

Caregiver Benefits

<https://bmvetlaw.participoll.com/>



Learning Objectives

Learn about **obtaining and disputing benefits** under VA's Caregiver Support Program (CSP), intended to promote the health and well-being of family caregivers who care for our Veterans, through education, resources, and support:

- Learn about the requirements to **receive and to appeal** VA caregiver benefits.
- Learn about the **different types** of VA caregiver benefits.

The Caregiver and MISSION Acts

- 2010: The **Caregiver Act** became law:
 - Established the Program of Comprehensive Assistance for Family Caregivers (PCAFC).
- 2018: Amended by the **MISSION Act**, effective October 1, 2020:
 - Directed VA to expand coverage without increasing costs by adopting **stricter eligibility requirements**.
- VA's PCAFC website: [Caregiver.va.gov/](https://caregiver.va.gov/)



PCAFC: Where it Sits & Why it's Different

- PCAFC sits in the Veterans Health Administration (VHA)
 - Healthcare model
- Decisions rely heavily on:
 - Clinical interviews (subjective interviews)
 - Medical Documentation (objective)
 - Functional limitations, clinical records, provider input)

Service Requirements

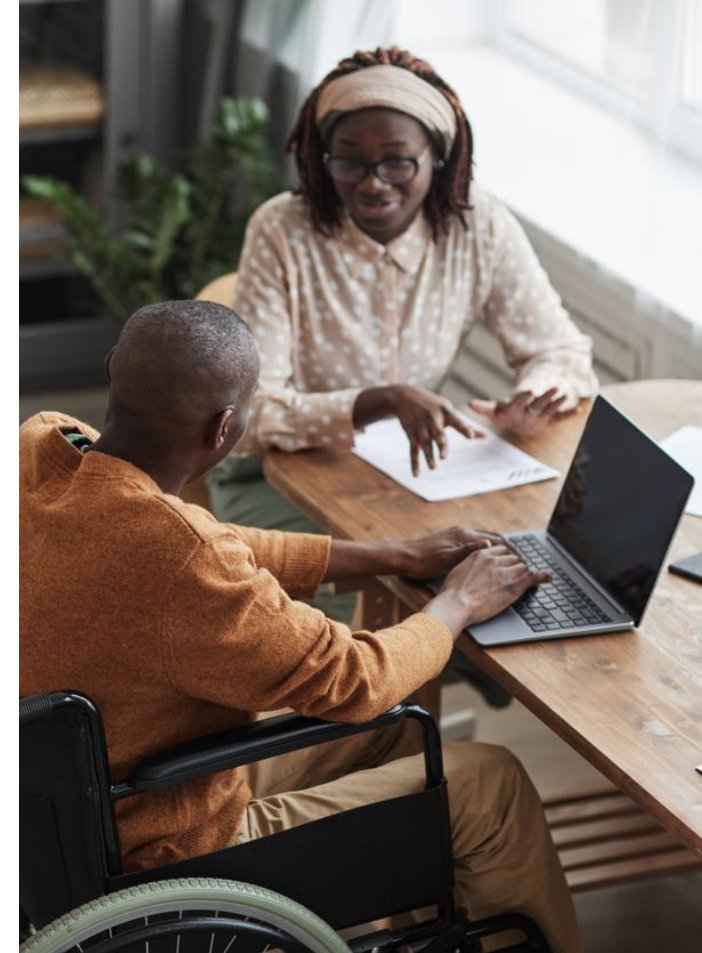


- Program originally limited to Veterans who have a serious injury incurred or aggravated in the line of duty **on or after September 11, 2001.**
- October 2020: Expanded to Veterans whose in-service injury occurred **or on or before May 7, 1975.**
- October 2022: Expanded to include **all time periods.**

The Legacy Caregiver Program

A “legacy participant” is a Veteran who VA found eligible for caregiver benefits prior to October 1, 2020. Caregiver benefits are unrelated to AMA.

- Mar. 2022: VA halted implementation of new requirements after it appeared that 90 percent of existing program members would lose VA caregiver benefits.
- Sept. 2022: Legacy benefits extended to **Sept. 2025**.^{*}
 - <https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5822>
- VA may revise the requirements again.



