

# Resource Guide for Veterans and Servicemembers



COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF ATTORNEY GENERAL  
MARTHA COAKLEY

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# MESSAGE FROM ATTORNEY GENERAL MARTHA COAKLEY

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Dear Veterans, Military Personnel, and Families:

Thank you for the service and the sacrifices that you and your families have made to serve our country and Massachusetts. Whether you are a long time veteran, a recently activated member of the National Guard or Reserves, active duty military personnel, or a newly returned servicemember, I am committed to ensuring that you and your family receive the benefits and protections you have earned.

The Attorney General's Office enforces certain federal and state laws protecting the rights of veterans and servicemembers. If you are a veteran or are currently serving in the United States Military, including the National Guard or Reserves, there are laws designed to protect you against discrimination in employment, help you avoid credit or foreclosure problems, and maximize your healthcare, disability, and education benefits. This guide is designed to help inform you of your rights, and the benefits and protections available.

Many veterans face physical and psychological challenges that will extend well beyond their military service. Others have paid the ultimate price. In this sense, veterans and their families continue to serve our country long after a tour of duty is over. Massachusetts has been providing assistance to its veterans and their families for almost three hundred years, and I look forward to advancing this important tradition.

It is an honor and a privilege to serve you and the Commonwealth.

Cordially,



Martha Coakley  
Massachusetts Attorney General



# INTRODUCTION

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This guide is one central location where you can find information about resources available to veterans, military servicemembers, and their families. Much of the information it contains has already been made available to the public by the Massachusetts Department of Veterans Services and the Secretary of the Commonwealth. Compilation of this guide would not have been possible without the work both of those offices have already done to make these resources accessible.

There are thousands of private and public resources available to military servicemembers and veterans in Massachusetts. This guide contains some of the most frequently accessed benefits and services. It is not an exhaustive list of all the resources or legal protections available. The Office of Attorney General Martha Coakley provides the following resources to help veterans and family members exercise their right to access important information. The following links and contact information are provided solely as a resource and their inclusion here does not constitute an endorsement by the Attorney General's Office of their services. If you have questions regarding the content of this guide please contact the Attorney General's Office at (617) 727-2200, or visit our website at [www.mass.gov/ago/veterans](http://www.mass.gov/ago/veterans).

Mass VetsAdvisor, [www.massvetsadvisor.org](http://www.massvetsadvisor.org), is a collaboration between the Massachusetts Broadband Institute, the Massachusetts Department of Veterans' Services, the Red Sox Foundation and the Massachusetts General Hospital Home Base Program. The website is a guide for anyone searching for benefits and programs for Veterans and their family members. The data is comprehensive and currently provides search results from Massachusetts and Federal resources, listing only the benefits and services the Veteran is qualified for, and, where available, an "action plan" to apply for the benefit. Users may print, email, save, or forward the action plan to his or her Veterans Services Officer.

## Disclaimer

Some of the information in this guide concerns specific laws and regulations. This information is provided as a general educational resource and is not meant to be legal advice of any kind. The information provided here may or may not apply to each individual's circumstances. In addition, this guide is current through June 2013. As rules and regulations change, portions may become obsolete.





# I. FINANCIAL GUIDANCE, PROTECTIONS, & ASSISTANCE

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## **VETERANS AFFAIRS PENSION BENEFITS**

Veterans with low incomes who are permanently and totally disabled, or are age 65 and older, may be eligible for monetary support if they have 90 days or more of active military service, at least one day of which was during a period of war. (Veterans who entered active duty on or after Sept. 8, 1980, or officers who entered active duty on or after Oct. 16, 1981, may have to meet a longer minimum period of active duty). The veteran's discharge must have been under conditions other than dishonorable and the disability must be for reasons other than the veteran's own willful misconduct.

Pension benefit payments are made to bring the veteran's total income, including other retirement or Social Security income, to a level set by Congress.

You can apply for U.S. Department of Veterans Affairs (VA) pension benefits online through the VA's [Veterans Online Application](#), by submitting an application by mail to the nearest VA Regional Office, or by contacting the [Massachusetts Department of Veterans' Services \(DVS\)](#) for assistance. The VA also publishes a guide to [Federal Benefits for Veterans and Dependents](#) which lists the many types of VA benefits available.

If you qualify for a VA pension and you have a disability that meets certain criteria, you may also be eligible to receive an Aid and Attendance (A&A) or Housebound benefit. For more information on applying for A&A or Housebound benefits contact your local VA Regional Office or visit <http://www.vba.va.gov/bln/21/pension/vetpen.htm#7>.

## **BONUSES**

Veterans who were living in Massachusetts immediately prior to entering the armed forces may be eligible for a one-time, tax-free, bonus from the Commonwealth. If the veteran is deceased, his or her family may be eligible for this bonus. Veterans who are unable to complete the required period of service because of injury or illness caused or aggravated during their service are generally still eligible.

Applications for the Persian Gulf Bonus are available from the Massachusetts Department of Veterans Services.

Veterans' Bonus Division  
Department of Veterans' Services  
600 Washington St., Suite 1100  
Boston, MA 02111  
Phone: (617) 210-5927  
Email: [mdvs@vet.state.ma.us](mailto:mdvs@vet.state.ma.us)  
[www.mass.gov/veterans](http://www.mass.gov/veterans)

Applications for all other bonuses are available from the Office of the State Treasurer.

Office of the Treasurer  
One Ashburton Place, 12th Floor  
Boston, MA 02108  
Phone: (617) 367-9333, ext. 308  
Fax: (617) 227-1622  
[www.mass.gov/treasury](http://www.mass.gov/treasury)

## **WELCOME HOME BONUS**

Under Chapter 130 of the Acts of 2005, the [Welcome Home Bonus](#) is available to veterans who lived in Massachusetts for six months immediately prior to entering the armed forces, engaged in active service on or after September 11, 2001, and were honorably discharged.

- Veterans with active service in Iraq or Afghanistan are eligible for \$1,000 bonus.
- Veterans with six months active service within the U.S. or in foreign countries other than Iraq and Afghanistan are eligible for \$500 bonus.
- Veterans with additional tours of duty may be eligible for additional payments of \$250 or \$500.

Note: Active service does not include active duty for training in the Army or Air National Guard, or active duty for training as a Reservist in the armed forces of the United States.

## **PERSIAN GULF BONUS**

Under Chapter 153 of the Acts of 1992, the [Persian Gulf Bonus](#) is available to veterans who lived in Massachusetts for six months immediately prior to entering military service, served 30 days or more during the period of August 2, 1990, to April 10, 1991, and were honorably discharged.

- Veterans who performed active service in the Persian Gulf area are eligible for a \$300 bonus.

- Veterans who performed active service in the Persian Gulf area (war zone or contiguous waters) and who received the Southwest Asia Service Medal are eligible for a \$500 bonus.

## **VIETNAM BONUS**

Under Chapter 646 of the Acts of 1968, as amended by Chapter 112 of the Acts of 2010, the [Vietnam Bonus](#) is available to veterans who lived in Massachusetts for six months immediately prior to entering the armed forces, with six months active service beginning between July 1, 1958, and May 17, 1975, and an honorable discharge.

- Veterans with service in Vietnam are eligible for a \$300 bonus.
- Veterans who served elsewhere during those dates are eligible for a \$200 bonus.

## **KOREA BONUS**

Under Chapter 440 of the Acts of 1953, the [Korea Bonus](#) is available to veterans who lived in Massachusetts for six months immediately prior to entering the armed forces, with active service beginning between June 25, 1950, and January 31, 1955, and an honorable discharge.

- Veterans with 90 days of state side service are eligible for a \$100 bonus.
- Veterans with six months or more of state side service are eligible for a \$200 bonus.
- Veterans with one or more days of service outside the U.S. are eligible for a \$300 bonus.

## **WORLD WAR II BONUS**

Under Chapter 731 of the Acts of 1945, the [WWII Bonus](#) is available to veterans with 90 days of active service and one day of service during war time, who were discharged under honorable conditions.

## **VETERANS' TAX BENEFITS**

### **TAX DEFERMENT**

Servicemembers are permitted to defer (delay) payment of state and federal income taxes due before or during military service if the servicemember's ability to pay those taxes is materially impacted by his or her service. The deferment may last up to 180 days from the date the servicemember leaves military service. No interest or penalty may be added to the amount due for failure to pay during the period of deferment.

Servicemembers must notify the Massachusetts Department of Revenue or the Internal Revenue service to request a deferment. For more information about Massachusetts taxes consult the Department of Revenue's website for [Military Personnel](#). For more information about federal taxes consult the IRS's [Tax Information for Members of the Military](#).

## **PROPERTY TAX EXEMPTIONS**

There are several types of property taxes exemptions available to veterans in Massachusetts. A tax exemption is a waiver of the obligation to pay some or all property taxes.

To qualify, veterans (and spouses where applicable) must be legal Massachusetts residents and must be occupying his or her Massachusetts domicile on July 1 in the year of application. Further, veterans must have lived in Massachusetts for at least six months before entering the service or have lived in Massachusetts for at least five consecutive years immediately prior to filing.

M.G.L. c. 59, s. 5, clause 22, makes a property tax exemption available to veterans in the following categories:

- Veterans who have a disability rating of 10 percent or more and whose disability is a result of wartime service.
- Veterans who served in the United States military or naval service during the Spanish War, the Philippine Insurrection, or the Chinese Relief Expedition.
- Veterans who were awarded the Purple Heart.
- Spouses and surviving spouses (until he or she remarries) of veterans are entitled to this exemption under this clause and clauses 22A, 22B, 22C, and 22E, only if their spouse was entitled at the time of his or her death, or if their spouse lost his or her life while serving in the war.
- Parents of those veterans who gave their lives in wartime service.
- Surviving spouses of veterans who served in the United States armed forces between April 6, 1917, and November 11, 1918, or who were awarded the World War I Victory Medal. Surviving spouses must have remained unmarried.

M.G.L. c. 59, s. 5, clause 22A, makes a property tax exemption available to veterans who have certain service-related injuries: the loss of or the permanent loss of the use of a foot at or above the ankle, a hand at or above the wrist, or the sight of an eye. Also eligible are veterans who were awarded the Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross. The exemption is also available to the veteran's surviving spouse, regardless of remarriage status.

M.G.L. c. 59, s. 5, clause 22B, makes a property tax exemption available to veterans who have certain service-related injuries: the loss of or the permanent loss of the use of both hands at or above the wrist, one foot at or above the ankle and one hand at or above the wrist, or the sight of both eyes. The exemption is also available to the veteran's surviving spouse, regardless of remarriage status.

M.G.L. c. 59, s. 5, clause 22C, makes a property tax exemption available to veterans who are permanently and totally disabled as a result of a service-related injury. Veterans must also have received assistance from the U.S. Department of Veterans Affairs in acquiring "special adapted housing." The exemption is also available to the veteran's surviving spouse, regardless of remarriage status.

M.G.L. c. 59, s. 5, clause 22D, makes a property tax exemption available to surviving spouses of soldiers, sailors and members of the National Guard whose death occurred because of an injury sustained or disease contracted in a combat zone. It is also available for surviving spouses of veterans who are missing in action with a presumptive finding of death. In order to qualify, the surviving spouse must remain unmarried. Further, either the surviving spouse must have lived in Massachusetts for five consecutive years before filing for this exemption or the veteran must have been domiciled in Massachusetts for at least six months before entering service.

M.G.L. c. 59, s. 5, clause 22E, makes a property tax exemption available to veterans who are incapable of working and who have a U.S. Department of Veterans Affairs disability rating of 100 percent because of an injury sustained in wartime service and in the line of duty. This exemption is also available for surviving spouses of qualified veterans.

M.G.L. c. 58, s. 8A, makes a total property tax exemption available to paraplegic veterans, to veterans with service-related injuries, or to their surviving spouses regardless of remarriage status.

Contact your community's assessor's office to apply. You must reapply for the exemption each year. For property tax exemptions for disabled veterans and ex-prisoners-of-war, contact your local assessor's office or the [Department of Revenue Division of Local Services](#):

Department of Revenue  
Division of Local Services  
100 Cambridge Street, 6th Floor  
Boston, MA 02114  
Phone: (617) 626-2300  
Fax: (617) 626-2330  
[www.mass.gov/dor](http://www.mass.gov/dor)

Mailing Address:  
P.O. Box 9569  
Boston, MA 02114-0560

## **TAX CREDIT FOR EMPLOYERS THAT HIRE VETERANS**

If you are a “for-profit” employer in Massachusetts, you may be eligible for a federal tax credit through the Work Opportunity Tax Credit (WOTC) program if you hire a qualifying veteran or other individual in a targeted group listed below. Individuals must be identified as members of one of these targeted groups before a job offer is made.

