[VETERANS BENEFITS: COMPENSATION & PENSION]

A simplified explanation of service connected disability benefits (compensation) and non-service-connected pension benefits for the purpose of referring Veterans and family members to accredited Veterans Service Officers.
THE TEAM THAT WORKS TOGETHER RESULTS IN OBTAINING THE MAXIMUM AMOUNT OF BENEFITS FOR VETERANS AND QUALIFIED DEPENDENTS LEGALLY POSSIBLE FROM THE DEPARTMENT OF VETERANS AFFAIRS!

What is Service Connected Disability Compensation?

Service connected disability compensation is a benefit paid to a veteran because of injuries or diseases that happened while on active duty, or were made worse by active military service. Compensation is also paid to certain veterans disabled from VA health care. These benefits are tax-free. The degrees of disability that are determined by VA represent, as far as can practicably be determined, the average loss in wages resulting from such diseases and injuries and their complications in civil occupations. Generally, the degrees of disability specified are also designed to compensate for considerable loss of working time from exacerbations or illnesses.
**Who Is Eligible for Disability Compensation?**

A veteran may be eligible for disability compensation if he/she develops a **chronic condition** for a **service-related disability** and was **discharged under other than dishonorable conditions**.

**4 Different Ways to Service Connect a Disability (Compensation)**

**Quick Definitions:**

**Aggravated Service Connection:** A veteran enters the military with a pre-existing disease which then worsens due to military service beyond the normal progression of the disease.

**Direct Service Connection:** The veteran is either permanently disabled or develops a chronic condition between the periods of entering active duty and discharge and is not due to willful misconduct and is within line of duty.

**Presumptive Service Connection:** A veteran develops a chronic disability because of the unique circumstances (time, place, exposure) of their military service. Normally, a veteran must first establish himself/herself having served during a particular period of time and place. The condition must also be included in a list of presumptive diseases established by law as being related to those circumstances. See later pages for more information on presumptive service connection.

**Secondary Service Connection:** The veteran develops a chronic disability caused by another service connected condition already established.

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Written by Bonnie McNeill
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Diseases Subject to Presumptive Service Connection §3.309

(a) **Chronic diseases.** The following diseases shall be granted service connection although not otherwise established as incurred in or aggravated by service if manifested to a compensable degree -10% within the applicable time limits under §3.307 (usually 1 year from date of discharge) following service in a period of war or following peacetime service on or after January 1, 1947, provided the rebuttable presumption provisions of §3.307 are also satisfied.

Amyotrophic lateral sclerosis (ALS)
(requires 90 days or more continuous active duty)
Anemia, primary.
Arteriosclerosis.
Arthritis.
Atrophy, Progressive muscular.
Brain hemorrhage.
Brain thrombosis.
Bronchiectasis.
Calculi of the kidney, bladder, or gallbladder.
Cardiovascular-renal disease, including hypertension. (This term applies to combination involvement of the type of arteriosclerosis, nephritis, and organic heart disease, and since hypertension is an early symptom long preceding the development of those diseases in their more obvious forms, a disabling hypertension within the 1-year period will be given the same benefit of service connection as any of the chronic diseases listed.)
Cirrhosis of the liver.
Coccidioidomycosis.
Diabetes mellitus.
Encephalitis lethargica residuals.
Endocarditis. (This term covers all forms of valvular heart disease.)
Endocrinopathies.
Epilepsies.
Hansen’s disease.
Hodgkin’s disease.
Ischemic Heart Disease
Leukemia.
Lupus erythematosus, systemic.

Myasthenia gravis.
Myelitis.
Myocarditis.
Nephritis.
Other organic diseases of the nervous system.
Osteitis deformans (Paget’s disease).
Osteomalacia.
Palsy, bulbar.
Paralysis agitans.
Psychoses.
Purpura idiopathic, hemorrhagic.
Raynaud’s disease.
Sarcoidosis.
Scleroderma.
Sclerosis, amyotrophic lateral.
Sclerosis, multiple (within 7 years)
Syringomyelia.
Thromboangiitis obliterans (Buerger’s disease).
Tuberculosis, active. (within 3 years)
Tumors, malignant, or of the brain or spinal cord or peripheral nerves.
Ulcers, peptic (gastric or duodenal) (A proper diagnosis of gastric or duodenal ulcer (peptic ulcer) is to be considered established if it represents a medically sound interpretation of sufficient clinical findings warranting such diagnosis and provides an adequate basis for a differential diagnosis from other conditions with like symptomatology; in short, where the preponderance of evidence indicates gastric or duodenal ulcer (peptic ulcer). Whenever possible, of course, laboratory findings should be used in corroboration of the clinical data.

Written by Bonnie McNeill
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§3.316 Claims based on chronic effects of exposure to MUSTARD GAS.