Seven Basic Requirements

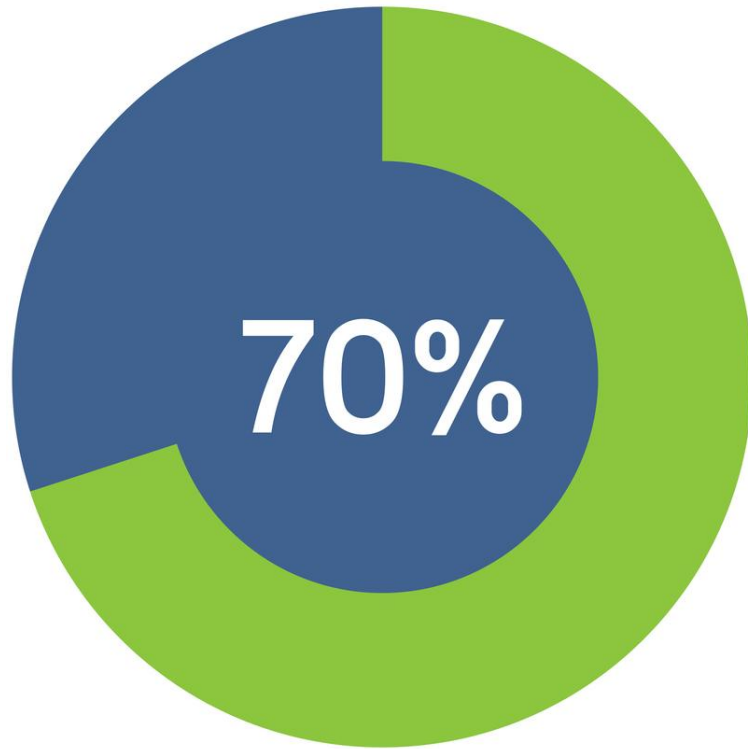


For details, visit VA:

https://www.caregiver.va.gov/pdfs/FactSheets/CSP_Eligibility_Criteria_Factsheet.pdf#

1. Eligible individual is a Veteran.
2. Serious injury.
3. Needs assistance with an activity of daily living (ADL) or needs continuous supervision, protection or instruction.
4. Best interest of the Veteran.
5. Care provided by Family Caregiver.
6. Care provided at home.
7. Ongoing medical care from a VA Primary Care Team.

Serious Injury



- “Serious injury” = a combined VA service-connected disability rating of 70% or higher.
- No VA requirement that the disabilities be of any particular type or origin.
- No VA requirement that the need for care be traceable to the service-connected disabilities.

Advocacy Tip: Look in VBMS and review the Veteran’s “code sheet” listing the Veteran’s conditions and VA combined disability rating.

Activities of Daily Living (ADLs)

Assistance with **one or more** activity
(Each and every time):

- Dressing or undressing.
- Bathing.
- Grooming.
- Adjusting any special prosthetic or orthopedic appliance.
- Toileting or attending to toileting.
- Feeding oneself.
- **Mobility.**
38 C.F.R. § 71.15



Supervision, Protection & Instruction (SPI)

- Medication Management
- Self-Preservation
- Self-Neglect
- Risk of Neglect
- Safety Inside the Home
- Safety Outside the Home
- Delusions/Hallucinations
- Agitation
- Impulsivity
- Self-Direction