The WOTC program has two purposes: to help individuals who qualify as members of a target group to get a job; and to help employers who hire qualified individuals by giving them a credit on their federal taxes. Target groups include:

- A veteran who is a member of a family that is receiving or has recently received food stamps and certain qualified disabled veterans.
- A vocational rehabilitation referral who completed or is completing rehabilitative services from the Commonwealth of Massachusetts, an Employment Network, or the U.S. Department of Veterans Services.
- A member of a family that is receiving or has received Transitional Aid to Families with Dependent Children (TAFDC) benefits or Temporary Assistance to Needy Families (TANF) for any nine months during the 18-month period that ends on the hiring date.
- A recently released ex-felon.
- An 18- to 39-year-old resident of one of the 105 federally designated Empowerment Zone/Renewal Communities.
- A 16- to 17-year-old Empowerment Zone/Renewal Community resident hired between May 1 and September 15 as a Summer Youth Employee.
- An 18- to 39-year-old member of a family that is receiving or has recently received food stamps.
- A recipient of Supplemental Security Income (SSI) benefits.
- A long-term family assistance recipient.

The person hired must be employed for at least 120 hours.

## **APPLICATION PROCESS**

The first step is pre-screening to determine eligibility. The jobseeker or the employer must complete the following forms:

- Individual Characteristics Form Work Opportunity and Welfare-to-Work Tax Credit ETA, [Form 9061](#)
- Certification Welfare Opportunity and Welfare-to-Work Tax Credits, [Form 9062](#)
- Pre-Screening Notice and Certification Request for Welfare Opportunity and Welfare-to-Work Credits, [Form 8850](#).

Instructions for completing Form 8850 are provided. The employer and the jobseeker must sign the Form 8850 stating that the jobseeker is a member of a target group. The employer then sends the forms to the Division of Career Services postmarked no later than the 28th day after the jobseeker begins work.

Contact the [Massachusetts Department of Veterans Services](#) for more information. Mail the Form 8850 with the ETA 9061 or 9062 attached to:

Department of Labor and Workforce Development  
Work Opportunity Tax Credit Unit  
Division of Career Services  
19 Staniford Street  
Boston, MA 02114  
Phone: (617) 626-5353  
[www.mass.gov/lwd](http://www.mass.gov/lwd)  
<http://www.mass.gov/lwd/employment-services/specialized-job-seeker-services/veterans-programs-and-services/>

## **ANNUITIES**

Under M.G.L. c. 115, and Chapter 130 of Acts of 2005, the Commonwealth and the Massachusetts Department of Veterans' Services provide annuities to certain disabled veterans or families of deceased servicemembers. The annuity is a periodic payment of \$2,000 per year made to eligible veterans or family members, with one half paid on April 1 and the other half paid on February 1. One-hundred percent service-connected disabled veterans, and the surviving parents (Gold Star Parents) and un-remarried spouses (Gold Star Wives or Husbands) of some deceased veterans who died in the line of duty during wartime are eligible to apply.

### **ANNUITIES FOR DISABLED VETERANS**

Veterans who meet the following requirements are eligible for an annuity:

- The veteran is a resident of Massachusetts;
- The veteran meets the service time requirements explained by M.G.L. c. 115, s. 6A, 6B and 6C;
- Has received any discharge but a dishonorable discharge; and
- The veteran meets the requirements for blindness, paraplegia, double amputation, or other disability explained by M.G.L. c. 115, s. 6B, or is otherwise 100 percent disabled as certified by the VA.

## **ANNUITIES FOR SURVIVING PARENTS OR UN-REMARIED SPOUSES**

An annuity is available to a parent or an un-remarried spouse of a deceased servicemember. The parent or un-remarried spouse must meet be a resident of Massachusetts. The deceased servicemember must have met the requirements:

- The servicemember was a resident of Massachusetts;
- The servicemember received a discharge from military service under other than dishonorable conditions;
- The servicemember's death occurred as a result of an injury or disease contracted during active service in time of war or insurrection or combat as set forth in 108 CMR 3.02.

To receive the annuity, the applicant must [complete an application](#) and must submit copies of their discharge (DD Form 214), a recent Veterans Administration (VA) award letter, and a W-9 form. Family members are required to submit documentation of their relationship to the deceased veteran such as a marriage license or birth certificate. An optional Direct Deposit Authorization may also be submitted. An application may be obtained by regular mail by calling the veterans' agent at the local city/town hall, or from the Department of Veterans' Services:

Department of Veterans' Services  
600 Washington Street, Suite 1100  
Boston, MA 02111  
Phone: (617) 210-5927  
Fax: (617) 727-5903  
Email: [mdvs@vet.state.ma.us](mailto:mdvs@vet.state.ma.us)  
[www.mass.gov/veterans](http://www.mass.gov/veterans)

An applicant denied an annuity may appeal to the DVS Annuity Appeal Board within 30 days of receipt of the denial notification letter.

## **MASSACHUSETTS FINANCIAL ASSISTANCE**

### **MASSACHUSETTS CHAPTER 115 BENEFITS**

Under M.G.L. c. 115, the Commonwealth provides financial assistance for indigent Massachusetts veterans and their dependents, including assistance for food, shelter, clothing fuel and medical care. These benefits are available for dependents of deceased veterans as well.

The following dependents of veterans may qualify for Chapter 115 benefits:

- Spouse of the veteran.
- Widow or widower of the veteran.
- Dependent parent of the veteran.



- Any person who acted as a parent to the veteran for five years immediately preceding the commencement of the veteran's wartime service.
- Child of the veteran until his or her 19th birthday.
- Child of the veteran between 19 years and 23 years of age while the child is attending high school, an institution of higher learning or some other accredited educational institution provided that the applicant is in receipt of benefits under the provisions of M.G.L. c. 115.
- Child of the veteran 19 years of age or older who is mentally or physically unable to support himself or herself and was affected by the disability prior to his or her 18th birthday.
- Legally adopted children of the veteran.

Note: Veterans and their dependents may be required to apply for federal benefits for which they are eligible before being eligible for state benefits under Chapter 115.

For applications, contact your local veterans' agent. To find a veterans' agent: call the local city or town hall and ask for Veterans' Services; call the Massachusetts Department of Veterans' Services, (617) 210-5480, and ask for the veterans' agent name and contact information; or visit the DVS website at [www.mass.gov/veterans](http://www.mass.gov/veterans).

### **MILITARY FAMILY RELIEF FUND**

The Military Family Relief Fund was established by Chapter 130 of the Acts of 2005 which created a check box on the Massachusetts income tax return to allow taxpayers to make donations to families of National Guard and Reserve servicemembers who are deployed. The fund was created to give assistance to families who are suffering a financial hardship as a result of military deployment. All members of the Massachusetts National Guard and Massachusetts residents serving in the U.S. Armed Forces Reserve components who have deployed for at least 30 consecutive days are eligible to apply for a need-based grant up to \$1,000. In order to qualify, the financial hardship must be a direct result of activation or extended deployment. Applications can be completed by the deployed soldier or the soldier's spouse. For more information contact:

Military Friends Foundation  
14 Beacon Street, Suite 706  
Boston, MA 02108  
(617) 733 -7994  
[www.militaryfriends.org](http://www.militaryfriends.org)

## **CAP ON INTEREST FOR OTHER DEBT**

If a servicemember's military obligation has affected his or her ability to pay off debts such as credit cards, loans, mortgages, or student loans, the servicemember can have his or her interest rate capped at 6 percent. The interest rate reduction only applies while the servicemember is on active duty, and any interest above six percent that would have been charged during that time is forgiven. The original interest rate will apply once the servicemember is no longer on active duty. To be eligible for this relief, the debt must exist before the servicemember's activation date.

To request this temporary interest rate reduction, the servicemember must submit a written request to the creditor or lender with a copy of his or her military orders within 180 days of the servicemember's termination from active duty.

## **CONSUMER PROTECTION**

### **CONSUMER FINANCIAL PROTECTION BUREAU: OFFICE OF SERVICEMEMBER AFFAIRS**

The Consumer Financial Protection Bureau (CFPB) offers financial information specific to the needs of servicemembers, veterans, and their families. The CFPB's Office of Servicemember Affairs seeks to help you protect your finances and benefits from illegal or harmful financial practices. Visit the CFPB's website at [www.consumerfinance.gov/servicemembers](http://www.consumerfinance.gov/servicemembers).

### **FEDERAL TRADE COMMISSION: CONSUMER SENTINEL/MILITARY NETWORK**

#### **FINANCIAL SCAMS**

The Federal Trade Commission (FTC) collects complaints of financial scams and submits those complaints to law enforcement. The FTC's Consumer Sentinel/Military Network is specifically concerned with financial scams in the military community. Although the FTC does not assist in resolving individual disputes, the complaints are used to spot patterns and to warn others in the military community. If you would like to report a financial scam or learn more about protecting yourself from scams, visit [www.ftc.gov/sentinel/military/index.shtml](http://www.ftc.gov/sentinel/military/index.shtml).

#### **IDENTITY THEFT**

The FTC also offers important information on how to avoid and report identity theft at [www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idth02.pdf](http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idth02.pdf).

## **ACTIVE DUTY ALERT ON CREDIT REPORT**

Protecting your credit can be important for your financial future, and problems on your credit report can affect your military career, including your eligibility for security clearance. Before deploying, consider placing an “active duty alert” on your credit report. This alert helps minimize the risk of identity theft while you are away. The alert requires creditors to verify your identity before issuing credit. To place the alert on your credit report, contact the fraud number at any one of the three consumer reporting agencies. The agency you contact is required to contact the other two.

Equifax: 1-800-525-6285

Experian: 1-888-EXPERIAN (397-3742)

TransUnion: 1-800-680-7289

The alert expires after one year, unless you remove it sooner. For more information on active duty alerts, visit <http://www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt147.shtm>.

## **POWER OF ATTORNEY**

A power of attorney document allows an individual that you select (your “attorney-in-fact” or “agent”) to act on your behalf in financial matters. It is common for a deploying servicemember to sign a power of attorney document, giving power to a family member or friend. The power of attorney document is also a common estate planning tool that veterans may use.

When a person acts as your attorney-in-fact, that person can transact financial business as though he or she is you. For instance, your attorney-in-fact might purchase an automobile or house in your name or might also withdraw funds from your bank accounts. The decisions your attorney-in-fact may make on your behalf can affect your financial future, including your eligibility for employment, housing, and credit. It can also affect your military career, including your eligibility for security clearance.

### **LIMITING A POWER OF ATTORNEY**

There are some important factors to consider before making someone your attorney-in-fact, such as how trustworthy and responsible the person is. Even if you trust the person completely, you can take steps to limit the power you give to your attorney-in-fact. There are many ways to limit a power of attorney document, and you should discuss the document thoroughly with a lawyer. Do not sign the document until you understand everything in it.

## **REVOKING A POWER OF ATTORNEY**

When you no longer need the power of attorney, for example, after returning from deployment, you can revoke it. To revoke a power of attorney, notify your attorney-in-fact in writing that the power has been revoked, and request that your attorney-in-fact return any copies of the power of attorney document to you. You should also send written notification to any business or person that may have received a copy of the document, telling them that you have revoked the power of attorney.

## **CHARITABLE GIVING**

While many charities are trustworthy, you should always thoroughly investigate a charity before making a donation. A few organizations have been reported to exploit servicemembers' or veterans' affinity for their service, including by using solicitors in military uniforms, in the organizations' attempts to get money that may not actually be used to help servicemembers or veterans. To find out more about a charity, research it at the following websites:

- [www.charities.ago.state.ma.us](http://www.charities.ago.state.ma.us)
- [www.charitynavigator.org](http://www.charitynavigator.org)
- [www.guidestar.org](http://www.guidestar.org)
- [www.give.org](http://www.give.org)

For more information, see the Attorney General's publication on "Tips for Giving Generously and Wisely to Veterans and Public Safety Groups": <http://www.mass.gov/ago/docs/nonprofit/giving-to-veterans-groups.pdf>.

## II. HOUSING RESOURCES

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### **DEBT, CREDIT AND FORECLOSURE ISSUES**

#### **THE SERVICEMEMBERS CIVIL RELIEF ACT**

While protecting our country, some servicemembers may have trouble meeting their financial obligations for a variety of reasons such as an unexpected activation, deployment, injury, or extension of service. The Servicemembers' Civil Relief Act (SCRA) was enacted in 2003 to offer these servicemembers and their families special protections and benefits.

The SCRA covers all active duty servicemembers, Reservists, and the members of the National Guard *while on active duty*. The protection begins on the date of entering active duty and generally ends 30 to 90 days after the date when the servicemember is discharged from active duty.

If you are on active duty and have questions about the SCRA or the protections it offers, contact your unit judge advocate or installation legal assistance officer.