(a) Except as provided in paragraph (b) of this section, exposure to the specified vesicant agents during active military service under the circumstances described below together with the subsequent development of any of the indicated conditions is sufficient to establish service connection for that condition:

1. Full-body exposure to nitrogen or sulfur mustard during active military service together with the subsequent development of chronic conjunctivitis, keratitis, corneal opacities, scar formation, or the following cancers: Nasopharyngeal; laryngeal; lung (except mesothelioma); or squamous cell carcinoma of the skin.

2. Full-body exposure to nitrogen or sulfur mustard or Lewisite during active military service together with the subsequent development of a chronic form of laryngitis, bronchitis, emphysema, asthma or chronic obstructive pulmonary disease.

3. Full-body exposure to nitrogen mustard during active military service together with the subsequent development of acute nonlymphocytic leukemia.

(b) Service connection will not be established under this section if the claimed condition is due to the veteran’s own willful misconduct (See §3.301(c)) or there is affirmative evidence that establishes a nonservice-related supervening condition or event as the cause of the claimed condition (See §3.303).
Claims based on chronic effects of exposure to asbestos

Asbestos is a fibrous form of silicate mineral of varied chemical composition and physical configuration, derived from serpentine and amphibole ore bodies.

Common materials that may contain asbestos include
- steam pipes for heating units and boilers
- ceiling tiles
- roofing shingles
- wallboard
- fire-proofing materials, and
- thermal insulation.

Note: Due to concerns about the safety of asbestos, the use of materials containing asbestos has declined in the United States since the 1970s. Inhalation of asbestos fibers can produce

fibrosis, the most commonly occurring of which is interstitial pulmonary fibrosis, or asbestosis
- tumors
- pleural effusions and fibrosis
- pleural plaques
- mesotheliomas of pleura and peritoneum
- cancers of the
  - lung
  - bronchus
  - gastrointestinal tract
  - larynx
  - pharynx, and
  - urogenital system, except the prostate.
**Diseases Presumptive to Herbicide Exposure including Agent Orange**

**Acute and Subacute Transient Peripheral Neuropathy**
A nervous system condition that causes numbness, tingling, and motor weakness. Under VA's rating regulations, it must be at least 10% disabling within 1 year of exposure to Agent Orange and resolve within 2 years after the date it began.

**AL Amyloidosis**
A rare disease caused when an abnormal protein, amyloid, enters tissues or organs.

**B Cell Leukemias**
Cancers which affect B cells, such as hairy cell leukemia.

**Chloracne**
A skin condition that occurs soon after dioxin exposure and looks like common forms of acne seen in teenagers. Under VA's rating regulations, it must be at least 10% disabling within 1 year of exposure to Agent Orange.

**Chronic Lymphocytic Leukemia**
A disease that progresses slowly with increasing production of excessive numbers of white blood cells.

**Diabetes Mellitus (Type 2)**
A disease characterized by high blood sugar levels resulting from the body’s inability to respond properly to the hormone insulin.

**Hodgkin’s Disease**
A malignant lymphoma (cancer) characterized by progressive enlargement of the lymph nodes, liver, and spleen, and by progressive anemia.

**Ischemic Heart Disease**
A disease characterized by a reduced supply of blood to the heart.

**Multiple Myeloma**
A cancer of specific bone marrow cells that is characterized by bone marrow tumors in various bones of the body.

**Non-Hodgkin’s Lymphoma**
A group of cancers that affect the lymph glands and other lymphatic tissue.

**Parkinson’s Disease**
A motor system condition with symptoms that include trembling of the limbs and face and impaired balance.

**Porphyria Cutanea Tarda**
A disorder characterized by liver dysfunction and by thinning and blistering of the skin in sun-exposed areas. Under VA's rating regulations, it must be at least 10% disabling within 1 year of exposure to Agent Orange.

**Prostate Cancer**
Cancer of the prostate; one of the most common cancers among men.

**Respiratory Cancers**
Cancers of the lung, larynx, trachea, and bronchus.

**Soft Tissue Sarcoma (other than Osteosarcoma, Chondrosarcoma, Kaposi’s sarcoma, or Mesothelioma)**
A group of different types of cancers in body tissues such as muscle, fat, blood and lymph vessels, and connective tissues.
**Gulf War Service**

For VA benefit purposes, Gulf War service is active military duty in any of the following areas in Southwest Asia any time during the first Gulf War starting August 2, 1990 through the current conflict in Iraq.

