



## Veterans Affairs

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Director

Fact Sheet #22  
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# BENEFITS FOR 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 paid 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 Your Imprisonment Affect the Payment Of:

#### VA Disability Compensation?

VA disability compensation payments are reduced if a veteran is convicted of a felony and imprisoned for more than 60 days. Veterans rated 20 percent or more are limited to the 10 percent disability rate. For a veteran whose disability rating is 10 percent, the payment is reduced by one-half.



#### 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, such pension payment will be discontinued effective the 61<sup>st</sup> day of imprisonment following conviction.

#### Are You Eligible for VA Medical Care While Imprisoned?

While incarcerated veterans do not forfeit their eligibility for medical care, 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 of services.

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

### Can Your Spouse, Children or Dependent Parent(s) Receive Any of the Money Not Paid to you Because of Imprisonment?

VA can take all or part of the amount of compensation 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, or County Veterans Service Office, for details on how to apply.

## **Will Your Benefits Be Automatically Resumed When You Get Out Of Prison?**

Your award for compensation or pension benefits shall be resumed the date of release from incarceration if the Department of Veterans Affairs receive notice of release within 1 year of the release. Depending on the type disability, VA may schedule you for a medical examination to see if your disability has improved. It is suggested that you visit the nearest VA regional office, or, County Veterans Service Office for assistance on getting your benefits reinstated.

## **How Do I Get Help Or More Information?**

Veterans Service Representatives are available to discuss any veterans' issue with you. Call or visit the office closest to you upon your release for more information. Prior to release, write to: S.B. County V.A., Attn: Frank Guevera, Director, 175 W. 5th St., 2nd Floor, San Bernardino, CA 92415-0470.

### **Veterans Affairs Office Locations:**

- 222 W. Hospitality Lane, Third Floor, San Bernardino, CA 92415-0470 (909) 382-3290
- 15900 Smoke Tree Street, Hesperia, CA 92345 (760) 995-8010
- 8575 Haven Ave., Rancho Cucamonga, CA 91730 (909-948-6470
- **Or call Toll Free from anywhere in San Bernardino County : 1-866-4SBVets (1-866-472-8387)**