If you are the family member or dependents of an active duty servicemember and you have questions, or think you may be entitled to the protections and benefits of the SCRA, contact or visit your local military legal assistance office. To find your legal assistance office, visit <http://legalassistance.law.af.mil/content/locator.php>, and enter your zip code.

#### **MORTGAGE INTEREST**

The SCRA limits the amount of interest a servicemember may be charged on his or her mortgage or other debt to 6 percent during periods of active service. The interest rate reduction only applies while the servicemember is on active duty, and any interest above 6 percent that would have been charged during that time may be forgiven. The original interest rate will apply once the servicemember is no longer on active duty. To be eligible for this relief, the debt must exist before the servicemember's activation date.

To request this temporary interest rate reduction, the servicemember must submit a written request and a copy of his or her military orders to the mortgage lender. The

request may be submitted as soon as the orders are issued but must be provided to a mortgage lender no later than 180 days after the date the servicemember is released from active duty.

Some mortgage lenders may voluntarily allow servicemembers to stop making payments on their mortgage principal during active duty. Servicemembers who are unable to pay their mortgages at the reduced rate should contact their lenders to see if they offer other repayment options for military personnel. There are also a variety of general resources for homeowners who are unable to make their mortgage payments available on the U.S. Department of Housing and Urban Development website, <http://www.hud.gov/offices/hsg/sfh/econ/econ.cfm>.

## **FORECLOSURES**

Where the SCRA is applicable, mortgage lenders also may not foreclose upon, or seize property for a failure to pay a mortgage debt while a servicemember is on active duty or within 90 days after the period of military service unless they have the approval of a court. To obtain permission from the court to foreclose, the lender would have to show that the servicemember's ability to repay the debt was not affected by his or her military service.

In February 2012, the U.S. Department of Justice's Civil Rights Division announced a settlement agreement with several major home loan servicers. If you have been foreclosed on or charged a mortgage interest rate in violation of the SCRA, you may be entitled to compensation. The agreement may also provide access to loan modifications for servicemembers forced to move due to a permanent change of station (PCS). To learn more about the Justice Department's enforcement of laws protecting servicemembers, visit [www.servicemembers.gov](http://www.servicemembers.gov). If you believe your rights under the SCRA have been violated, contact your nearest Armed Forces Legal Assistance Office (AFLA). <http://legalassistance.law.af.mil/content/locator.php>.

## **HOMECORPS**

In April 2012, the Attorney General's Office launched HomeCorps, a new initiative to prevent unnecessary foreclosures by increasing the number of loan modification specialists available to help distressed borrowers in Massachusetts. Learn more about HomeCorps at [www.mass.gov/ago/homecorps](http://www.mass.gov/ago/homecorps). If you are facing foreclosure, you can call at 617-573-5333.

## **PROTECTION FROM EVICTION**

In most cases, a landlord cannot evict a servicemember or his or her dependents from their residence while the servicemember is on active duty, unless the landlord applies for a special court order. To be eligible for this protection, your monthly rent must be \$2,831.13 or less (Note: this amount is updated annually to adjust for inflation and is current through 2008.) If your landlord applies for a court order to evict you

or your family during your military service, the court can postpone the eviction for 90 days or however long the court determines is just. For more information, visit the U.S. Department of Housing and Urban Development website on the SCRA, <http://170.97.67.13/offices/cpd/about/hudvet/library/scra.cfm>, or contact your local veterans' service officer.

## **TERMINATION OF RESIDENTIAL, BUSINESS AND OTHER LEASES**

A servicemember who signed a lease for residential, professional, business, agricultural, or similar purposes is entitled to terminate that lease if he or she enters active military service after signing the lease. A servicemember who signed a lease after entering active military service can terminate that lease if he or she receives orders for a permanent change of station or to deploy with a military unit for at least 90 days. To terminate a lease, the servicemember must provide the landlord or other lessor with at least 30 days written notice of the termination and a copy of the servicemember's military orders.

## **HOMELESSNESS**

The Massachusetts Department of Veterans' Services contracts with several nonprofit organizations in order to provide housing for eligible homeless veterans. Housing services include Emergency Homeless Shelters, group residences, and Single Room Occupancy (SRO) quarters. Among the DVS providers are the only Veterans' Hospice in the nation, and a program for veterans with head injuries. Housing services are provided for male and female veterans. All residences maintain a sober, drug-free environment. For more information, visit the [Services](#) and [List of Providers](#) pages of the Department of Veterans' Services website, [www.mass.gov/veterans](http://www.mass.gov/veterans). A list of Massachusetts homeless shelters is provided in Appendix A.

The VA maintains a 24/7 national call center and online chat service for veterans and their families who are homeless or at-risk of becoming homeless. To learn more about VA homeless programs and mental health services in your area, call or chat online with a trained VA counselor: 1-877-4AID-VET (1-877-424-3838) or [www.va.gov/HOMELESS/NationalCallCenter.asp](http://www.va.gov/HOMELESS/NationalCallCenter.asp).

## **VA HOME LOAN GUARANTY**

The U.S. Department of Veterans Affairs (VA) home loan program provides home mortgage loans to veterans. For VA housing loan purposes, the term "veteran" includes certain members of the Selected Reserve, active duty service personnel and certain categories of spouses. To find out if you are eligible visit the "Home Loan Guaranty Services" section of the VA website at: <http://benefits.va.gov/homeloans/>.

If a lender cannot verify a veteran's eligibility electronically, the veteran can apply for a Certificate of Eligibility by submitting a completed VA Form 26-1880, Request Certificate of Eligibility, with proof of military service, to:

VA Loan Eligibility Center  
251 N. Main Street  
Winston-Salem, NC 27155  
1-888-244-6711

## **SPECIALY-ADAPTED HOUSING FOR DISABLED VETERANS**

### **VA PROGRAMS**

Severely disabled veterans or servicemembers may need to modify their home or move to a new home that can accommodate their service-connected disabilities. For example, a veteran in a wheelchair may require ramps instead of stairs and wider doors throughout his or her home.

Under 38 U.S.C. § 21, veterans or servicemembers who have specific service-connected disabilities may be entitled to a grant from the VA for the purpose of constructing an adapted home or modifying an existing home to meet the veteran's needs. Temporary grants may be available for smaller adaptations of the home of a family member of the veteran, such as a parent, if the veteran will be staying with the family member while recovering. The goal of the Specially Adapted Housing (SAH) Grant Program is to provide veterans with barrier-free living environments.

For more information about the VA's Specially Adapted Housing Grant Program, call the regional loan center or visit the website at: <http://www.benefits.va.gov/HOMELOANS//adaptedhousing.asp?expandable=0>. To apply for a grant, complete VA Form 26-4555, *Veteran's Application in Acquiring Specially Adapted Housing or Special Home Adaptation Grant*, and submit it to:

Manchester Regional Loan Center  
VA Regional Loan Center (262)  
Norris Cotton Federal Building  
275 Chestnut Street  
Manchester, NH 03101  
1-800-827-1000

### **OTHER RESOURCES**

Homes for Our Troops is a non-partisan, nonprofit 501(c)(3) organization that provides specially adapted homes for severely injured servicemembers. Contact:

Homes For Our Troops  
6 Main Street  
Taunton, MA 02780  
Phone: (508) 823-3300  
Toll Free: 1-866-7-TROOPS  
[www.homesforourtroops.org](http://www.homesforourtroops.org)



## III. MEDICAL CARE & DEATH

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### **SCRA & HEALTH INSURANCE**

Under the Servicemembers Civil Relief Act (SCRA), servicemembers whose health insurance lapses or is terminated during their military service are entitled to reinstatement of that insurance upon leaving the military. The servicemember may not be subjected to a waiting period, coverage limitations, or exclusions for pre-existing medical conditions because of the lapse in coverage. These protections also apply to dependents such as children or spouses, covered under the servicemember's policy.

The insurance provider may limit or exclude coverage for medical conditions or disabilities determined to be service-connected by the Department of Veterans Affairs. The SCRA also does not cover health insurance provided by a servicemember's employer. Employer-provided insurance is covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

### **HEALTH CARE OPTIONS**

#### **MASSACHUSETTS LAWS ON VETERANS AFFAIRS HEALTH CARE**

Under Chapter 58 of the Acts of 2006, frequently referred to as the Massachusetts Healthcare Reform Law, as of July 2007 all adult Massachusetts residents are required to have health insurance. Residents are asked to verify their health insurance coverage on their tax return and residents who do not have insurance face financial penalties. There are a variety of health insurance options available that veterans can access.

Under Administrative Bulletin 04-07 enrollment in the VA health care system qualifies as creditable insurance coverage under the law. Because many veterans have earned this health care through their service and it is available at very low or no out-of-pocket cost, veterans may apply for VA health care prior to signing up for Commonwealth Care, Medicare, or MassHealth which may charge premiums, fees, and co-pays.

## **TRICARE**

TRICARE is the health care program serving active duty servicemembers, National Guard and Reserve members, retirees, their families, survivors and certain former spouses worldwide. TRICARE utilizes the health care resources of the uniformed services and supplements them with networks of civilian health care professionals.

In general, active duty and retired servicemembers of the uniformed services, and their families, are eligible for TRICARE. The uniformed services include the: U.S. Army; U.S. Air Force; U.S. Navy; U.S. Marine Corps; U.S. Coast Guard; Commissioned Corps of the Public Health Service; and Commissioned Corps of the National Oceanic and Atmospheric Association.

To be eligible for TRICARE benefits, you must be registered in the Defense Enrollment Eligibility Reporting System. TRICARE offers several health plan options to meet the cost and coverage needs of servicemembers and their families.

For TRICARE information, call the customer service line at (877) 874-2273 or visit [www.tricare.mil](http://www.tricare.mil). For registration in the Defense Enrollment Eligibility Reporting System and to update personal information, call 1-800-538-9552 or visit [www.tricare.mil/deers](http://www.tricare.mil/deers).

## **VETERANS AFFAIRS HEALTH CARE**

Many veterans are eligible to receive health care from the U.S. Department of Veterans Affairs. Eligibility for most VA benefits is based upon discharge from active military service under other than dishonorable conditions, and service-connected disability rating, status as a recent combat veteran, receipt of certain medals (e.g. Purple Heart), or income. "Active military service" means full-time service, other than active duty for training, as a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, Environmental Science Services Administration or National Oceanic and Atmospheric Administration. Reservists and National Guard members who were called to active duty by the federal government are generally also eligible for VA health care if they meet the other requirements.

Dishonorable and bad conduct discharges may make a veteran ineligible for VA benefits, and the VA is prohibited by law from providing any benefits, including health care, to a veteran with an outstanding felony warrant. Some family members of veterans are eligible for VA benefits as well. For more information, see the "Information & Resources for Family Members" section of this guide.

### **ENROLLMENT**

To obtain VA health care most veterans are required to enroll in the VA system and provide documentation that they are eligible for VA services, such as a copy of

their discharge/separation papers (form DD-214). There are several ways to apply for enrollment including:

- in person at any VA Medical Center or Clinic.
- by calling VA's Health Benefits Service Center, Monday through Friday between the hours of 8:00 a.m. and 8:00 p.m. (EST) at 1-877-222-VETS.
- by mailing or faxing the completed VA Form 10-10EZ to the Medical Center or Clinic of your choice.

Veterans are enrolled in one of eight priority groups. Veterans seeking care for service-connected injuries or disabilities receive the highest priority for health care. The VA system is divided into regions called Veterans Integrated Service Networks (VISN). Massachusetts is part of VISN 1 which is the VA New England Healthcare System. You can obtain additional assistance enrolling for VA health care by contacting your local veterans' service officer.

For more information about, call 1-877-222-8387 or visit [www.va.gov](http://www.va.gov).

### **SPECIAL ELIGIBILITY FOR COMBAT VETERANS**

Under the National Defense Authorization Act (NDAA) of Fiscal Year 2008 (38 USC § 1710 (e)(1)(D)) all veterans who served in a combat theater of operations after November 11, 1998 are entitled to five years of VA health care from the date of separation from military service. Combat veterans are automatically enrolled in Priority Group 6.

### **ISSUES WITH VA HEALTH CARE**

The VA has a patient advocate system for veterans who disagree with their doctors about their treatment, or have other issues related to health care received at VA facilities. If you have a question regarding VA medical personnel or the type or quality of care you or a family member is receiving at the VA, ask to speak to a patient advocate at the VA medical center where you or your family member received treatment. For more information visit: <http://www.patientadvocate.va.gov>.