Unable to Self-Sustain



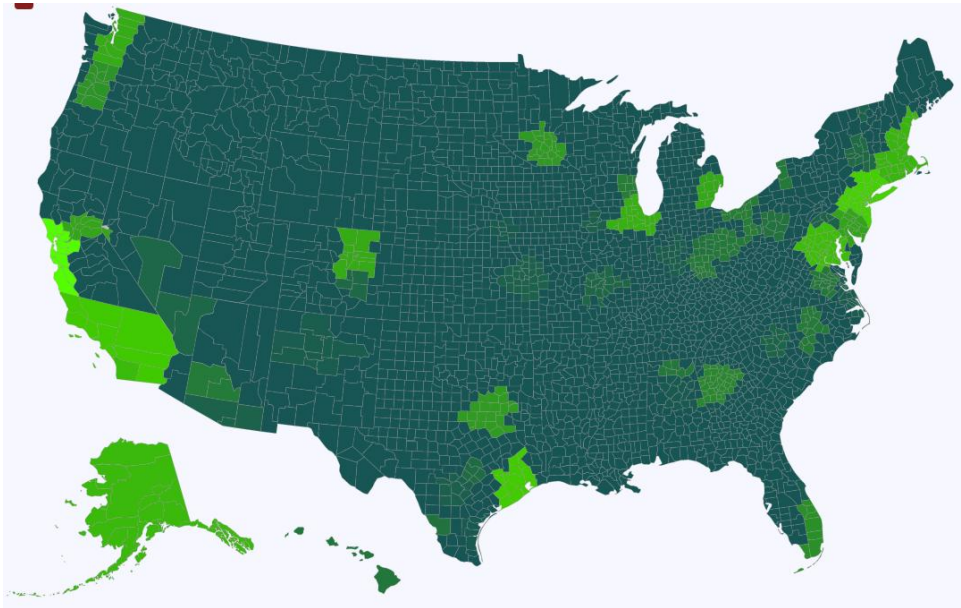
- Higher VA benefit available.
- Fully dependent on caregiver for ***at least three*** activities of daily living; **or**
- Needs supervision, protection, or instruction, which is defined as:
 - “a functional impairment that directly impacts [their] ability to maintain his or her personal safety on a daily basis.”

Family Caregivers

- Up to three “family” members.
 - One must be designated as primary.
 - Spouse, child, parent, step-family member, or extended family member; **or** someone who lives with Veteran.
- At least 18 years old.
- Complete education and training.
- In-home assessment required.



Monthly Stipend Benefit



Key Metro Areas:

Indianapolis, IN: +18.15%
Washington, DC: +33.94%
Omaha, NE: +18.23%
Dallas, TX +27.26%

- Monthly stipend rate based on GS-4 salary of government employee adjusted for location. See 38 C.F.R. § 71.15.
 - 58 different localities in the federal system. Up to 46.34% higher (San Francisco).
- Level 1: Veteran needs assistance with at least one ADL but not “unable to self-sustain.”
 - 62.5% of GS 4 salary = Base \$1,619.95/month in 2026.
- Level 2: Veteran unable to self-sustain.
 - 100% of GS 4 salary = Base \$2,591.92/month in 2026.

Additional Caregiver Benefits

- Civilian Health and Medical Program of the Department of Veterans Affairs ([CHAMPVA](#)), **only for primary caregiver.**
- Mental health counseling.
- Travel benefits when traveling with the Veteran to appointments.
- At least 30 days of respite care annually.
 - “24-hour-per day care of the eligible veteran commensurate with the care provided by the Family Caregiver to permit extended respite.”



Additional Caregiver Benefits – 2

The screenshot shows the U.S. Department of Veterans Affairs website. The header includes the VA seal, the department name, and a link to the Veterans Crisis Line. A navigation bar lists various topics: Health, Benefits, Burials & Memorials, About VA, Resources, Media Room, Locations, and Contact Us. The main content area is titled "VA Caregiver Support Program" and "Caregivers Support Line (CSL)". It features a "QUICK LINKS" section with options like Hospital Locator, Health Programs, and A-Z Health Topics. A central banner for the "VA Caregiver Support Line" displays the toll-free number 1-855-260-3274 and operating hours: Monday-Friday, 8 a.m.-10 p.m. ET, and Saturday, 8 a.m.-5 p.m. ET. Below this, text describes the support line as a toll-free number for caregivers and family members. A sidebar on the right contains a "NEED HELP?" section with links to "Caregiver Support", "FIND YOUR CAREGIVER SUPPORT COORDINATOR", and "CARING FOR A VETERAN?".

