

## BENEFITS OVERVIEW

**1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) Handbook updates Department of Veterans Affairs (VA) reference information on the health care benefits available to enrolled Veterans and beneficiaries.

**2. SUMMARY OF MAJOR CHANGES:** This revised VHA Handbook provides:

a. Revised definitions, and added new statutory, regulatory and policy references such as: Presumptive Eligibility for Psychosis and Other Mental Illness, Persian Gulf Registry, and Camp LeJeune Veteran Eligibility.

b. Revisions to update program names, phone numbers, electronic links, and to correct grammatical and spelling errors.

**3. RELATED ISSUES:** VHA Handbooks 1601A through 1601D series.

**4. RESPONSIBLE OFFICE:** The Chief Business Office (10NB) is responsible for the contents of this VHA Handbook. Questions may be addressed to 202-382-2500.

**5. RESCISSIONS:** VHA Handbook 1601A.04, dated August 31, 2009, is rescinded.

**6. RECERTIFICATION:** This VHA Handbook is scheduled for recertification on or before the last working day of February 2021.

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## BENEFITS OVERVIEW

### 1. PURPOSE

This Veterans Health Administration (VHA) Handbook provides information on the health care benefits available to enrolled Veterans and other beneficiaries.

**AUTHORITY:** 38 U.S.C. Chapter 17, 7301(b) and 38 CFR 17.38.

### 2. DEFINITIONS

a. **Appeal.** Consists of a timely filed Notice of Disagreement (NOD) in writing and, after a Statement of the Case has been furnished, a timely filed Substantive Appeal (see Title 38 Code of Federal Regulations (CFR) 20.200).

b. **Enrollment.** Enrollment is acceptance of an eligible Veteran into the VA Health Care System and assignment to an enrollment priority group (38 CFR 17.36).

c. **Medical Need.** Medical need is a treatment, procedure, supply, or service considered medically necessary when, in the judgment of an appropriate clinical care provider, and in accordance with generally-accepted standards of clinical practice, the treatment, procedure, supply, or service:

(1) Promotes health by:

(a) Enhancing quality of life or daily functional level:

(b) Identifying a predisposition for development of a condition or early onset of disease, which can be partly or totally improved by monitoring or early diagnosis and treatment: and

(c) Preventing development of future disease.

(2) Preserves health by:

(a) Maintaining the current quality of life or daily functional level;

(b) Preventing progression of disease;

(c) Curing disease; and

(d) Extending life span.

(3) Restores health by restoring the quality of life or the daily functional level that has been lost due to illness or injury.

**NOTE:** For further information, see 38 CFR 17.38.

### 3. SCOPE

This VHA Handbook provides:

- a. An overview of the VA Medical Benefits Package, including information on:
  - (1) Services provided under the VA Medical Benefits Package;
  - (2) Availability of care;
  - (3) Centers of Excellence;
  - (4) Eligibility for care; and
  - (5) Preventive care services.
- b. Information on services covered under special authorities;
- c. Information on excluded services and benefits; and
- d. Information on the appeals process.

#### 4. OVERVIEW OF THE VA MEDICAL BENEFITS PACKAGE

##### a. **Services Included in the VA Medical Benefits Package.**

(1) VA's Medical Benefits Package, as specified in 38 CFR 17.38, outlines those benefits that are included in the medical benefits package.

(2) The medical benefits package emphasizes preventive and basic care and offers a full range of outpatient and inpatient services, including routine medical and surgical services for Veterans enrolled in the health care system.

(3) There are limitations to services related to sensori-neural aids, such as: eyeglasses, contact lenses, hearings aids, as specified in 38 CFR 17.149.

b. **Availability of Care.** The VA Medical Benefits Package is generally available to all enrolled Veterans regardless of the Veteran's priority group. The Veteran's preferred facility is responsible for establishing policy and procedures for coordination of services not available locally or at another VA health care facility within the Veterans Integrated Service Network (VISN).

c. **Centers of Excellence.** Centers of Excellence have been established throughout the VA Health Care System for specialized programs, such as Transplants, Neurology, Spinal Cord Injury, Sexual Trauma Treatment, and Polytrauma.

d. **Eligibility for Care.** To be enrolled in the VA Health Care System, the Veteran must be eligible to receive VA benefits. The Veteran, at a minimum, must meet the following requirements:

(1) The definition of a Veteran in accordance with Title 38 United States Code (U.S.C.) 101(2);

(2) The definition of active duty in accordance with 38 U.S.C. 101(21); and

(3) The definition of minimum length of active-duty service in accordance with 38 U.S.C. 5303A, exceptions as outlined in 38 U.S.C. 5303A.