Note: If you feel that you or a family member have been abused by VA medical personnel, or have witnessed misconduct on the part of VA employees, you may wish to file a complaint with the VA Office of the Inspector General:

VA Inspector General Hotline (53E)

810 Vermont Ave NW

Washington, D.C. 20091-2042

Toll-free hotline: 1-800-488-8244 (8:30 a.m. to 4:00 p.m. EST, Monday through Friday, excluding Federal holidays)

Email: [vaoighotline@va.gov](mailto:vaoighotline@va.gov)

<http://www.va.gov/oig/contacts/hotline.asp>

## **VETERANS AFFAIRS PENSION BENEFITS**

If you qualify for a VA pension and you have a disability that meets certain criteria, you may also be eligible to receive an Aid and Attendance (A&A) or Housebound benefit. For more information on applying for A&A or Housebound benefits contact your local VA Regional Office or visit <http://www.vba.va.gov/bln/21/pension/vetpen.htm#7>.

## **MASSHEALTH**

MassHealth provides a variety of levels of health care benefits to low and medium income residents of Massachusetts by paying for insurance or paying doctors and other service providers directly. Eligibility and levels of coverage depend on the type of MassHealth plan. Some individuals may be eligible for MassHealth because of a disability or illness, such as HIV or breast cancer. For more information about available plans, visit the MassHealth website at [www.mass.gov/masshealth](http://www.mass.gov/masshealth).

The following are income eligibility criteria for MassHealth Standard which is one of the most common types of MassHealth programs. There are many other types of MassHealth programs. You may qualify for a different type of MassHealth even if you don't qualify for MassHealth Standard. Please contact MassHealth directly for more information, or visit their website.

Income standards:

- for pregnant women: 200% of the federal poverty level
- for children under age one: 200% of the federal poverty level
- for children aged one through 18: 150% of the federal poverty level
- for parents or caretaker relatives of children under age 19: 133% of the federal poverty level
- for disabled adults: 133% of the federal poverty level

To apply for MassHealth, call MassHealth Customer Service at 1-800-841-2900 (TTY 1-800-497-4648) to receive a Medical Benefit Request (MBR) form.

## **MEDICARE**

Medicare is a health insurance program for people age 65 or older, some disabled people under age 65, and people of all ages with end-stage renal disease (permanent kidney failure treated with dialysis or a transplant). Medicare has three parts. Medicare Part A is hospitalization insurance which may cover critical care such as inpatient hospital stays. Medicare Part B is medical insurance which may pay for more routine medical care such as doctor's visits and lab tests. Medicare Part D covers some prescription drugs. If you are over 65 years old there may be no cost for Medicare Part A if you have paid Medicare taxes on your income throughout your life.

The standard premium for Medicare Part B for 2013 is \$104.90 per month, with premium rate variations based on income, and the cost of Medicare Part D varies from plan to plan. Medicare also has significant co-insurance and deductibles you will need to pay when you access certain types of care.

Some servicemembers, such as retired military personnel with at least 20 years of service, are eligible for both Medicare and TRICARE for Life (TFL). Servicemembers eligible for both plans will receive Medicare-covered benefits under the Original Medicare Plan, plus all TFL-covered benefits. If these servicemembers use a Medicare provider, Medicare will be the first payer for all Medicare-covered services, and TFL will be the second payer. TFL will pay all Medicare co-payments and deductibles and cover most of the costs of certain care not covered by Medicare. For more information, visit the TRICARE for Life website at [www.tricare4u.com](http://www.tricare4u.com).

### **COMMONWEALTH CARE**

Commonwealth Care is a subsidized insurance program for uninsured individuals with incomes that fall within certain guidelines and who meet other qualifications. Commonwealth Care plans are low or no cost depending on your income. With Commonwealth Care, you choose a health plan and you choose your own doctor. Commonwealth Care plan benefits include regular check-ups, treatment when you are sick or injured, prescriptions at your local pharmacy, vision care, mental health or substance abuse treatment, and, for some members, dental care. Commonwealth Care plans are offered by Boston Medical Center (BMC) Health Net Plan, Fallon Community Health Plan, Neighborhood Health Plan and Network Health. To find out if you are eligible for Commonwealth Care, call 1-877-MA-ENROLL (1-877-623-6765) or visit [www.mahealthconnector.org](http://www.mahealthconnector.org).

### **COMMONWEALTH CHOICE**

Commonwealth Choice offers a variety of unsubsidized, individual health insurance plans. Because the Commonwealth Health Insurance Connector Authority negotiates the rates for these plans together, they cost significantly less than buying an individual policy from an insurer directly. Plans vary in cost and levels of coverage and are offered through the following providers:

- BMC HealthNet Plan
- CultiCare Health Plan of Massachusetts
- Harvard Pilgrim Health Care
- Neighborhood Health Plan
- Tufts Health Plan
- Blue Cross Blue Shield of Massachusetts
- Fallon Community Health Plan
- Health New England
- Network Health Plan

To select a Commonwealth Choice plan or compare the costs and benefits of a plan, call 1-877-MA-ENROLL (1-877-623-6765) or visit [www.mahealthconnector.org](http://www.mahealthconnector.org).

## DISABILITY COMPENSATION

Federal disability compensation is one of the most common benefits provided by the U.S. Department of Veterans Affairs (VA). The VA will make monthly payments to veterans who are currently disabled by an injury or illness that was incurred or aggravated during active military service. Disability compensation varies with the degree of disability and the number of veteran's dependents. Veterans with certain severe disabilities may be eligible for additional special monthly compensation. The 2012 benefit rates range from \$129 per month for veterans who are 10 percent disabled to \$2,816 per month for veterans who are 100 percent disabled. To view the rates, visit: <http://www.benefits.va.gov/COMPENSATION/resources-rates-read-compAndSMC.asp>. Disability benefits are not taxed as income to the veteran.

The payment of military retirement pay, disability severance pay, and separation incentive payments known as SSB (Special Separation Benefits) and VSI (Voluntary Separation Incentives) affects the amount of VA compensation paid to disabled veterans.

To be eligible for VA disability benefits, a veteran must have left military service under other than dishonorable conditions, and have an existing disability that is service-connected. Certain conditions or diseases that occur within one year of a veteran leaving military service are assumed to be service-connected, but a veteran can apply for benefits at any time provided he or she can show that an existing disability was incurred or aggravated during military service. Children of veterans may also be eligible for benefits under limited circumstances, such as children of Vietnam veterans with spina bifida. For additional information visit the Compensation and Pension Benefits section of the VA website at: <http://www.vba.va.gov/bln/21/>.

Special benefits are available to veterans with certain medical conditions who were/are:

- Prisoners of war (POWs);
- Exposed to Agent Orange or other herbicides [Note: veterans who served in Vietnam during between January 9, 1962, and May 7, 1975, are assumed to have been exposed to Agent Orange.];
- Exposed to radiation; or
- Gulf War veterans with certain chronic illnesses.

For additional information about these conditions, visit the Disease-Specific Registries section of this guide.

You can apply for compensation benefits through the VA's [Veterans Online Application](#), or by submitting an application by mail to the nearest VA regional office. For assistance, contact the Massachusetts Department of Veterans' Services. The VA also publishes a guide to Federal Benefits for Veterans and Dependents, available online at [http://www.va.gov/opa/publications/benefits\\_book.asp](http://www.va.gov/opa/publications/benefits_book.asp), which lists the many types of VA benefits available.

## **PROVING AN INJURY OR ILLNESS IS SERVICE-CONNECTED**

Veterans can submit various types of evidence to show that a claim is service-connected. When filing a claim, the veteran should indicate any medical treatment he or she has received at military or VA facilities for the disability. The VA is responsible for obtaining any of the veterans' records in the custody of the federal government, including medical records from VA and military facilities. The veteran should also notify the VA of any medical treatment received from private doctors or hospitals and make arrangements for those records to be sent to the VA. The VA generally will not be able to obtain these records without the veterans' written permission. A veteran can also submit statements from friends or family members who can attest to the impact of the disability on the veteran's daily life, or statements from fellow servicemembers who can substantiate that an injury or traumatic event occurred during the veteran's service.

Under the Veterans Claims Assistance Act of 2000, 38 U.S.C. § 5013A, the VA must provide veterans with assistance in obtaining evidence to support any claim where there is a reasonable possibility that such assistance will help the veteran substantiate his or her claim. The VA is therefore obligated to make a reasonable effort to help the veteran obtain records that would back up his or her claim, and to provide the veteran with a medical examination when such an examination is necessary to make a decision. If the VA schedules a medical exam to evaluate a veteran for compensation benefits, the veteran must attend the examination. This includes veterans who are already receiving compensation who are instructed to report for a re-examination by the VA. Veterans who fail to report for an examination risk denial of their claim, or loss of their existing benefits.

The criteria for rating different disabilities are listed on the Department of Veterans Affairs website at: <http://www.benefits.va.gov/warms/bookc.asp>.

Note: Once an injury or illness is determined to be service-connected, the amount of compensation a veteran receives for that injury or illness may vary over time. If a veteran's symptoms or impairment get worse, the veteran can file a new claim requesting that his or her disability rating be increased at any time. The VA may also re-examine a veteran to determine if his or her condition has improved and lower the amount of benefits in certain circumstances when the veteran's condition has demonstrably improved. Veterans who have surgery or other medical treatment may also be entitled to a temporary disability rating of 100 percent for periods of hospitalization or convalescence during which the veteran is unable to work.



## DISEASE-SPECIFIC REGISTRIES

### VETERANS EXPOSED TO AGENT ORANGE

Agent Orange and other herbicides are chemicals that were used extensively in Vietnam as defoliants to remove leaves from trees. Veterans who were exposed to Agent Orange or other herbicides such as dioxin may experience negative health effects.

Many of these veterans are eligible for Veterans Affairs (VA) benefits. The following medical conditions are generally presumed to be service-connected for veterans exposed to Agent Orange and certain other herbicides. This means that veterans with these conditions have to submit less evidence to the VA to be eligible for benefits:

- chloracne (a skin disorder),
- porphyria cutanea tarda,
- acute or subacute peripheral neuropathy (a nerve disorder),
- type 2 diabetes, and
- numerous cancers.

In addition, Vietnam veterans' children with the birth defect spina bifida are eligible for certain benefits and services. Furthermore, the VA was recently authorized to provide certain benefits, including health care, for children with birth defects who were born to female Vietnam veterans.

The following veterans are assumed to have been exposed to Agent Orange:

- Any U.S. Vietnam era veteran who served in the Republic of Vietnam between 1962 and 1975, regardless of length of service (i.e., 1 hour, 1 day, 1 month, 1 year, etc.).
- Any U.S. veteran who served in Korea during 1968 or 1969.

If you served in Vietnam or Korea during those dates, or if you were exposed to Agent Orange, dioxin or another toxic substance in an herbicide or defoliant during the conduct of any military operation or as a result of the testing, transporting, or spraying of herbicides for military purposes, you are entitled to Agent Orange Registry Examination and possibly VA benefits. Veterans do not need to be enrolled in the VA health care system to receive an Agent Orange Registry Examination. The Registry Examination is an opportunity to identify individual health issues and to gather information about the diseases and other medical conditions caused by exposure to Agent Orange. If you have been exposed to Agent Orange and would like more information, contact your [local VA Medical Center](#), or the VA's Agent Orange Helpline:

Gulf War/ Agent Orange Helpline  
Toll-free: 1-800-749-8387



Environmental Agents Service  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420  
<http://www.publichealth.va.gov/exposures/agentorange/diseases.asp>  
Email: [GW/AOHeline@vba.va.gov](mailto:GW/AOHeline@vba.va.gov)

## **GULF WAR ILLNESSES**

Some veterans who served in the Persian Gulf during Operation Desert Shield in the early 1990s or in Operation Iraqi Freedom from 2003 to the present may develop a cluster of unexplained, multi-symptom illnesses sometimes referred to as Gulf War Syndrome. These veterans are entitled to a free registry examination to identify any conditions that may have been caused by their military service, and to help the VA determine which illnesses or conditions are common among Gulf War veterans.

Public Law 103-446 allows the VA to pay compensation to Gulf War veterans with certain chronic disabilities resulting from undiagnosed illnesses that appeared during active duty in the Gulf War or within a specified time period after Gulf War service, which led to a degree of disability of 10 percent or more. In 2001, Public Law 107-103 expanded the definition of “qualifying chronic disability” to include fibromyalgia, chronic fatigue syndrome, and irritable bowel syndrome.

The following symptoms are sometimes associated with Gulf War illnesses. However, these symptoms are also associated with many other medical conditions that may or may not be related to military service. If you have any of the following symptoms and served in Iraq or elsewhere in the Persian Gulf, you may consider contacting the VA to find out if a registry examination is appropriate.

