

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 we can pay 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 my imprisonment affect the payment of:

VA Disability Compensation?

Your monthly payment will be reduced beginning with the 61st day of your imprisonment for a *felony*. If your payment before you went to prison was \$188 or more, your new payment amount will be \$98. If you were getting \$98 before you were imprisoned, your new payment will be \$49.00.

(Note: If you are released from incarceration – participated in a work release or half-way house program, paroled, and completed sentence, your compensation payments will not be reduced.)

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 on the 61st day of imprisonment following conviction.

Am I 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 or 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 care facility upon their release.

Can my spouse, children or dependent parent(s) receive any of the money not paid to me 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 for details on how to apply. They will be asked to provide income information as part of the application process.

Will my benefits be automatically resumed when I 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 receives notice of release within 1 year from following release. Depending on the type of disability, VA may schedule you for a medical examination to see if your disability has improved. You will need to visit or call your local VA regional office for assistance.