- Iraq
- Kuwait
- Saudi Arabia
- The neutral zone between Iraq and Saudi Arabia
- Bahrain
- Qatar
- The United Arab Emirates
- Oman
- Gulf of Aden
- Gulf of Oman
- Waters of the Persian Gulf, the Arabian sea, and the Red Sea
- The airspace above these locations

**Gulf War Veterans (Non Infectious Diseases) (Undiagnosed Illness)**

Served in the Southwest Asia Theater of Operations during the Gulf War with condition at least 10 percent disabling by 12/31/11. Included are medically unexplained chronic multi-symptom illnesses defined by a cluster of signs or symptoms that have existed for six months or more, such as:

- chronic fatigue syndrome
- fibromyalgia
- irritable bowel syndrome
- any diagnosed or undiagnosed illness that the Secretary of Veterans Affairs determines warrants a presumption of service connection
  - Signs or symptoms of an undiagnosed illness include: fatigue, skin symptoms, headaches, muscle pain, joint pain, neurological symptoms, respiratory symptoms, sleep disturbance, GI symptoms, cardiovascular symptoms, weight loss, menstrual disorders

- On September 10, 2010, VA published the final regulation establishing new presumptions of service connection for nine specific infectious diseases associated with military service in Southwest Asia beginning on or after the start of the first Gulf War on Aug. 1, 1990, through the conflict in Iraq and on or after Sept. 19, 2001 in Afghanistan. The Final regulation reflects a determination of a positive association between service in Southwest Asia or Afghanistan and nine diseases and includes information about the long-term health effects potentially associated with these diseases:
**Infectious Diseases Related to Service in Gulf War, Iraq and Afghanistan**

- **Brucellosis**
  - A bacterial disease with symptoms such as profuse sweating and joint and muscle pain. The illness may be chronic and persist for years. It must be at least 10% disabling within 1 year from the date of military separation.

- **Campylobacter Jejuni**
  - A disease with symptoms such as abdominal pain, diarrhea and fever. It must be at least 10% disabling within 1 year from the date of military separation.

- **Coxiella Burnetii (Q Fever)**
  - A bacterial disease with symptoms such as fever, severe headache, and gastrointestinal problems such as nausea and diarrhea. In chronic cases, the illness may cause inflammation of the heart. It must be at least 10% disabling within 1 year from the date of military separation.

- **Malaria**
  - An infectious disease caused by a parasite. Symptoms include chills, fever, and sweats. It must be at least 10% disabling within 1 year from the date of military separation or at a time when standard or accepted treatises indicate that the incubation period began during a qualifying period of military service.

- **Mycobacterium Tuberculosis**
  - An illness that primarily affects the lungs and causes symptoms such as chest pain, persistent cough (sometimes bloody), weight loss and fever.

- **Nontyphoid Salmonella**
  - A condition characterized by symptoms such as nausea, vomiting, and diarrhea. It must be at least 10% disabling within 1 year from the date of military separation.

- **Visceral Leishmaniasis**
  - A parasitic disease characterized by symptoms such as fever, weight loss, enlargement of the spleen and liver, and anemia. The condition may be fatal if left untreated.

- **West Nile Virus**
  - A disease spread by mosquitoes characterized by symptoms such as fever, headache, muscle pain or weakness, nausea, and vomiting. Symptoms may range from mild to severe. It must be at least 10% disabling within 1 year from the date of military separation.
What Are the Presumptive Conditions for Former POWs?

Today, former POWs are generally entitled to a presumption of service-connection for seven diseases, regardless of the length of captivity, if manifested to a degree of 10 percent or more after discharge or release from active military, naval, or air service. These diseases are:

- Psychosis
- Dysthymic disorder, or depressive neurosis
- Post-traumatic osteoarthritis
- Any of the Anxiety States
- Cold Injury
- Stroke and Complications
- Heart Disease and Complications

If a former POW was interned for 30 days or more, the following additional diseases are presumed to be service-connected:

- Avitaminosis
- Chronic Dysentery
- Helminthiasis
- Malnutrition, including associated Optic Atrophy
- Peptic Ulcer Disease
- Beriberi
- Cirrhosis of the Liver
- Irritable Bowel Syndrome
- Pellagra and any other nutritional deficiency
- Peripheral Neuropathy, except where directly related to infectious causes
**Compensation Payments**

*Note: You may be paid additional amounts, in certain instances, if:*

- you have very severe disabilities or loss of limb(s)
- you have a spouse, child(ren), or dependent parent(s)
- you have a seriously disabled spouse

<table>
<thead>
<tr>
<th>Percent age</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>10%</td>
<td>$127</td>
</tr>
<tr>
<td>20%</td>
<td>$251</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dependent Status</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veteran Alone</td>
<td>$389</td>
<td>$560</td>
<td>$797</td>
<td>$1009</td>
</tr>
<tr>
<td>Veteran with Spouse Only</td>
<td>$435</td>
<td>$622</td>
<td>$874</td>
<td>$1102</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Dependent Status</th>
<th>70%</th>
<th>80%</th>
<th>90%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veteran Alone</td>
<td>$1,272</td>
<td>$1,478</td>
<td>$1,661</td>
<td>$2,769</td>
</tr>
<tr>
<td>Veteran with Spouse Only</td>
<td>$1,380</td>
<td>$1,602</td>
<td>$1,800</td>
<td>$2,924</td>
</tr>
</tbody>
</table>
**Pension Benefits**