- Fatigue
- Skin disorders
- Headaches
- Muscle pain
- Joint pain
- Neurological symptoms
- Neuropsychological symptoms
- Respiratory symptoms
- Sleep disturbances
- Gastrointestinal symptoms
- Cardiovascular symptoms
- Abnormal weight loss
- Menstrual disorders

Veterans who want more information about the Gulf War Registry or who are experiencing the symptoms listed above can schedule an examination or call the VA Gulf War Veterans Information Helpline toll-free at 1-800-PGW-VETS. For more information, visit <http://www1.va.gov/gulfwar>. Veterans can also obtain more information about the registry at any VA medical center.

## **VACCINE ADVERSE EVENTS**

Vaccinations have some risk of harmful side effects or adverse events. For most vaccines this risk is very small, or the side effects are minor such as swelling near an injection site or general fatigue for a few days. Because military servicemembers receive numerous vaccines to protect them against risks they face during their service, in a small number of cases they may experience side effects.

The Food and Drug Administration (FDA) and the Center for Disease Control (CDC) maintain a database of adverse events and harmful side effects of vaccines called the Vaccine Adverse Events Reporting System (VAERS). Each report that is filed with VAERS provides valuable information that is added to the VAERS database, which is then used to ensure the safest strategies of vaccine use and to further reduce the rare risks associated with vaccines.

If you experienced an adverse event or significant side effects you think may be related to a vaccination you received during your service or otherwise, you may report that online to VAERS at: <https://vaers.hhs.gov/esub/step1>. If you received medical treatment, the doctor who treated you may also be obligated to file a report. You can also download a copy of the reporting form, available at [https://vaers.hhs.gov/resources/vaers\\_form.pdf](https://vaers.hhs.gov/resources/vaers_form.pdf) and submit it by fax or mail to:

VAERS  
P.O. Box 1100  
Rockville, MD 20849-1100  
Fax (toll-free): 1-800-822-7967  
Email: [info@vaers.org](mailto:info@vaers.org)

## **NON-SERVICE-CONNECTED DISABILITIES**

### **SOCIAL SECURITY**

If your disability is not service-connected or you are ineligible for VA disability benefits, you may be eligible for benefits through the Social Security Administration (SSA). In some cases, certain members of your family may also be entitled to receive benefits based on your disability. The SSA's website provides information on eligibility for benefits, how to apply for benefits, and how to appeal if your application is denied: [www.ssa.gov/disability](http://www.ssa.gov/disability). If you need legal assistance with a Social Security benefits appeal, please see Appendix E for a list of agencies that provide general legal assistance.

## **LONG-TERM CARE**

### **FEDERAL**

VA benefits provide for a range of long-term care services which include nursing home care, domiciliary care, adult day health care, geriatric evaluation, and respite care.

Veterans with service-connected disabilities receive priority for all VA health care services. Long-term care services are provided at VA medical centers throughout the state. For more information about long-term care at the VA, call 1-877-222-8387 or use the [Facilities Locator](#) on the VA's website. For information about how to enroll in the VA health care system, view the Veterans Affairs Health Care section of this guide.

## **MASSACHUSETTS SOLDIERS' HOMES**

Massachusetts Soldiers' Homes provide a variety of health services to veterans such as acute hospital care, domiciliary care, long-term care, physical and occupational therapy, laboratory and radiology services, an outpatient department, and a social services department. There are two state Soldiers' Homes in Holyoke and Chelsea. For more information on eligibility and admission, contact:

Holyoke Soldiers' Home  
110 Cherry Street  
Holyoke, MA 01041  
Phone: (413) 532-9475

Chelsea Soldiers' Home  
91 Crest Avenue  
Chelsea, MA 02150  
Phone: (617) 884-5660

## **LIFE INSURANCE**

Under the SCRA, certain life insurance policies are entitled to special protection. To obtain this protection the insured servicemember, or his or her representative, must submit an application to the insurance company for protection under the SCRA. The insurance company will then submit a request to the Secretary of Veterans Affairs for approval. Approved policies are guaranteed by the United States and cannot lapse or be terminated for failure to pay premiums or interest after the date when the Secretary receives the application. The protection provided by the SCRA is limited to a maximum policy amount, and applies during the insured's period of military service and for two years thereafter. In order to qualify, the policy must:

1. Not decrease the amount of coverage or require the payment of an additional amount as premiums if the insured engages in military service (except increases in premiums in individual term insurance based upon age); or
2. Not limit or restrict coverage for any activity required by military service; and
3. Be in force for at least 180 days before the date of the insured's entry into military service and at the time of application.

To find out if you have a policy that is entitled to this protection, contact your life insurance company and ask them to assist you with the application process.

## **SERVICEMEMBERS GROUP LIFE INSURANCE (SGLI)**

SGLI is low cost group life insurance for servicemembers on active duty, ready reservists, and members of the National Guard in all military branches. Servicemembers pay a monthly premium and can obtain coverage between \$50,000 and \$400,000. The current monthly premium is \$.065 per \$1,000 of coverage. Servicemembers who become totally disabled while on active duty can retain their SGLI coverage at no cost for up to two years. For more information, visit the VA's SGLI website at: <http://insurance.va.gov/sgliSite/SGLI/SGLI.htm>.

## **VETERANS GROUP LIFE INSURANCE (VGLI)**

VGLI is low cost group life insurance for veterans who want to convert their SGLI policy to a policy they can keep after leaving military service. VGLI policies are issued in multiples of \$10,000 up to \$400,000 but a veteran cannot have a higher level of VGLI coverage than the coverage level he or she had as an active duty servicemember with SGLI. VGLI does not have a set premium like SGLI. VGLI premiums are based on age (rates are available online at <http://insurance.va.gov/sgliSite/VGLI/VGLI%20rates.htm>). To convert SGLI to VGLI, a veteran must submit an SGLV 8714, Application for Veterans' Group Life Insurance, to the Office of Servicemembers' Group Life Insurance with the required premium within one year and 120 days from discharge to avoid having to provide evidence of good health. Veterans who apply more than 120 days from leaving service are required to submit this evidence. All veterans must apply for VGLI within one year and 120 days of leaving military service. Once the deadline has passed a veteran is no longer eligible. For more information, visit the VA's VGLI website at: <http://insurance.va.gov/sgliSite/VGLI/VGLI.htm>.

## **MENTAL HEALTH RESOURCES**

For mental health resources in addition to those listed below, visit the National Alliance on Mental Illness (NAMI) Massachusetts website for veterans and servicemembers at [www.namimass.org/resources/veterans-and-service-members](http://www.namimass.org/resources/veterans-and-service-members).

## **VET CENTERS**

Vet Centers provide readjustment counseling, outreach, and referral services to veterans and their families in a relaxed, community-based setting. Vet Centers also provide counseling for military sexual trauma and bereavement counseling to parents, siblings, and spouse of servicemembers who die in service. Many Vet Center staff members are combat veterans themselves. Almost all combat veterans are eligible for Vet Center services. For more information about eligibility visit <http://www.vetcenter.va.gov/Eligibility.asp>.

There are Vet Centers located in Massachusetts in Boston, Brockton, Hyannis, Lowell, New Bedford, Springfield and Worcester. There are also Vet Centers located throughout New England that Massachusetts veterans can access. To find a Vet Center near you, visit: <http://www.va.gov/directory/guide/state.asp?State=MA&dnum=ALL&v=1>.

### **SUICIDE PREVENTION LIFELINE**

The National Suicide Prevention Lifeline provides service for veterans in crisis. Call 1-800-273-TALK (8255) and press 1 to be connected immediately to VA suicide prevention and mental health service professionals. Visit their website at: [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org).

### **MASSACHUSETTS SAVE PROGRAM**

The Commonwealth of Massachusetts Department of Veterans' Services in collaboration with the Department of Public Health, has a *Statewide Advocacy for Veterans' Empowerment (SAVE)* program that assists veterans in need of referral services and seeks to prevent suicide and advocate on behalf of Massachusetts' veterans. SAVE will act as a liaison between veterans (and their families) and the various agencies within the federal and state governments. A team of SAVE Outreach Coordinators will focus on community advocacy, suicide prevention, mental health awareness, and referrals. SAVE Outreach Coordinators will be in the field responding to the needs of veterans and their families.

SAVE Team  
Department of Veterans' Service  
600 Washington St., 7th Floor  
Boston, MA 02111  
Toll-free: 1-888-844-2838  
Fax: (617) 210-5755  
[save@state.ma.us](mailto:save@state.ma.us)

### **SAMARITANS: MASSACHUSETTS 24 HOUR CRISIS HOTLINES**

Samaritans, Inc. is a non-denominational, not-for-profit volunteer organization dedicated to reducing the incidence of suicide by befriending individuals in crisis and educating the community about effective prevention strategies. The Samaritans provides a free and confidential 24-hour phone befriending line, in Boston at (617) 247-0220, and in Framingham at (508) 875-4500. Other hotlines:

- Teen Line (statewide): 1-800-252-8336
- Merrimack Valley: 1-866-912-4673; (978) 688-6607; Teen Line (603) 357-5505
- Fall River/New Bedford: 1-866-508-HELP; (508) 673-3777,
- Cape Cod and the Islands: 1-800-893-9900; (508) 548-8900

## **NATIONAL CENTER FOR POST-TRAUMATIC STRESS DISORDER**

The National Center for PTSD is a part of the VA that works to advance the clinical care and social welfare of America's veterans through research, education, and training in the science, diagnosis, and treatment of PTSD and stress-related disorders. Its website, <http://www.ptsd.va.gov/>, is provided as an educational resource concerning PTSD and other enduring consequences of traumatic stress.

### **STRENGTH AT HOME**

The VA, through its National Center for PTSD, offers programs for veterans, servicemembers, and their families who are facing issues of conflict, anger, and post-deployment readjustment in their personal relationships. Programs for individuals and for couples are offered and are designed to strengthen relationships. Visit [www.strengthathome.com](http://www.strengthathome.com) for more information.

### **HOME BASE PROGRAM**

The Home Base Program is a partnership between the Red Sox Foundation and Massachusetts General Hospital (MGH). The program offers OEF/OIF veterans and their families diagnostic assessments, treatment, and referral services. The program is intended to help participants overcome combat-related stress and/or traumatic brain injury. The services are available regardless of whether treatment has previously been sought and regardless of ability to pay. Discharge status does not affect eligibility for services. OEF/OIF veterans and their families may contact the Home Base Program at 617-724-5202 or at [homebaseprogram@partners.org](mailto:homebaseprogram@partners.org) for assistance. To learn more about the program, visit [www.homebaseprogram.org](http://www.homebaseprogram.org).

### **OTHER SOURCES OF ASSISTANCE**

AMVETS provides many forms of assistance to veterans across the Nation in addition to supporting community service initiatives. Visit [www.amvets.org](http://www.amvets.org).

National Veterans Foundation offers a toll-free crisis management hotline for veterans and their families at 1-888-777-4443. The hotline is open seven days a week, from 9:00 a.m. to 9:00 p.m. (Pacific Time). Visit [www.nvf.org](http://www.nvf.org) for more information.

Mental Health America: Operation Healthy Reunions distributes educational materials on such topics as reuniting with a spouse and children, adjusting after war, depression, and post-traumatic stress disorder (PTSD). Visit [www.nmha.org/reunions](http://www.nmha.org/reunions) for more information.

Iraq and Afghanistan Veterans of America provides a variety of resources and materials for OEF/OIF veterans. Visit [www.iava.org](http://www.iava.org) for more information.

The Coming Home Project is a nonprofit organization devoted to providing compassionate care, support, and stress management tools for Iraq and Afghanistan veterans and their families. Visit their website at: [www.cominghomeproject.net](http://www.cominghomeproject.net).

Tragedy Assistance Program for Survivors (TAPS) provides resources for suicidal veterans and their families. For more information, contact:

Tragedy Assistance Program for Survivors, Inc.  
1777 F Street NW, Suite 600  
Washington, DC 20006  
Office: (202) 588-TAPS (8277)  
Toll-free: 1-800-959-TAPS (8277)  
[www.taps.org](http://www.taps.org)  
[info@taps.org](mailto:info@taps.org)

Veterans and Families is a national nonprofit community service and support organization, founded and directed by veterans, parents, grandparents, family members, employers, mental health professionals, academics and community leaders. View their website at:  
[www.veteransandfamilies.org](http://www.veteransandfamilies.org).