**NOTE:** For more information on eligibility, see VHA Handbook 1601A.02 and for more information on enrollment, see VHA Handbook 1601A.03.

e. **Preventive Care Services.** The VA Medical Benefits Package preventive care services include:

(1) Periodic medical exams;

(2) Health education, including nutrition education;

(3) Maintenance of drug-use profiles, drug monitoring, and drug use education;

(4) Mental health and substance abuse preventive services;

(5) Immunization against infectious disease;

(6) Prevention of musculoskeletal deformity or other gradually-developing disabilities of a metabolic or degenerative nature;

(7) Genetic counseling concerning inheritance of genetically-determined disease;

(8) Routine vision testing and eye-care services; and

(9) Periodic re-examination of members of high-risk groups for selected diseases and for functional decline of sensory organs, and the services to treat these diseases and functional declines.

f. **Services Covered Under Special Authorities.** Even if not enrolled in the VA health care system, a Veteran may be eligible for certain VA care and services not included in the “medical benefits package” if authorized by statute. Veterans must qualify for these services on a case-by-case basis (See Appendix A).

## 5. EXCLUDED SERVICES AND BENEFITS

In accordance with 38 CFR 17.38, VA does not provide the following services or benefits:

a. Abortions or abortion counseling;

b. In-vitro fertilization;

c. Drugs, biologicals, and medical devices not approved by the FDA, unless the treating medical facility is conducting formal clinical trials under an Investigational

Device Exemption (IDE) or an Investigational New Drug (IND), unless the drugs, biologicals, or medical devices are prescribed under a compassionate use exemption;

d. Gender alteration;

e. Hospital and outpatient care for a Veteran who is either a patient or inmate in an institution of another government agency, if that agency has a duty to give the care or services. This exclusion does not apply to Veterans who are released from incarceration in a prison or jail into a temporary housing program (such as a community residential re-entry center or halfway house);

f. Health club or spa membership; and

g. Cosmetic (plastic) surgery that is not medically necessary.

**NOTE:** To comply with the Joint Commission, required care must be provided by a licensed or accredited professional staff. For more information on excluded benefits, see the VA Web site at [http://www.va.gov/healthbenefits/access/medical\\_benefits\\_package.asp](http://www.va.gov/healthbenefits/access/medical_benefits_package.asp).

## 6. APPEALS

a. **Reconsideration of a Denied Claim or Benefit that may be Appealed to the Board of Veterans Appeals.** When a Veteran disagrees with a determination made by VA to deny a claim or benefit that is appealable to the Board, the Veteran, or a designated representative of a Veteran, may request that the local VA health care facility reconsider the determination. **NOTE:** Reconsideration is the first step for Veterans to take when they disagree with a VA determination. For further information see 38 CFR 17.133 and current VHA policy.

b. **Appeal of a Denied Claim or Benefit that may be Appealed to the Board of Veterans Appeals.** When a Veteran is not satisfied with the results of a reconsideration by VA, the Veteran, or the designated representative of a Veteran, may formally appeal the determination to deny a claim or benefit by filing a Notice of Disagreement. **NOTE:** For more information on appeals, see 38 CFR 17.132, 38 CFR 17.133, and VHA Directive 1032.

c. **Who Can Request Reconsideration or Appeal a Denied Claim or Benefit?** Any individual who disagrees with the initial decision denying any claim, in whole or in part, may request a reconsideration or appeal of the denied claim or benefit. All requests for reconsideration or appeal of a determination concerning a denied claim or benefit must be in writing and include a date and signature.

### d. **What Decisions Can Be Reconsidered or Appealed?**

(1) Any administrative determination issued by a VA health care facility concerning claims for benefits that are appealable to the Board of Veterans Appeals (BVA), i.e., eligibility determinations, claims for reimbursement of unauthorized non-VA care or treatment, or beneficiary travel, may be reconsidered, or appealed. **NOTE:** Individuals

*who wish to initiate this process are encouraged to seek reconsideration before initiating the more formal appellate procedures.*

(2) In accordance with 38 CFR 20.101(b), Appellate Jurisdiction of Determinations of the Veterans Health Administration, VHA clinical decisions concerning a Veteran's need for medical care or the type of medical treatment needed in a particular patient case are not within BVA's jurisdiction; as a result, such clinical decisions may not be appealed to the Board of Veterans Appeals.