U.S. Department of Veterans Affairs

Get help from Veterans Crisis Line >

Health Benefits Burials & Memorials About VA Resources Media Room Locations Contact Us

VA » Health Care » VA Caregiver Support Program » Caregivers Support Line (CSL)

VA Caregiver Support Program

▼ Caregiver Program
► More Health Care

Caregivers Support Line (CSL)

QUICK LINKS

- Hospital Locator
- Health Programs
- Protect Your Health
- A-Z Health Topics

VA Caregiver Support Line
1-855-260-3274 (toll-free)
Monday-Friday, 8 a.m.-10 p.m. ET
Saturday, 8 a.m.-5 p.m. ET

VA's National Caregiver Support Line is a toll-free number for caregivers, family members, friends, Veterans, and community partners to contact for information related to caregiving and available supports and services.

Call VA's Caregiver Support Line at 1-855-260-3274 to learn more about the support that is available to you and for assistance connecting with the [Caregiver Support Team](#) at your local VA Medical Center.

Caregiver Support Line Expanded Hours:
- Monday-Friday 8:00 a.m. to 10:00 p.m. ET
- Saturday 8:00 a.m. to 5:00 p.m. ET

NEED HELP?

- Caregiver Support 855-260-3274
- FIND YOUR CAREGIVER SUPPORT COORDINATOR
- CARING FOR A VETERAN? Program of Comprehensive Assistance for Family Caregivers

- The Caregiver Support Program (CSP) provides the primary family caregiver access to expert legal and financial planning services.
- Improved communication for Caregivers to get information about their claim or appeal: Caregiver Support Line (CSL) 1-855-260-3274.

Visit website: [Caregiver.va.gov](https://www.caregiver.va.gov)

General Caregiver Benefit

VA Rules for **Non-Family Caregiver**:

- Does not live with Veteran.
- **No stipend.**
- General Caregiver eligible for:
 - Training,
 - Counseling, and
 - Respite care.



Applying for Caregiver Benefits



**Veterans Health
Administration**

- Veteran must be enrolled in VHA health care using [VA Form 10-10EZ](#).
- VA Application for Family Caregivers, use [VA Form-10-10CG](#).
- Submit forms to your local VHA Caregiver Support Team (keep a copy):
https://www.caregiver.va.gov/support/New_CSC_Page.asp
- Or apply online:
<https://www.va.gov/family-member-benefits/apply-for-caregiver-assistance-form-10-10cg/introduction>

VA Form 10-10CG

- Requires basic information about the Veteran **and** the caregiver.
- Must include name of VHA medical facility where Veteran receives health care services.
- May also include information to designate a secondary caregiver.

Important Note: This VA form applies only for Family Caregivers and no other VA benefit.

Estimated Burden: 15 min.
OMB Number 2900-0768
Expiration Date: 04/30/2024

Department of Veterans Affairs **APPLICATION FOR THE PROGRAM OF COMPREHENSIVE ASSISTANCE FOR FAMILY CAREGIVERS**

Attention: Complete the application and mail it to Program of Comprehensive Assistance for Family Caregivers, Health Eligibility Center, 2957 Clairmont Road NE, Ste 200, Atlanta, GA 30329-1647. You may also mail or hand carry it to your local VA Medical Center Caregiver Support Coordinator (CSC) for processing. Individuals may apply online at <https://www.va.gov/family-member-benefits/comprehensive-assistance-for-family-caregivers>. VA does not provide the Program of Comprehensive Assistance for Family Caregivers to individuals residing outside the 50 states, the District of Columbia, and the U.S. Territories.

SECTION I - VETERAN

*Last Name	*First Name	Middle Name
Social Security Number/Tax Identification Number	*Date of Birth (MM/DD/YYYY)	Sex ☐ Male ☐ Female
*Current Street Address		
*City	*State	*Zip Code
*Primary Telephone Number (Including Area Code)		Alternate Telephone Number (Including Area Code)
Email Address		
*Name of VA medical center or clinic where you receive or plan to receive health care services:		
Name of facility where you last received medical treatment: ☐ Hospital ☐ Clinic		

Federal Laws (18 U.S.C. 287 and 1001) provide for criminal penalties for knowingly submitting false, fictitious or fraudulent statements or claims.

I certify that I give consent to the individual(s) named in this application to perform personal care services for me (or if the Veteran's Representative, the Veteran) upon being approved as a Primary and/or Secondary Family Caregiver(s) in the Program of Comprehensive Assistance for Family Caregivers. I certify that the information provided in this form is correct and true to the best of my knowledge and belief.