Each military branch also offers prevention programs for active duty servicemembers:

- Air Force Suicide Prevention Program: <http://www.af.mil/suicideprevention.asp>
- Army Suicide Prevention Program: <http://www.armyg1.army.mil/hr/suicide/>
- Coast Guard Suicide Prevention Program: [http://www.uscg.mil/worklife/suicide\\_prevention.asp](http://www.uscg.mil/worklife/suicide_prevention.asp)
- Marine Corps Suicide Prevention Program: [www.usmc-mccs.org/suicideprevent](http://www.usmc-mccs.org/suicideprevent)
- Navy Suicide Prevention Program: [http://www.public.navy.mil/bupers-npc/support/suicide\\_prevention/Pages/default.aspx](http://www.public.navy.mil/bupers-npc/support/suicide_prevention/Pages/default.aspx)

## **SCREENING FOR MENTAL HEALTH**

Screening for Mental Health provides free mental health tools for servicemembers and their families, including online self-assessments and information on where help is available. Screening for Mental Health also offers Family Resiliency Materials to help families learn how to cope with deployments. Visit [www.mentalhealthscreening.org/programs/military](http://www.mentalhealthscreening.org/programs/military) for more information.

## **BURIAL & MEMORIAL BENEFITS**

Most veterans are entitled to state and federal burial benefits and other memorial services. For information about burial sites outside Massachusetts, such as the Arlington National Cemetery, you should contact the cemetery directly. To locate the burial site of a veteran or servicemember, use the VA National Gravesite Locator, available online at: [http://gravelocator.cem.va.gov/j2ee/servlet/NGL\\_v1](http://gravelocator.cem.va.gov/j2ee/servlet/NGL_v1).



## **VA-OPERATED CEMETERIES**

VA burial benefits available at no cost to the veteran's family include a gravesite in any of 125 national cemeteries with available space (all cemeteries are listed online at: <http://www.cem.va.gov/cem/cems/listcem.asp>), opening and closing of the grave, perpetual care, a Presidential Memorial Certificate, a burial flag, and a government headstone or marker (information online at: [http://www.cem.va.gov/cem/hm\\_hm.asp](http://www.cem.va.gov/cem/hm_hm.asp)). Some veterans may also be eligible for burial allowances (information online at: <http://www.cem.va.gov/cem/bbene/benvba.asp>). Cremated remains are buried or inurned in national cemeteries in the same manner and with the same honors as casketed remains. There are two VA-operated national cemeteries in Massachusetts:

Massachusetts National Cemetery  
Off Connery Avenue  
Bourne, MA 02532  
Phone: (508) 563-7113  
Fax: (508) 564-9946  
<http://www2.va.gov/directory/guide/facility.asp?ID=243>

Woodlawn Cemetery Soldiers' Lot  
Woodlawn Cemetery  
Harvard Street  
Ayer, MA 01432  
<http://www.cem.va.gov/CEM/cems/lots/woodlawn.asp>

For more information, or to find a VA cemetery outside of Massachusetts, you can also contact the VA's National Cemetery Administration at 1-800-827-1000, or online at: <http://www.cem.va.gov/>.

## **MASSACHUSETTS VETERANS' CEMETERIES**

There are also two veterans' cemeteries, in Agawam and in Winchendon, that are operated by the Commonwealth and funded in part through VA grants. Eligible veterans can be buried in these facilities at no cost. For information on eligibility, visit the [Contact Information and Eligibility](#) page of the Department of Veterans' Services website.

A small fee is required for burial of spouses or children of eligible veterans. For more information, visit the [State Veterans' Cemeteries](#) page of the Department of Veterans' Services website, or contact:

Massachusetts Veterans' Memorial Cemetery  
1390 Main Street  
Agawam, Massachusetts 01001  
Phone: (413) 821-9500  
Fax: (413) 821-9838



Massachusetts Veterans' Memorial Cemetery  
111 Glenallen Street  
Winchendon, Massachusetts 01475  
Phone: (978) 297-9501  
Fax: (978) 297-4271

### **MARKERS OR HEADSTONES IN PRIVATE CEMETERIES**

The VA will provide markers or headstones for eligible veterans buried in private cemeteries at no cost to the veteran or his or her family. The VA is also currently developing a special emblem that can be affixed to a privately purchased headstone which will indicate the grave belongs to a veteran. Veterans buried in private facilities on or after November 1, 1990, have the option of having the grave marked with a second stone or marker provided by the government, or having the emblem affixed to an existing stone purchased privately. Spouses and dependents are not eligible for a Government-furnished headstone or marker unless they are buried in a national cemetery, state veterans' cemetery, or military post/base cemetery. To find out if you or a family member is eligible, visit the Veterans Affairs website at: <http://www.cem.va.gov/cem/hmm/eligibility.asp>.

When burial or memorialization is in a national, post or state veterans' cemetery, a headstone or marker will be ordered by the cemetery officials based on inscription information provided by the next of kin. To request a Government-provided headstone or marker for a veteran's grave in a private cemetery, [VA Form 40-1330, Application for Standard Government Headstone or Marker](#), must be submitted by the next of kin or a representative, such as funeral director, cemetery official or veterans counselor, along with veterans military discharge documents to:

Memorial Programs Service (41A1)  
Department of Veterans Affairs  
5109 Russell Road  
Quantico, VA 22134-3903

NOTE: Veterans buried in private cemeteries may be charged a fee by the cemetery for placing the marker at the veterans' grave. The VA does not cover these fees.

For more information, call 1-800-697-6947 or visit the VA website at: [http://www.cem.va.gov/CEM/hm\\_hm.asp](http://www.cem.va.gov/CEM/hm_hm.asp).

### **MILITARY HONORS AT FUNERALS**

Some family members like to have a military honor guard at the funeral of a veteran. The Department of Defense (DOD) "Honoring Those Who Served" program provides dignified military funeral honors to veterans who have defended our nation. For more information on this program, visit the DOD Honoring Those Who Served website at: <http://www.militaryfuneralhonors.osd.mil/>. To arrange military funeral honors, contact your local funeral home.

## **DEATH PENSION**

The VA provides pensions to low-income surviving spouses and unmarried children of deceased veterans with wartime service. To be eligible, spouses must not have remarried and children must be under age 18, or under age 23 if attending a VA-approved school, or have become permanently incapable of self-support because of disability before age 18.

The veteran must have been discharged under other than dishonorable conditions and must have had 90 days or more of active military service, at least one day of which was during a period of war, or a service-connected disability justifying discharge. Longer periods of service may be required for veterans who entered active duty on or after September 8, 1980, or October 16, 1981, if an officer. If the veteran died in service but not in the line of duty, the death pension may be payable if the veteran completed at least two years of honorable service.

To apply for a death pension, you must complete [VA Form 21-534, Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by Surviving Spouse or Child](#). If available, attach copies of dependency records (i.e., marriage license and children's birth certificates). Submit the form to your nearest VA regional office.

## **DEATH GRATUITY PAYMENT**

Military services provide a payment of \$100,000, called a death gratuity, to the next of kin of servicemembers who die while on active duty, or retirees who die within 120 days of retirement as a result of service-connected injury or illness. Parents, brothers or sisters may be provided the payment, if they were designated as next of kin by the deceased. The payment is made by the last military command of the deceased. If the beneficiary is not paid automatically, application may be made by contacting the casualty assistance officer for the veteran's branch of service.

## IV. SERVICE-RELATED INFORMATION

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### **DISCHARGES**

The military has many different ways of classifying discharges depending on the circumstances surrounding a veteran's departure from military service. The type of discharge a veteran receives can impact his or her eligibility for a variety of state and federal benefits. In order to be eligible for most benefits a veteran must have been discharged under other than dishonorable conditions. There are some differences in the terminology used by state or federal agencies and the military branches themselves when referring to types of discharges.

The following discharges are generally considered to be "under other than dishonorable conditions":

- Honorable discharge;
- Discharge under honorable conditions; and
- General discharge.

Under 38 C.F.R. § 3.12, some discharges require the VA to make a "character of service determination" on an individual basis to determine if the type of discharge disqualifies a veteran from receiving VA benefits. Those discharges include:

- Discharge under other than honorable conditions;
- Undesirable discharge;
- Bad conduct discharge; and
- Dishonorable discharge.

Most veterans who are released from service as a result of a court-martial conviction or resigning to avoid a court martial are ineligible for VA benefits. Servicemembers who are guilty of desertion, treason, or are unjustifiably absent without leave for an extended period of time may also be ineligible.

The character of a veteran's discharge is listed on his or her discharge papers (separation papers or Form DD-214). For more information about how to obtain a copy of your own or a family member's DD-214, visit the Military and VA Records section of this guide.

If you believe your discharge is listed incorrectly or was characterized inappropriately, you have the right to request that it be reviewed and changed. Each of the military services maintains a discharge review board with authority to change, correct or modify discharges or dismissals that are not issued by a sentence of a General Courts-Martial. The board has no authority to address medical discharges.

If you want the military to review or change the type of discharge you received, and you were discharged within the past 15 years, complete and submit [DD Form 293: Application for Review of Discharge or Dismissal from the Armed Forces of the United States](#). If your discharge was more than 15 years ago, complete and submit [DD Form 149: Application for Correction of Military Records](#). Instructions and contact information for the review boards of all branches of service are included on both forms.

The Army Review Boards Agency (ARBA) now accepts online applications for the Board for Correction of Military Records and for the Discharge Review Board. This online application process (<http://arba.army.pentagon.mil/online-application.cfm>) will expedite applicants' requests for changes to their military records. Customers can check the status of their requests using the Internet. Visit the ARBA website at: <http://actonline.army.mil>. Your local Veteran's Agent can help you fill out these forms.

## **REPLACEMENT MEDALS, AWARDS & DECORATIONS**

Veterans or their families may obtain replacements for lost medals or other decorations awarded to the veteran by submitting appropriate documentation to the veterans branch of service. There is generally no charge for replacement medals or other awards.

Requests can be submitted online using the eVetRecs system at: <http://www.archives.gov/veterans/military-service-records/>. Paper requests can be submitted by completing a Standard Form 180 and mailing it to the address for the veteran's branch of service indicated at the bottom of page 3 of SF-180. For general information:

National Personnel Records Center  
(Military Personnel Records)  
9700 Page Ave.  
St. Louis, MO 63132-5100

Note: Under 18 U.S.C. 704, also known as the Stolen Valor Act, it is a class D felony to wear, purchase, ship, sell, or exchange, or to falsely claim to be the recipient of, a medal, ribbon, or badge, unless the honor was properly earned. The law is not intended to apply to legitimate collectors of these items provided they do not represent that they have earned them through military service.

Veterans can determine which medals they earned by examining their military discharge forms (DD-214, WD 53-35, NAVPERS, etc.). Listed on the form are all the medals the final military unit deemed the veteran was authorized to possess at the time of discharge.

To apply for a medal not listed on your discharge papers, but that you feel you deserve, complete [Form DD-149](#) and mail the completed form to the appropriate address listed on the back of the form based on your branch of service.

## **MILITARY AND VA RECORDS**

There are many reasons you may need copies of your military records. If you are filing a claim with the VA, any record of traumatic events, injuries, and medical treatment you received during your service can be helpful. If you are applying for veterans' preference, a tax exemption, or other state and federal benefits you will probably need a copy of your discharge papers (Form DD-214). If you are a spouse or dependents of a veteran you will probably also need a record of the veteran's military service and documentation of your relationship to the veteran such as a marriage or birth certificate.

There are many different types of military records. The following is a list of some of the most common records and how to obtain them. This is not an exhaustive list. If you have a complicated VA claim or issue with trying to upgrade your discharge there may be other records available that can be helpful.

## **OBTAINING MILITARY RECORDS**

Each military branch maintains its own military personnel records for servicemembers on active duty. Once a servicemember has been discharged and no longer has any further service obligation, his or her personnel records are sent to a central archiving facility. These facilities vary based on the date of the servicemember's discharge and branch of service.

Veterans discharged to Massachusetts can contact the Military War Records Office of the Adjutant General in order to obtain their military records. Veterans can also visit their [local Veterans' Agent office](#) or the central office of the Department of Veterans' Services (600 Washington Street, Suite 1100 in Boston) to request a copy of their form DD-214. Local agents and DVS staff will access DD-214 forms online and print them for veterans who present positive photo ID.

Military War Records Office  
50 Maple St.  
Milford, MA 01757  
Phone: (508) 233-7780  
Fax: (508) 233-7785

Veterans living in another state at the time of discharge can obtain their records directly from the federal agency responsible for maintaining the records. Please see [Appendix B](#) for a table from the National Personnel Records Center that lists the location of most military personnel records.

Most records can be obtained by submitting a completed [Standard Form 180](#) (preferred) or by providing the information listed in the table, to the address listed for the agency in charge of maintaining the records. Veterans who plan to file a claim for medical benefits with the VA do not need to request a copy of their military health record from the National Personnel Records Center, unless the veteran wants a copy for his or her personal records. The original health records are provided directly to the VA after the veteran's claim is filed. For more information about obtaining military records visit the NPRC website at: <http://www.archives.gov/st-louis/>.

Note: "Discharged" means a person with no current military status. A person released from active duty based on expiration of terms of service, generally is transferred into the inactive reserve. Most military service obligations are for 8 years. If it is less than 8 years from the date of enlistment, then the person is probably in the reserve.