(3) **Appealing Clinical Decisions.** It is VHA policy that patients or their representatives must have access to a fair and impartial review of disputes regarding clinical determinations or services that are not resolved at the facility level. **NOTE:** *For further information regarding the Clinical Appeals Process refer to current VHA policy. For more information on appeals, see VHA Directive 1032, Health Benefit Appeals Processing on the VA Web site at <http://www.va.gov/vhapublications/>.*

**SERVICES COVERED UNDER SPECIAL AUTHORITIES**

The following are other authorities for the provision of care. This is not a complete list. Please consult title 38, United States Code, and title 38, Code of Federal Regulations, and related guidance, as applicable.

<b>Special Services</b>	<b>Authority</b>	<b>Other Sources of Information</b>
Adult Day Health Care (ADHC) Program	a. 38 U.S.C. 1720(f)(1)(A), Transfer for nursing home care; ADHC. b. 38 U.S.C. 1730, Community residential care. c. 38 U.S.C. 1741, Criteria for payment; § 1742, Inspections of such homes; and 1743, Applications State homes.	(1) VHA Handbook 1141.03, and  (2) Department of Veterans Affairs (VA) Web site at: <a href="http://www.va.gov/geriatricsshg">http://www.va.gov/geriatricsshg</a>
Agent Orange Exposure Registry Examination, Ionizing Radiation Exposure Treatment Examination Persian Gulf Registry	a. 38 U.S.C. 1710(e)(1), Eligibility for hospital, nursing home, and domiciliary care. b. Public Law (Pub. L.) 99-576 232 (1986), Ionizing Radiation Registry.	(1) VHA Handbook 1303.02  (2) VA Web site at: <a href="http://www.va.gov/agentorange/docs/AOIB10-49JUL03.pdf">http://www.va.gov/agentorange/docs/AOIB10-49JUL03.pdf</a> , and  (3) VA Web site at: <a href="http://www.vba.va.gov/bln/21/benefits/Herbicide/index.htm">http://www.vba.va.gov/bln/21/benefits/Herbicide/index.htm</a> .
Health Care Benefits for children of certain Vietnam Veterans who have spina bifida or other birth defects	38 U.S.C. 1803, 38 U.S.C. § 1813 and 38 CFR 17.901 Provision of health care.	VA Web site at: <a href="http://www.va.gov/hac">http://www.va.gov/hac</a>
Beneficiary Travel (including ambulance)	a. 38 U.S.C. 111 Payments or allowances of beneficiary travel. b. 38 CFR Part 70.	VHA Handbook 1601B.05
Bereavement Counseling	a. 38 U.S.C. 1783, Bereavement Counseling b. 38 CFR 17.98 Mental Health Services.	



<b>Special Services</b>	<b>Authority</b>	<b>Other Sources of Information</b>
Blind Veteran's Services	a. 38 U.S.C. 1714 Fitting and training in use of prosthetic appliances; guide dogs; service dogs. b. 38 CFR 17.154 Dog-guides and equipment for the blind.	(1) VHA Handbook 1174.01  (2) VA Web site at: <a href="http://www.va.gov/blindrehab">http://www.va.gov/blindrehab</a>

Special Services	Authority	Other Sources of Information
<p>Combat Veteran Eligibility</p> <p><b>NOTE:</b> <i>Combat Veterans who were discharged or released from active service on, or after, January 28, 2003, are eligible to enroll and receive care at no cost for any condition that may be related to their combat service for VA health care for a period of 5 years from the date of discharge or release; they are placed in Priority Group (PG) 6 (unless eligible for enrollment in PG 1 through 5). Combat Veterans who apply after 5 years from the date of their discharge, or release from active duty will be enrolled into the highest Priority Group for which they are eligible.</i></p>	<p>(a) 38 U.S.C. 1710(e)(1)(C), (D) Eligibility for hospital, nursing home, and domiciliary care.</p> <p>(b) <a href="#">U.S. Public Law 114-2</a>, Clay Hunt Suicide Prevention for American Veterans Act</p>	

