

CHAMPVA

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We are here
to help you
achieve
your goals



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Definition of CHAMPVA

The Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) provides reimbursement for most medical expenses, such as

- inpatient
- outpatient
- mental health
- prescription medication
- skilled nursing care, and
- durable medical equipment.



Eligibility



- Veterans are covered by CHAMPVA per 38 USC 1781
- To be eligible for CHAMPVA, an individual must be
 - the spouse or child of a Veteran whom the Department of Veterans Affairs (VA) has rated as 100 percent permanently and totally disabled for a service-connected (SC) disability
 - the surviving spouse or child of a Veteran who
 - died from a VA-rated SC disability, or
 - at the time of death was rated 100 percent permanently and totally disabled, or
 - the surviving spouse or child of a military member who died in the line of duty, not due to misconduct.

Entitlement after termination of remarriage

Ancillary benefits such as CHAMPVA will *not* be awarded to recipients of DIC pursuant to [38 U.S.C. 1311\(e\)](#), for a surviving spouse who regained eligibility for DIC either upon the termination of remarriage by death, divorce, or annulment, or upon the cessation of living with another person and holding himself or herself out openly to the public as that person's spouse ([VAOPGCPREC 13-98](#)), *for the period from October 1, 1998 through November 30, 1999.*

The Veterans' Millennium Health Care and Benefits Act, *Public Law (PL) 106-117*, reinstated the surviving spouse's entitlement to ancillary benefits effective December 1, 1999. Entitlement to these benefits was not made retroactively.

Entitlement for Surviving Spouses who remarry after age 55

- *PL 107-330*, The Veterans Benefits Act of 2002, effective February 4, 2003, provides for the retention of CHAMPVA eligibility for surviving spouses who remarry after age 55. For those individuals who remarried after age 55 but prior to the effective date of this law, eligibility may be established only if an application was received between February 5, 2002, and February 4, 2003.



Handling Qualifying Disabilities Certified During Veteran's Lifetime

If a qualifying disability was certified to the Veterans Health Administration (VHA) during the Veteran's lifetime, CHAMPVA does not routinely make further requests concerning

- the status of disability as of date of death, or
- whether or not death was SC.



How is information requested for CHAMPVA Eligibility?

If the VHA Health Administration Center (HAC) requires information to determine eligibility of a CHAMPVA claimant, a request for eligibility information is forwarded through an electronic exchange of information via the [HAC website](#).

Designated employees in the Veterans Service Center (VSC) and Pension Management Center (PMC) must review CHAMPVA requests by accessing the [HAC website](#).

Jurisdiction for processing these requests is as follows

- VSCs are responsible for processing requests for *live* Veterans, and
- PMCs are responsible for processing requests for survivors.

Entitlement Notification and Appeals

Notification of the decision regarding entitlement is provided directly to the claimant by the HAC, not the VSC or PMC.

ROs do not have jurisdiction of appeals of CHAMPVA eligibility determinations. The appeals are the jurisdiction of the HAC and the Board of Veterans' Appeals (BVA).



Notifying Survivors about Potential Entitlement

Information about potential entitlement to CHAMPVA benefits for survivors, and instructions on how to apply for them are contained in the *VA Form 21-8765, Service-Connected Death Award Attachment*.

ROs must send this form to the payee, surviving spouse, or child with the processing of an initial award of SC survivors benefits.



Questions