## **VA MEDICAL RECORDS**

VA facilities maintain records of all treatment received by veterans from facilities in the VA system. This information is shared electronically between VA facilities so most information created at one VA facility can be accessed from other VA facilities. Most VA medical facilities have a Release of Information Office where veterans can request a copy of their medical records in person for no charge.

Veterans can also obtain copies of VA medical records by mail. To request your own medical record from one of the VA medical facilities located in Massachusetts, complete a [VA Form 10-5345a, Individuals' Request for a Copy of Their Own Medical Record](#), and mail it to the facility where you received medical treatment. If you are a family member or advocate requesting records on behalf of a veteran, complete [VA Form 10-5345, Request for and Authorization to Release Medical Records or Health Information](#), and submit it to the VA facility where the veteran was treated. The forms must be submitted with the veteran's original signature or the request will not be processed. To obtain information about the facilities visit the Boston VA Healthcare System website at: <http://www.boston.va.gov/patients/roi.asp>.

## **RECORDS RELATED TO BENEFITS CLAIMS**

Any veteran who has filed a claim for benefits will have a VA claims file containing records of all examinations, claims, treatment, decisions, and other documents relevant to the veteran's claim. A veteran's claims file is maintained at the VA Regional Office where the veteran filed his or her claim for benefits. A veteran is entitled to review the information contained in his or her claims file and to either make copies at the VA facility or request them by mail. The VA may charge a reasonable fee to provide a copy of the file.

It is generally easiest to review or obtain a copy of your claims file in person at the VA facility. You may wish to contact the VA to determine which regional office in your area has your claims file before traveling to the office itself. To request a copy of a VA claims file by mail, send a completed [VA Form 3288, Request for and Consent to Release of Information from Individual's Records](#), to the nearest VA Regional Office. To find the Regional Office nearest you, call 1-800-827-1000.

## **FREEDOM OF INFORMATION ACT (FOIA) REQUESTS**

The Freedom of Information Act (FOIA) provides that any person has a right of access to Federal agency records, except to the extent that such records are protected from release by a FOIA exemption or a special law enforcement record exclusion. The most commonly requested VA materials are the VA's Physicians' Guide to Disability Evaluation Examinations and information regarding the [2006 Loss of Veterans Identity Information](#) after the theft of a VA employee's laptop. Many VA publications, directives, and other materials accessible via FOIA are already posted on the VA website. For more information on how to request VA records visit: [http://www.foia.va.gov/FOIA\\_Request.asp](http://www.foia.va.gov/FOIA_Request.asp).

## **CITIZENSHIP FOR MILITARY PERSONNEL AND FAMILY MEMBERS**

### **CITIZENSHIP AND IMMIGRATION SERVICES**

Non-U.S. citizens serving in the armed forces and their dependents may be eligible for U.S. citizenship. To obtain information on citizenship or other immigration issues, such as permanent residence ("green cards") visit <http://www.uscis.gov/military>.

Servicemembers and their families may also contact the U.S. Citizenship and Immigration Services' (USCIS) Military Help Line for immigration-related information: 1-877-CIS-4MIL (1-877-247-4645).





# V. EDUCATION BENEFITS & SCHOLARSHIPS

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## **STATE EDUCATION BENEFITS**

### **TUITION WAIVERS**

Under M.G.L. c. 15A, s. 19, Massachusetts veterans who are not in default of any federal student loans and who are legal residents of Massachusetts may be eligible for any state-supported course in an undergraduate degree program or certificate program offered by a public college or university.

Under Chapter 130 of the Acts of 2005, National Guard members are eligible for a waiver of state college and state university fees and tuition.

For more information, you may contact the Veterans Representative at the college or university, or visit the University of Massachusetts veterans' website at: [www.umass.edu/veterans](http://www.umass.edu/veterans).

### **PUBLIC SERVICE SCHOLARSHIP PROGRAMS**

Massachusetts sponsors a scholarship for certain dependents of deceased veterans. Scholarships will be awarded to the children of prisoners of war, the children of military or service persons who are missing in action in Southeast Asia whose service was between February 1, 1955, and the end of the Vietnam campaign, and the children of veterans who were killed in action or otherwise died as a result of such service. See Appendix C for service requirements.

The scholarships are awarded for undergraduate study at Massachusetts institutions of higher education. For more information contact:

Massachusetts Board of Higher Education  
Office of Student Financial Assistance  
454 Broadway Street, Suite 200  
Revere, MA 02151  
Phone: (617) 391-6070  
Fax: (617) 727-0067  
Email: [osfa@osfa.mass.edu](mailto:osfa@osfa.mass.edu)  
[www.osfa.mass.edu](http://www.osfa.mass.edu)

## **UPWARD BOUND PROGRAM**

The University of Massachusetts Boston offers a program called Veterans Upward Bound (VUB) which provides career and academic counseling for veterans of all ages. The VUB services include workshops, tutorials, and classroom-based instruction on high school diploma equivalency, computer skills, and developing college and career awareness. All Veterans Upward Bound classes and supplies are free for qualified veterans. For eligibility requirements, contact:

Veterans Upward Bound Program  
UMass Boston  
100 Morrissey Boulevard  
McCormack Hall, 3rd floor, Room 704  
Boston, MA 02125  
Phone: (617) 287-5870  
Fax: (617) 287-5844  
Email: [veteransupwardbound@umb.edu](mailto:veteransupwardbound@umb.edu)  
[www.veterans-ub.umb.edu](http://www.veterans-ub.umb.edu)

## **FEDERAL EDUCATION BENEFITS**

### **VOCATIONAL REHABILITATION AND EMPLOYMENT**

The Vocational Rehabilitation and Employment Program assists veterans who have service-connected disabilities with obtaining and maintaining suitable employment. The program will provide veterans with education, training, assistance with finding employment, and other services which are determined by the veteran's skills and employment goals. Independent living services are also available for severely disabled veterans who are not currently ready to seek employment. Additional information is available on VA's website at: <http://www.vba.va.gov/bln/vre/>.

A veteran must have a VA service-connected disability rated at least 20 percent with an employment handicap, or rated 10 percent with a serious employment handicap, and be discharged or released from military service under other than dishonorable conditions. Servicemembers awaiting medical separation from active duty may also apply if their disabilities are reasonably expected to be rated at least 20 percent following their discharge.

### **G.I. BILL**

The Montgomery G.I. Bill provides certain education benefits to eligible veterans for many different education programs, including college, graduate degrees, vocational and apprenticeship training. Most G.I. Bill benefits expire 10 years after the date a veteran left military service. For a complete list of educational programs, visit: <http://gibill.va.gov/benefits/index.html>.

To be eligible for the G.I. Bill, veterans must generally have served on active duty after June 30, 1985, had their military pay reduced by \$100 a month for first 12 months, and meet certain minimum service requirements. For a complete list of eligibility criteria visit the VA website at: [www.gibill.va.gov](http://www.gibill.va.gov). For more information about how to your G.I. Bill benefits call 1-888-GI-BILL-1 (1-888-442-4551) to speak to a benefits counselor.

### **POST-9/11 VETERANS EDUCATION ASSISTANCE ACT OF 2008**

The Post-9/11 G.I. Bill provides education benefits to individuals who served on active duty on or after September 11, 2001. You may be eligible if you served at least 90 days on active duty and were honorably discharged, released and placed on the retired list or transferred for further service in the Fleet Reserve, Fleet Marine Corps Reserve or other reserve component of the Armed Forces. Benefits under the Post-9/11 G.I. Bill include payment for a percentage of tuition and fees, monthly housing, and books and supplies. For more information, download and view a VA brochure at: [http://www.gibill.va.gov/documents/pamphlets/ch33\\_pamphlet.pdf](http://www.gibill.va.gov/documents/pamphlets/ch33_pamphlet.pdf), or contact:

VA Regional Office  
P.O. Box 4616  
Buffalo, NY 14240-4616  
Toll-free: 1-888-GI-BILL-1 (1-888-442-4551).

If you qualify for the Post 9/11 GI Bill and your school participates in the VA's Yellow Ribbon Program, you may qualify for additional benefits. For more information visit: [http://www.gibill.va.gov/benefits/post\\_911\\_gibill/yellow\\_ribbon\\_program.html](http://www.gibill.va.gov/benefits/post_911_gibill/yellow_ribbon_program.html).

### **VETERANS RETRAINING ASSISTANCE PROGRAM**

If you are an unemployed veteran between the ages of 35 and 60 and you are not eligible for other VA education benefit programs, you may be eligible for up to 12 months of assistance with retraining expenses. Visit <http://benefits.va.gov/vow/education.htm> to learn more about this program.

## **FEDERAL SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM**

Under the Dependents' Educational Assistance Program, the VA provides up to 45 months of education and training benefits to certain dependents veterans between the ages of 18 and 26. To be eligible a dependent must be the son, daughter, or spouse of:

- A veteran who died or is permanently and totally disabled as the result of a service-connected disability. The disability must arise out of active service in the Armed Forces.
- A veteran who died from any cause while such service-connected disability was in existence.
- A servicemember missing in action or captured in line of duty by a hostile force.
- A servicemember forcibly detained or interned in line of duty by a foreign government or power.
- A servicemember who is hospitalized or receiving outpatient treatment for a service connected permanent and total disability and is likely to be discharged for that disability. This change is effective December 23, 2006.

For more information, call 1-888-442-4551 or visit the VA's website at: [http://gibill.va.gov/benefits/other\\_programs/dea.html](http://gibill.va.gov/benefits/other_programs/dea.html).

## **EDUCATION RESOURCES FOR DEPENDENTS**

The Massachusetts Soldiers Legacy Fund (MSLF) was established to help children of Massachusetts servicemembers who have died while deployed on operations Enduring and Iraqi Freedom. The MSLF grants funds for current and future college/university students whose parent's "home of record" at the Department of Defense was Massachusetts and who were killed on deployment during Operations Enduring or Iraqi Freedom. There is no selection process. If the student is a child of a servicemember whose service is credited to Massachusetts and gave his or her life in Operation Enduring or Iraqi Freedom, that student qualifies for funds. For more information, visit [www.mslfund.org](http://www.mslfund.org).

The American Patriot Freedom Scholarship is an annual essay contest open to children of active duty military servicemembers or veterans. For more information, visit: [www.homefrontamerica.org](http://www.homefrontamerica.org).

The Army Emergency Relief Fund sponsors the MG James Ursano Scholarship Program for Dependent Children, which provides student dependents of active or retired military financial assistance for college. For more information, visit: [http://www.aerhq.org/education\\_dependentchildren.asp](http://www.aerhq.org/education_dependentchildren.asp).

Scholarships for Military Children are funded through the suppliers of military commissaries. The organization offers scholarships to dependent unmarried children under age 21 (age 23 if enrolled as a full-time student) of active duty personnel, reserve/guard and retired military members, or survivors of deceased members. For more information visit: [www.militaryscholar.org](http://www.militaryscholar.org).

## **OTHER EDUCATION BENEFITS**

Servicemembers Opportunity Colleges (SOC) coordinates associate and bachelor's degree programs in a variety of curriculum areas for the Army, Navy, Marine Corps, and Coast Guard. These degree programs are offered by colleges and universities on or accessible to Army, Navy, Marine Corps, and Coast Guard installations worldwide. Within each curriculum or degree network, member colleges agree to accept each other's credits in transfer. Servicemembers and their family members in isolated locations can take courses through such "distance learning" methods as the Internet, correspondence, computer, or video. This allows servicemembers to continue earning their degrees during frequent transfers. For more information, visit: [www.soc.aascu.org](http://www.soc.aascu.org).

If you have a total and permanent disability, you may be eligible to have your federal student loans discharged or cancelled. Visit <http://www.studentloanborrowerassistance.org/loan-cancellation/disability-and-death/> for more information.

## **SCHOLARSHIP OPPORTUNITIES**

The VFW Scholarships offers a variety of scholarships to veterans and their families. For more information, visit: <http://www.vfw.org/Community/Programs/>.

AMVETS annually awards scholarships to veterans/active military, and their children or grandchildren. A child or grandchild of a deceased veteran is also eligible. The scholarship provides assistance to high school seniors, high school JROTC students and veterans pursuing a higher education on the basis of academic excellence and financial need. For more information, visit: <http://www.amvets.org/programs/scholarships/>.

The Mehadi Foundation is a nonprofit organization founded by Lance Corporal Jeff Key, USMC, a veteran of Operation Iraqi Freedom. The Mehadi Foundation scholarship provides assistance with college tuition to veterans who have struggled with addiction but who are at least six months clean and sober and in school. For more information, visit [www.mehadifoundation.org](http://www.mehadifoundation.org).