Special Services	Authority	Other Sources of Information
Readjustment Counseling	38 U.S.C. 1712A Eligibility for readjustment counseling and related mental health services.	VHA Directive 1500, VHA Handbook 1500.01
Dental (Limited Care)  <b>NOTE:</b> National Defense Authorized Act (NDAA) 2008, amended the one-time dental and extended the time period for all recently discharged Veterans meeting the requirements, from 90 days to 180 days post-discharge.	a. 38 U.S.C. 1712, <i>Dental care; drugs and medicine for certain disability Veterans; vaccines.</i> b. 38 CFR 17.160, Authorization of dental examinations; 17.161, Authorization of outpatient dental treatment; 17.162, Eligibility for class II dental treatment without rating action; 17.163, Post hospital outpatient dental treatment; 17.164, Patient responsibility in making and keeping dental appointments; <a href="#">17.165</a> , Emergency outpatient dental treatment; <a href="#">17.166</a> , Dental services for hospital or nursing home patients and domiciled members.	<a href="#">VHA Handbook 1130.01</a>
Depleted Uranium Registry	Pub. L. 102-585 § 703(b)(2)	(1) VHA Handbook 1303.4 (2) VHA Handbook 1303.1

Special Services	Authority	Other Sources of Information
<p>Mental Health Residential Rehabilitation Treatment Services (MH RRTP)</p> <p>(Including Domiciliary Limited Care)</p>	<p>a. 38 U.S.C. 1710(b) <i>Eligibility for hospital, nursing home and domiciliary care</i></p> <p>b. 38 CFR 17.43 Persons entitled to hospital or domiciliary care; 17.46(b) <i>Eligibility for hospital, domiciliary or nursing home care of persons discharges or released from active military, naval, or air service, 17.47(b)(2)</i> Considerations applicable in determining eligibility for hospital, nursing home or domiciliary care.</p> <p>c. 38 U.S.C. 2032 Therapeutic housing, authorizes the Compensated Work Therapy Transitional Residence Program (CWT/TR).</p> <p>d. 38 CFR 17.48 Compensated Work Therapy/Transitional Residences program.</p>	<p>VHA Handbook 1162.02</p>

Special Services	Authority	Other Sources of Information
Non-VA Medical Care Program	<p>a. <a href="#">38 U.S.C. 1703</a>, Contracts for authorized hospital care and medical services in non-Department facilities</p> <p>b. <i>38 U.S.C. 7409</i>, Contracts for scarce medical specialist services.</p> <p>c. <i>38 U.S.C. 8111</i>, Sharing of VA and Department of Defense (DoD) health care resources</p> <p>d. <i>38 U.S.C. 8153</i>, Sharing of health care resources.</p> <p>e. <i>38CFR 17.52</i>, Hospital care and medical services in non-VA care facilities.</p> <p>f. <a href="#">38 CFR 17.55</a> Payment for authorized public or private hospital care, and <a href="#">17.56</a>, Payment for non-VA physician and other health care professional services.</p> <p>g. <i>38 U.S.C. 1725</i> Reimbursement for the emergency treatment,</p> <p>h. <i>38 CFR 17.1000</i> et seq. Payment or reimbursement for emergency services for non-service-connected conditions in non-VA facilities</p> <p>i. <i>38 U.S.C. 1728</i>, Reimbursement for certain medical expenses,</p>	VHA Directive 1601

Special Services	Authority	Other Sources of Information
continued	<p>j. <i>38 CFR 17.120</i> et seq. Payment or reimbursement of the expenses of hospital care and other medical services not previously authorized - <i>17.132</i>, Appeals, <i>17.1002</i>, Substantive conditions for payment or reimbursement, <i>17.1003</i>, Emergency transportation; <i>17.1004</i>, Filing claims; <i>17.1005</i>, Payment limitations, <i>17.1006</i>, Decision makers; <i>17.1007</i>, Independent right of recovery; and <i>17.1008</i>, Balance billing prohibited.</p> <p>k. <i>38 U.S.C. 1786</i>, Care for newborn children.</p>	
Extended Care	<i>38 U.S.C. 1710B</i> Extended care services	<p>(1) VA Web site at: <a href="http://www.va.gov/geriatricss/hg/">http://www.va.gov/geriatricss/hg/</a></p> <p>(2) VHA Handbook 1140.07</p> <p>(3) VHA Handbook 1176.02</p>
Sensory-neural aids, such as eyeglasses, contact lenses and hearing aids	<p>a. <i>38 U.S.C. 1707(b)</i>, Eligibility for hospital, nursing home and domiciliary care,</p> <p>b. <i>38 CFR 17.149</i>, Sensory-neural aids</p> <p>c. <i>38 CFR 17.38(a)(1)(viii)</i>, Medical Benefits Package which cross-references <i>17.149</i> (limitations)</p>	
Fisher House	<p>a. <i>38 U.S.C. 1708</i>, Temporary lodging,</p> <p>b. <i>38 CFR Part 60</i>, Fisher Houses</p>	VHA Handbook 1110.01