*Veteran or Representative Signature	*Date (MM/DD/YYYY)
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SECTION II - PRIMARY FAMILY CAREGIVER APPLICANT

*Last Name	*First Name	Middle Name
Social Security Number/Tax Identification Number	*Date of Birth (MM/DD/YYYY)	Sex ☐ Male ☐ Female
*Current Street Address		
*City	*State	*Zip Code
*Primary Telephone Number (Including Area Code)		Alternate Telephone Number (Including Area Code)
Email Address		*Relationship to Veteran (e.g., Spouse, Parent, Son, Daughter, Grandchild, Other)
*Do you have health care coverage (e.g., private insurance, CHAMPVA, Medicare, Medicaid or Tricare)? ☐ Yes ☐ No		

Federal Laws (18 U.S.C. 287 and 1001) provide for criminal penalties for knowingly submitting false, fictitious or fraudulent statements or claims.

PCAFC Process

- Psychosocial Interview
 - Explores living situation, support system, mental and emotional health, and caregiver dynamics.
- Functional Assessment Interview
 - Evaluates what the Veteran can or cannot do in daily life, including ADL's safety, and level of supervision needed.
- PCM PCAFC Questionnaire
 - Primary Care Manager provides medical input on conditions, functional impact, and need for caregiver support.
- CEAT Team Determination
 - Caregiver Eligibility and Assessment Team reviews all information and make a clinical determination.



Common Denials

- Missing objective evidence
- Conflicting medical notes
- PCM Questionnaire not completed
- Missed or unsubmitted private medical records/outside objective evidence.



Disputing a VHA Denial of Caregiver Benefits

- Previously, VA only allowed appeals of these benefits through the VHA Clinical Review Process.
- A 2021 Court case, *Beaudette*, held that denials of Caregiver benefits can be appealed through VA's Board of Veterans' Appeals.

Advocacy Tip: After a VHA denial, Veterans can appeal for Caregiver benefits through any of the AMA lanes.

OMB Approved No. 2900-0674
Respondent Burden: 30 Minutes
Expiration Date: Mar. 31, 2025

VA U.S. Department of Veterans Affairs		DECISION REVIEW REQUEST: BOARD APPEAL (NOTICE OF DISAGREEMENT)	
PART I - PERSONAL INFORMATION			
1. VETERAN'S NAME (First, middle initial, last)		2. VETERAN'S FILE NUMBER	3. VETERAN'S DATE OF BIRTH
4. IF I AM NOT THE VETERAN, MY NAME IS (First, middle initial, last)		5. MY DATE OF BIRTH (If I am not the Veteran)	
6. MY PREFERRED MAILING ADDRESS (Number and street or rural route, P.O. Box, City, State, ZIP Code and Country)			☐ I AM EXPERIENCING HOMELESSNESS
7. MY PREFERRED TELEPHONE NUMBER (Include Area Code)	8. MY PREFERRED E-MAIL ADDRESS	9. MY REPRESENTATIVE'S NAME	
PART II - BOARD REVIEW OPTION (Check only one)			
10. A Veterans Law Judge will consider your appeal in the order in which it is received, depending on which of the following review options you select. (For additional explanation of your options, please see the attached information and instructions.)			
☐ 10A. Direct Review by a Veterans Law Judge: I do not want a Board hearing, and will not submit any additional evidence in support of my appeal. (Choosing this option often results in the Board issuing its decision most quickly.)			
☐ 10B. Evidence Submission Reviewed by a Veterans Law Judge: I have additional evidence in support of my appeal that I will submit to the Board with my VA Form 10182 or within the 90 days of the Board's receipt of my VA Form 10182. (Choosing this option will extend the time it takes for the Board to decide your appeal.)			
☐ 10C. Hearing with a Veterans Law Judge: I want a Board hearing and the opportunity to submit additional evidence in support of my appeal that I will provide within 90 days after my hearing. I want the hearing type below: (Choosing this option will extend the time it takes for the Board to decide your appeal.)			
☐ Central Office Hearing (I will attend in person in Washington, DC)			
☐ Videoconference Hearing (I will go to a Regional Office)			
☐ Virtual Telehearing (I will attend using an internet-connected device) (Important: Provide your e-mail address and Representative in Part I)			
PART III - SPECIFIC ISSUE(S) TO BE APPEALED TO A VETERANS LAW JUDGE AT THE BOARD			
11. Please list each issue decided by VA that you would like to appeal. Please refer to your decision notice(s) for a list of adjudicated issues. For each issue, please identify the date of VA's decision and the area of disagreement (e.g., service connection, disability evaluation, or effective date of award).			
☐ Check here if you are including a request for an extension of time to file the VA Form 10182 due to good cause and then attach additional sheets explaining why you believe there is good cause for the extension.			
☐ Check here if you are appealing a denial of benefits by the Veterans Health Administration (VHA).			
A. Specific Issue(s)		B. Date of Decision	
C. Additional Issue(s)			
☐ Check here if you attached additional sheets. Include the Veteran's last name and the file number.			
PART IV - CERTIFICATION AND SIGNATURE			
I CERTIFY THAT THE STATEMENTS ON THIS FORM ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.			
12. SIGNATURE (Appellant or appointed representative) (Ink signature)			13. DATE SIGNED

