the CHAMPVA Policy Manual.

IV. POLICY CONSIDERATIONS

- A. An Application for CHAMPVA Benefits (VA Form 10-10d) is required.

B. Eligibility for CHAMPVA benefits is not dependent on the Veterans Benefit Administration (VBA) determinations of dependency and benefit entitlement, however, the following actions will be taken:

1. Dependent status must be determined prior to authorization of CHAMPVA benefits. The determination may be made based on receipt of documentation (such as marriage certificate, birth certificate, adoption papers, etc.) from the veteran or dependent. All determinations regarding dependent status will be confirmed through the appropriate Veterans Affairs Regional Office (VARO).

2. If the claimed dependent is not recognized for purposes of VBA entitlement, the Health Administration Center (HAC) will request documentation directly from the veteran and/or dependent to determine status for CHAMPVA benefits.

C. Authorization of CHAMPVA benefits will be terminated upon receipt of documentation (i.e., death certificate, divorce decree, marriage certificate) which supports either ineligibility for or loss of dependent status. Documentation of a change in dependent status will be forwarded to the appropriate VARO.

V. EXCLUSIONS

A. Some exclusions apply for CHAMPVA eligibility when the **beneficiary** is Medicare eligible, see ([Chapter 1, Section 2.6, Medicare](#)).

B. A grandchild, niece, nephew, or cousin unless legally adopted by the sponsor.

C. Parents and parents-in-law.

D. **Beneficiaries** of sponsors who are TRICARE eligible.

E. **Beneficiaries** who are incarcerated, as they have no obligation to pay for medical services, as it is the responsibility of the correctional institution.

F. **A beneficiary who is a fugitive felon. Benefits for the beneficiary will be suspended during this period.**

G. **A beneficiary of a veteran (sponsor) who is a fugitive felon. Benefits for the beneficiary will be suspended during this period.**

END OF POLICY