- Wartime Service – Minimum one day during wartime period 90 days prior to 9-7-80/24 continuous months on or after 9/7/80
- Totally disabled from non service connected conditions or age 65
- Family income/net worth within limits

**The Formula VA Uses to Calculate Pension Benefits**

MAPR minus IVAP equals Annual Pension Rate

Definitions:

MAPR (maximum annual pension rate) *also called the annual income limit

IVAP (income for VA purposes – * also called countable family income - income from which medical expenses and child’s exclusion have been taken into account)

Annual VA Pension Rate (figured yearly, paid monthly)

**Basic Pension Graph**

<table>
<thead>
<tr>
<th>Pension Type</th>
<th>MAPR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero Income</td>
<td>$12,256/16,051</td>
</tr>
<tr>
<td>Veteran w/Countable Income</td>
<td>$20,447/$24,239</td>
</tr>
<tr>
<td>Housebound Rate</td>
<td>$14,978/18,733</td>
</tr>
<tr>
<td>Aid and Attendance Rate</td>
<td>$20,447/$24,239</td>
</tr>
<tr>
<td>Maximum Annual Pension Rate</td>
<td>$14,978/18,733</td>
</tr>
</tbody>
</table>

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**Basic Pension with Housebound Benefits Graph**

- **Aid and Attendance Rate**
  - Zero Income: Veteran Zero Income
  - Veteran w/Countable Income
  - Veteran w/Countable Income reduced by medical expenses

- **Housebound Rate**

- **Maximum Annual Pension Rate (MAPR)**
  - Zero Income: Veteran Zero Income
  - Veteran w/Countable Income
  - Veteran w/Countable Income reduced by medical expenses

**Basic Pension with Aid and Attendance Benefits Graph**

- **Aid and Attendance Rate**
  - Zero Income: Veteran Zero Income
  - Veteran w/Countable Income
  - Veteran w/Countable Income reduced by medical expenses

- **Housebound Rate**

- **Maximum Annual Pension Rate (MAPR)**
  - Zero Income: Veteran Zero Income
  - Veteran w/Countable Income
  - Veteran w/Countable Income reduced by medical expenses

Typical Benefit for a Veteran with A&A in a Nursing Facility Due to High Cost of Care:

- $12,256/$16,051
- $14,978/$18,733
- $20,447/$24,239

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**Improved Disability Benefits Pension Rate Table - Effective 12/1/11**

**Veteran Alone & With Dependents**

Increase Factor: 5.8%

<table>
<thead>
<tr>
<th>Maximum Annual Pension Rate (MAPR) Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>If you are a veteran...</strong></td>
<td><strong>Your yearly income must be less than...</strong></td>
</tr>
<tr>
<td>Without Spouse or Child</td>
<td>$12,256</td>
</tr>
<tr>
<td>With One Dependent</td>
<td>$16,051</td>
</tr>
<tr>
<td>Housebound Without Dependents</td>
<td>$14,978</td>
</tr>
<tr>
<td>Housebound With One Dependent</td>
<td>$18,773</td>
</tr>
<tr>
<td>A&amp;A Without Dependents</td>
<td>$20,447</td>
</tr>
<tr>
<td>A&amp;A With One Dependent</td>
<td>$24,239</td>
</tr>
<tr>
<td>Two Vets Married to Each Other</td>
<td>$16,051</td>
</tr>
<tr>
<td><strong>Add for Early War Veteran (Mexican Border Period or WW1) to any category above</strong></td>
<td>$2,783</td>
</tr>
<tr>
<td><strong>Add for Each Additional Child to any category above</strong></td>
<td>$2,093</td>
</tr>
</tbody>
</table>

**Common Medical Expenses Used to Reduce Family Income for Pension Purposes**

Cost of Medical treatment  
Doctors, hospitals, clinics  
Over counter medicine  
Prescription drugs  
In-home medical care  
Nursing home care  
Mileage to and from doctors and pharmacies  
Cost of medical supplies  
Medically justifiable daycare  
Seeing eye dogs and supplies  
Medical insurance premiums (including Medicare)  
Nursing Home insurance premiums  
Eye glasses  
Dental work  
Many more!
Our MVC Website:

http://www.mvc.dps.mo.gov/service/serviceofficer/

OR

You may call our Missouri Veterans Commission Central
Office number @ 573-751-3779

* Remember, as State Employees, these Veterans Service
Officers are trained professionals, accredited by the Dept.
of Veterans Affairs and provide benefits assistance at no
cost to you or the Veteran or family members!