VA FORM 10182 MAR 2022

PENALTY: THE LAW PROVIDES SEVERE PENALTIES WHICH INCLUDE A FINE, IMPRISONMENT, OR BOTH, FOR THE WILLFUL SUBMISSION OF ANY STATEMENT OR EVIDENCE OF A MATERIAL FACT, KNOWING IT TO BE FALSE.

Disputing a VHA Denial – 2

- If you disagree with VHA's denial of Caregiver's benefits, you can file one of the following:
 - Supplemental Claim (VA Form 20-0995): Higher-Level Review (VA Form 20-0996): Appeal to Board of Veterans' Appeals (Board, VA Form 10182)
- See VA Form 10-305 for your appellate rights

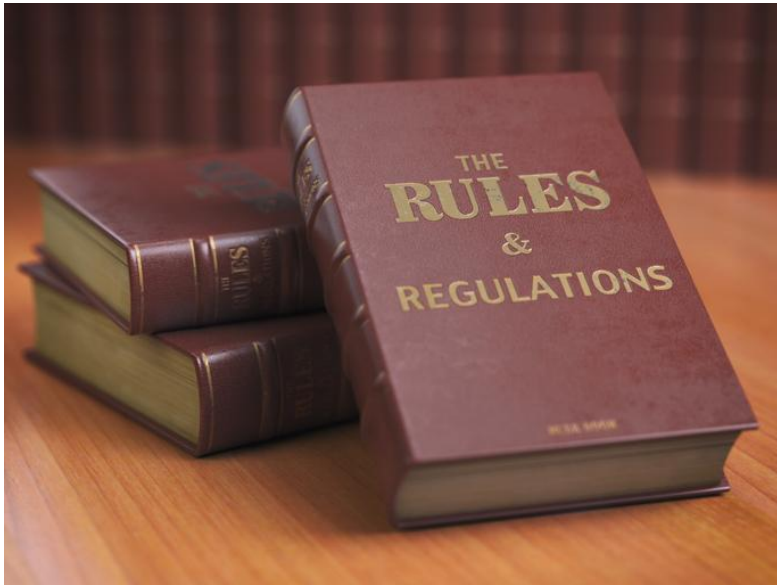
Advocacy Tip: We recommend starting the appeal process by filing a Supplemental Claim or a Higher-Level Review.

Evidence Checklist

- Latest VA Rating Decision/letter
- Private/outside medical records (within 24 months)
- Occupational Therapy (OT) Exam
- Neuropsychological Evaluation
- Home Health Aid & Respite Notes
- Caregiver Journal
- PC ADL/SPI Questionnaires



Proposed Regulatory Changes



On December 6, 2024, VA proposed changes: [Proposed Amendments to PCAFC](#). Here are the most significant:

- VA proposes to define the determination of whether a Veteran “typically requires” help with an ADL as a “clinical determination,” thereby depriving the Board of jurisdiction.
- VA proposes to define “serious injury” such that it will be met if the Veteran is receiving TDIU.

In the meantime, VA has extended the expanded program through September 30, 2028