Special Services	Authority	Other Sources of Information
Foreign Medical Care	<p>a. 38 U.S.C. 1724, Hospital care, medical services and nursing home care abroad</p> <p>b. 38 CFR 17.35, Hospital care and medical services in foreign countries</p>	<p>(1) VHA Handbook 1601F.05</p> <p>(2) VA Web site at: <a href="http://www.va.gov/hac/forbeneficiaries/fmp/fmp.asp">http://www.va.gov/hac/forbeneficiaries/fmp/fmp.asp</a></p>
Homeless Programs	<p>38 U.S.C. Chapter 20, Benefits for Homeless Veterans</p>	<p>VA Web site at: <a href="http://www1.va.gov/homeless/page.cfm?pg=2">http://www1.va.gov/homeless/page.cfm?pg=2</a></p>
Treatment for head and neck cancers possibly associated with Nose/Throat Radium Exposure	<p>38 U.S.C. 1720E, Nasopharyngeal radium irradiation</p>	<p>VHA Handbook 1601A.02</p>
Nursing Home Care (Limited Care)	<p>a. 38 U.S.C. 1720 Transfers for nursing home care; adult day health care</p> <p>b. 38 U.S.C. 1710, 1710A are authorities for VA nursing home care</p> <p>c. 38 CFR 17.46, Eligibility for hospital, domiciliary or nursing home care of persons discharged or released from active military, naval, or air service; 17.47, Considerations applicable in determining eligibility for hospital, nursing home or domiciliary care.</p> <p>d. 38 CFR 17.57 Use of community nursing homes, 17.60 Extensions of nursing home care <i>beyond six months</i>.</p>	<p>VHA Handbook 1142.01</p>
Project 112/Shipboard Hazard and Defense (SHAD) Participants	<p>38 U.S.C. 1710(e)(1)(E), Eligibility for hospital, nursing home, and domiciliary care.</p>	<p>(1) VHA Handbook.1601A.02</p> <p>(2) VA Web site at: <a href="http://www.va.gov/shad/">http://www.va.gov/shad/</a></p>

Special Services	Authority	Other Sources of Information
Prosthetic (Medical Equipment)	a. <i>38 CFR 17.150</i> , Prosthetic and similar appliances  b. <i>38 CFR 17.38(a)(1)(viii)</i>	(1) VHA Handbook 1173.08 (2) VHA Handbook 1173.2
Sexual Trauma Counseling and Appropriate Care	<i>38 U.S.C. 1720D</i> Counseling and treatment for sexual trauma.	(1) VHA Handbook 1601A.02 (2) VHA Handbook 1160.01 (3) VHA Directive 2010-033
Medical Care for Vocational Rehabilitation Participants and Certain Pension Recipients	a. <i>38 U.S.C. Chapter 31</i> , Training and Rehabilitation for Veterans with Service-Connected Disabilities.  b. <i>38 CFR 17.90</i> , Medical care for Veterans receiving vocational training under <i>38 U.S.C. Chapter 15</i> ; and <i>38 CFR 17.91</i> , Protection of health care eligibility.	
Camp Lejeune Veteran Eligibility	a. <i>38 U.S.C. 1710(e)(1)(F)</i> Eligibility for hospital, nursing home, and domiciliary care.  b. <i>38 CFR 17.400</i> . Hospital care and medical services for Camp Lejeune veterans	1.VHA Handbook 1601A.02 2.VHA Handbook 1601A.03
Presumptive Eligibility for Psychosis and Other Mental Illness	a. <i>38 U.S.C 1702</i> , Presumptions: psychosis after service in World War II and following periods of war; mental illness after service in the Persian Gulf War  b. <i>38 CFR 17.109</i> , Presumptive eligibility for psychosis and mental illness other than psychosis	VHA Handbook 1601A.02