Comprehensive Analysis: Eligibility for VA Benefits

1. Calculate Prior Periods of Honorable Service	HELP	Section V Appendices C, G, K, L	WHY	Former SMs are generally eligible for VA benefits predicated upon a prior period of honorable service.	TIP	If prior periods of honorable service exist, practitioners should attempt to determine if a benefit can be predicated upon the prior period of honorable service.
2. Victim of Military Sexual Trauma (MST)?	HELP	Section VI Appendix D, G, L	WHY	Former SMs who are victims of MST are generally eligible for VA health care for MST-related physical and mental health conditions.	TIP	All former SMs who are victims of MST should apply for VA health care benefits. MST-related benefits are not contingent upon veteran status.
3. Minimum Service Requirement?	HELP	Sections III, IV.A Appendix E, G, L	WHY	Absent an exception, to qualify for VA benefits, former SMs must serve either 24 months of continuous active duty or the "full period" for which ordered to active duty.	TIP	Notable exceptions to the requirement: •Hardship discharge •Service-connected disability separation •Service-connected disability compensation benefits
4. Likely Character of Service Determination	HELP	Sections VIII, IX Appendices F, K, L	WHY	A former SM's type and characterization of discharge could preclude the receipt of benefits for the period(s) of service in which misconduct occurred.	TIP	Commanders and JAs must consider the impact that the type and characterization of discharge will have on eligibility for VA benefits, and should provide VA the requisite information regarding command intent.
5. Does the SM Meet VA definition of Insanity?	HELP	Section VII Appendices F, G, K, L	WHY	Former SMs who were insane, by VA's definition, at the time of committing an offense that results in separation are not precluded from benefits for that same period of service.	TIP	VA benefits adjudicators, not commanders and judge advocates, make this determination. Commanders and JAs should ensure all relevant documentation is properly preserved.
6. Does the SM Meet Benefit-Specific Eligibility Prerequisites?	HELP	Sections III, IV.B Appendix H	WHY	VA benefits often have eligibility requirements and prerequisites that are in addition to a former servicemember obtaining veteran status.	TIP	Commanders and JAs must research the SM's eligibility for particular benefits, where applicable.