

VA Health Care Benefits for Former Service Members with Other than Honorable (OTH) Military Discharge

VA Eligibility Overview

To be eligible for VA health care benefits, most Veterans must have completed at least 24 months of active military service with a character of discharge “under conditions other than dishonorable.” Veterans with a character of discharge of honorable, general or under honorable conditions meet this requirement. In addition to the type of service, minimum length of duty and character of discharge, eligibility for VA health care requires a VA-rated disability, other special eligibility factor such as combat service, or household income below applicable means test thresholds. **Note:** *Reserves and National Guard members activated under federal authority (Title 10) may be eligible for VA health care if they completed the full period ordered to active duty or were injured or disabled in the line of duty during active or inactive duty for training.*

Am I Eligible for VA Health Care if I Received an OTH Discharge?

If you received an OTH discharge, VA must make a “character of service determination” when you apply for benefits. VA is required to determine whether your military service qualifies as being under conditions other than dishonorable. The OTH review process may be lengthy. VA will review the entire period of your enlistment and the facts and circumstances surrounding the incident(s) resulting in the discharge. A VA representative may contact you for any evidence or statements you have pertaining to your discharge

How Do I Apply for VA Health Care Benefits?

1. Complete an application for VA health care using one of the following methods:
 - Toll-free at 877-222-8387, Monday through Friday, 8:00 a.m. to 8:00 p.m. ET.
 - Online at www.va.gov/health-care/apply/application.
 - Submit application for Health Benefits (VA Form 10-10EZ) to the nearest VA medical facility.
 - Mail the completed application to the address on the form.
 - Get assistance completing your application from a Veterans Service Organization (VSO).
2. Provide us a copy of your military service records, such as DD-214. If you do not have your records, we will attempt to locate them or let you know how you can request them from the military.
3. VA health care eligibility staff will send the Eligibility Determination for Character of Discharge Request (VA Form 20-0986) to a VA regional office for processing. You will be notified in writing of the decision.

Can I Receive VA Care While VA Reviews My OTH Discharge?

You may not receive care if your character of discharge is subject to one of the statutory bars to benefits under Title 38 U.S. Code §5303. However, during the OTH review process, VA may treat you for:

- Your VA-rated service-connected disability.
- Conditions related to military sexual trauma experienced during your service.
- Mental or behavioral health, if you served at least 100 days in the military and in a combat role.
- Psychosis developed within two years of discharge (World War II, Korean conflict, Vietnam era); or for Persian Gulf War, mental illness developed within two years of discharge or end of the war.
- Emergency mental health for a condition you assert is related to your military service.
- Other conditions on a humanitarian basis only in an emergency. **Note:** *You will be charged for any humanitarian care received if you are subsequently found to be ineligible for VA health care.*

At the end of the OTH review process, we will determine which medical services you are eligible to receive.

Review of Military Discharge References:

You may apply to the Department of Defense to upgrade your discharge status. For a customized step-by-step walk-through of this process, please visit www.va.gov/discharge-upgrade-instructions.

Note: A Veteran may request copies of Military Records, by submitting Form SF 180, "Request Pertaining to Military Records" to the appropriate branch of service. The form can be found at www.archives.gov/research/order/standard-form-180.pdf, or it may be completed online at www.archives.gov/veterans/military-service-records.

For Further Information: Contact your local VA health care facility's Eligibility office or the Health Eligibility Center at 404-828-5257. This and other eligibility related fact sheets are available at www.va.gov/healthbenefits/resources/publications.asp.

Authorities: Title 38, United States Code, §5303(a); Pub. L. No. 95-126, §2; and Title 38, Code of Federal Regulations, §§3.12 and 17.34.