



INCARCERATED VETERANS

CAN A VETERAN RECEIVE VA BENEFITS WHILE IN PRISON?

VA can pay certain benefits to Veterans who are incarcerated in a Federal, State, or local penal institution; however, the amount we can pay depends on the type of benefit and reason for incarceration. This fact sheet provides information about the benefits most commonly affected by imprisonment.

HOW WILL IMPRISONMENT AFFECT THE PAYMENT OF:

VA Disability Compensation

Your monthly payment will be reduced beginning the 61st day of your imprisonment for a *felony*. If your payment before you went to prison was greater than the 10 percent rate, your new payment amount will be at the 10 percent rate. If you were receiving the 10 percent rate before you were imprisoned, your new payment will be half the 10 percent rate. Compensation benefits are not reduced if imprisoned for a *misdemeanor*.

VA Disability Pension

If you are imprisoned in a Federal, State, or local penal institution as the result of conviction of a *felony* or *misdemeanor*, your pension payment will be discontinued effective on the 61st day of imprisonment following conviction.

ARE YOU ELIGIBLE FOR VA MEDICAL CARE WHILE IMPRISONED?

Incarcerated Veterans do not forfeit their eligibility for medical care; however, current regulations restrict VA from providing hospital and outpatient care to an incarcerated Veteran who is an inmate in an institution of another government agency when that agency has a duty to give the care or services.

VA may provide care once the Veteran has been unconditionally released from the penal institution. Veterans interested in applying for enrollment into the VA healthcare system should contact the nearest VA healthcare facility upon their release.



Disabilities determined by VA to be related to your military service can lead to monthly non-taxable compensation, enrollment in the VA health care system, a 10-point hiring preference for federal employment and other important benefits. Ask your VA representative or Veterans Service Organization representative about Disability Compensation, Pension, Health Care, Caregiver Program, Career Services, Educational Assistance, Home Loan Guaranty, Insurance and/or Dependents and Survivors' Benefits.



U.S. Department
of Veterans Affairs

CAN YOUR DEPENDENT(S) RECEIVE ANY OF THE MONEY NOT PAID DURING IMPRISONMENT?

VA can take all or part of the benefits you are not receiving and apportion it to your spouse, child or children, and dependent parents on the basis of individual need. They should contact the nearest VA regional office for details on how to apply. They will be asked to provide income information as part of the application process.

WHEN WILL VA BENEFITS BE RESUMED?

Veterans may inform VA to have their benefits resumed within 30 days or less of their anticipated release date based on evidence from a parole board or other official prison source showing the Veteran's scheduled release date.

Your award for compensation or pension benefits shall be resumed the date of release from incarceration if the VA receives notice of release within one year following release. Depending on the type of disability, VA may schedule you for a medical examination to see if your disability has improved. You will need to visit or call your local VA regional office for assistance.

Note: You are considered to have been released from incarceration if you are paroled or participating in a work release or half-way housing program.

For More Information, Call Toll-Free 1-800-827-1000 or Visit Our Web Site at <http://www.va.gov>