## **DISABILITIES AND EDUCATION**

If you have a documented disability, your educational institution may be required to provide you with certain accommodations, if you notify them of your situation. Even if you do not have a disability under military or VA standards, you may still have a disability that qualifies for accommodations in an academic setting. Also, not all disabilities as determined by the military or VA will qualify for accommodations in academic settings. The U.S. Department of Education's Office of Civil Rights is responsible for ensuring that postsecondary institutions comply with federal civil rights laws, including those that protect individuals with disabilities. For more information on your rights, visit [www2.ed.gov/about/offices/list/ocr/letters/back-to-school-2008.html](http://www2.ed.gov/about/offices/list/ocr/letters/back-to-school-2008.html).

## VI. MOTOR VEHICLE-RELATED INFORMATION

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### **FEE EXEMPTIONS & WAIVERS**

#### **FREE MOTOR VEHICLE REGISTRATION**

Disabled veterans who by reason of service in the U.S. armed forces have suffered the loss of, or permanent loss of, the use of one or both hands or feet, or who have permanent impairment of vision in both eyes, or any other disability or handicap of such veterans that may be determined by the Medical Affairs Branch of the Registry of Motor Vehicles (M.G.L. c. 90, s. 8c), are eligible to receive, free of charge, disabled veterans motor vehicle registration plates and are exempt from the biannual registration renewal fee. Contact:

Registry of Motor Vehicles  
Medical Affairs Branch  
630 Washington Street  
Boston, MA 02111  
Phone: (617) 351-9222  
TTY: (617) 536-7534  
Toll-free outside of "617" and "781" area codes: 1-800-858-3926  
Toll-free TTY: 1-877-RMV-TTDD (768-8833)  
<http://www.massrmv.com/rmv/veteran/disvet.htm>

Mailing address:  
P.O. Box 199100  
Boston, MA 02119-9100

All veterans who were captured and imprisoned in the course of duty by an enemy of the U.S. during an armed conflict are eligible to receive ex-prisoner of war license plates and are not required to pay the biannual registration renewal fee. Presentation of satisfactory evidence of such prisoner of war status is required. Surviving spouses may keep this plate until they remarry, or fail to renew or cancel the registration, but an annual fee would then be required. Contact:

Registry of Motor Vehicles  
Special Plates (Vanity) Section  
One Copley Place, 3rd Floor  
Boston, MA 02116  
Phone: (617) 351-9322  
<http://www.massrmv.com/rmv/veteran/expow.htm>

Mailing address:  
P.O. Box 199100  
Boston, MA 02119-9100

### **MOTOR VEHICLE REGISTRATION EXEMPTIONS**

Under M.G.L. c. 60A, s. 1, disabled veterans of World War I, World War II, Korea, or Vietnam are eligible for motor vehicle excise exemption if they suffered one of the following injuries by reason of their service in the U.S. armed forces: the loss of one or both feet or hands, the loss of the permanent use of one or both feet or hands, the loss sight in one eye, or the permanent impairment of vision of both eyes (see statute for details). Veterans must be certified by the U.S. Department of Veterans Affairs in order to receive the motor vehicle excise exemption. (This tax exemption is applicable for one motor vehicle that is owned for non-commercial use). For eligibility details contact a local assessor's office, or:

Department of Revenue  
Division of Local Services  
51 Sleeper Street, 5th floor  
Boston, MA 02210  
Phone: (617) 626-2300  
Fax: (617) 626-2330  
[www.mass.gov/dor](http://www.mass.gov/dor)

Mailing address:  
P.O. Box 9490  
Boston, MA 02205-9490

### **MOTOR VEHICLE SALES TAX EXEMPTION**

Under M.G.L. c. 64H, s. 6(u) disabled veterans who have suffered the loss of both legs or both arms or one leg and one arm or have suffered the permanent loss of the use of both legs or both arms or one leg and one arm due to their service in the U.S. armed forces are eligible for a motor vehicle sales tax exemption. This tax exemption is applicable for one motor vehicle that is owned for non-commercial use. For eligibility details contact:



Department of Revenue  
19 Staniford Street  
Boston, MA 02114  
Phone: (617) 887-6367  
[www.mass.gov/dor](http://www.mass.gov/dor)

Mailing address:  
P.O. Box 9655  
Boston, MA 02114-9655

## **VETERANS' LICENSE PLATES**

A variety of specialty license plates are available to veterans. Any veteran as defined by Massachusetts law (see Appendix C) is eligible to purchase a veterans license plate. Other specialty plates are available to veterans who have earned certain honors such as a purple heart. Generally, standard fees apply. A portion of the fees is used to fund the Massachusetts Soldiers Homes. To purchase specialty veterans license plates contact your local Registry of Motor Vehicles.

Veterans who have a 60 percent or greater physical disability and meet certain eligibility criteria are eligible to purchase disabled veteran license plates. There is no fee for disabled veteran license plates, but they must be renewed every two years.

To apply for disabled veteran license plates complete the RMV's Application for Disabled Parking Placard/Plate, available online at: <http://www.massrmv.com/rmv/forms/20060.pdf>. Submit the application with a photocopy of your DV plate letter from the U.S. Department of Veterans Affairs stating that your disability is at least 60 percent service connected to:

Registry of Motor Vehicles  
Attn: Medical Affairs  
P.O. Box 55889  
Boston, MA 02205-5889

For more information about the different types of veterans license plates, visit the Registry of Motor Vehicles website at: <http://www.massrmv.com/rmv/veteran/index.htm>.

## **TERMINATION OF AUTOMOBILE LEASES**

A servicemember who is called to active duty for at least 180 days may terminate a motor vehicle lease signed before being called to active duty without paying an early termination fee or other penalty. To avoid fees or penalties, the servicemember must give the lessor, grantee, or agent (i.e., the person or company that leased the vehicle) written notice of the termination and a copy of the servicemember's military orders. The vehicle must be returned to the lessor or lessor's agent within 15 days of the delivery of the notice.

If the servicemember signs a motor vehicle lease after being called to active duty, that lease can be terminated if the servicemember receives orders for a permanent change of station outside the U.S. or to deploy with a military unit for 180 days or more.

## **VEHICLE ADAPTATIONS FOR DISABLED VETERANS**

Financial assistance is available to adapt an automobile to accommodate a disability for a veteran or servicemember with certain disabilities that resulted from an injury or disease incurred or aggravated during activity military service. The veteran or servicemember may only receive the automobile grant once in his or her lifetime. The grant is paid directly to the seller of the automobile for the total price (up to \$11,000) of the automobile.

A veteran or servicemember must have one of the following disabilities to qualify for the automobile grant:

- loss, or permanent loss of use, of one or both feet
- loss, or permanent loss of use, of one or both hands, or
- permanent impairment of vision in both eyes to a certain degree

## **VA ADAPTIVE EQUIPMENT GRANT**

Veterans who need to adapt an existing vehicle to accommodate certain disabilities can also apply for a VA grant. Adaptive equipment includes, but is not limited to, power steering, power brakes, power window lifts, power seats, and special equipment necessary to assist the eligible person into and out of the vehicle. Contact your local VA medical center's Prosthetic Department prior to purchasing any equipment. This grant may be paid more than once.

To apply for either VA grant complete [VA Form 21-4502](#) and send it to the nearest VA facility before you purchase an automobile or arrange for modifications to be made. The VA will return the form to you indicating whether the purchase has been approved. You can then present the original form to seller at the time of purchase.

## **STATE PARK PARKING FEE WAIVERS**

There is no charge for parking a vehicle with disabled veteran license plates at any state park. For more information contact:

Department of Conservation and Recreation  
251 Causeway Street, Suite 600  
Boston, MA 02114-2104  
Phone: (617) 626-1250  
Email: [mass.parks@state.ma.us](mailto:mass.parks@state.ma.us)  
[www.mass.gov/dcr](http://www.mass.gov/dcr)

## VII. LEGAL ASSISTANCE

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See Appendix E for a list of legal assistance agencies.

### **STAY OF CIVIL AND ADMINISTRATIVE PROCEEDINGS**

Under the SCRA courts have the power to stay (postpone) certain court actions and administrative hearings until a servicemember can return from active duty and personally appear in court. If the servicemember is a defendant in a civil (non-criminal) court proceeding, the court has the option of granting a 90 day stay on its own. If the servicemember requests a stay, the court must grant a 90 day stay if the servicemember submits the following to the court:

1. A letter or other communication to the court stating the facts and manner in which current military duty requirements materially affect the servicemember's ability to appear in court;
2. A statement of a date when the servicemember will be available to appear; and
3. A letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents him or her from appearing in court, and that military leave is not authorized for the servicemember at the time of the letter.

The provision applies to civil lawsuits, including suits for paternity, child custody suits, and bankruptcy debtor/creditor meetings, and administrative proceedings. A servicemember's communication with the court to request a stay does not constitute an appearance for jurisdictional purposes. Requesting a stay also does not waive any of the servicemember's rights to assert any substantive or procedural defenses, including lack of jurisdiction.

A servicemember who was already granted a stay by the court may request an additional stay by providing the information listed above. However, the court is only obligated to grant the first stay of 90 days. If the court refuses to grant an additional stay of proceedings, the court must appoint a lawyer to represent the servicemember in the action or proceeding.

## **STAY OF EXECUTION OF JUDGMENTS, ATTACHMENTS AND GARNISHMENTS**

Under certain circumstances, a court can postpone or stop the execution of court judgments or orders against a servicemember. The postponement will last for the period of the servicemember's active service and up to 90 days thereafter. This provision of the SCRA applies to civil actions brought against a servicemember before or during the period of his or her military service, or within 90 days after such service terminates.

If the court determines that military service materially affects a servicemember's ability to follow a court judgment or order, the court may voluntarily decide to postpone or stop the execution of the court order or judgment, including garnishment or attachment of wages, property, money, and other assets in the servicemember's possession. If a servicemember requests a stay of execution of a judgment or order from the court, the court must grant the stay.

## **RE-OPENING DEFAULT JUDGMENTS**

The SCRA also protects active duty servicemembers from default judgments, which are judgments issued against a defendant who fails to appear in court. A plaintiff who wants to obtain a judgment against a servicemember must submit a sworn statement to the court, called an affidavit, indicating whether or not the defendant is a servicemember. If it appears the defendant is a servicemember, the court cannot issue a judgment without appointing an attorney to represent the servicemember. If the attorney cannot locate the servicemember, the attorney's actions are not binding on the servicemember.

Under certain circumstances, the court must allow a servicemember to re-open a civil case that has been decided by a default judgment. In order to re-open a default judgment in a civil action, the judgment must have been issued during the servicemember's period of military service (or within 60 days after termination of or release from such military service) and the servicemember, or another person on the servicemember's behalf, must submit a request to re-open the judgment to the court that issued it. When the court receives the request, the court is required to re-open the judgment to allow the servicemember to defend him or herself if it appears that:

- Military service materially affected the servicemember's ability to defend the action; and
- The servicemember has a meritorious or legal defense to the action or some part of it.

## **APPEALING A VA BENEFITS DECISION OR DENIAL**

Veterans who disagree with a U.S. Department of Veterans Affairs (VA) decision or denial with regard to their benefits have the right to appeal that decision. The VA has an extensive appeals process and it is very important to follow the VA instructions carefully.

Veterans must meet strict time limits and other requirements or their appeals may be denied. However, many veterans whose initial claims are denied succeed in getting their benefits on appeal.

For more detailed information about the appeals process, visit the VA's website on Understanding the Appeals Process at: [http://www.bva.va.gov/How\\_Do\\_I\\_APPEAL.asp](http://www.bva.va.gov/How_Do_I_APPEAL.asp).

## **HELP WITH YOUR APPEAL**

There are many sources of assistance available to veterans who wish to file an appeal. Although some veterans choose to handle their appeals themselves, veterans who have an advocate that is familiar with the appeals process may be more likely to succeed. Don't be afraid to ask for help. The earlier you have the assistance of a professional advocate, the more likely you are to get your benefits.

The AGO does not recommend one type of assistance over another. Each individual veteran should decide which type of advocate can be most effective in his or her case. The following types of assistance are available.

- Your local veterans' service officer or the Massachusetts Department of Veterans' Services can provide you with a variety of levels of assistance filing and appealing a VA claim.
- There are many private attorneys who are trained in helping veterans with the appeal process and are willing to volunteer their services through their local bar association or other pro bono programs. Low-income veterans may also be eligible for free legal services from the many legal aid organizations in the Commonwealth.
- There are a number of trained representatives available through various veterans' service organizations such as the American Legion, Disabled American Veterans, AMVETS, Gold Star Wives, and numerous other dedicated organizations. Many of these organizations are congressionally chartered, which means they are approved by the VA Secretary to provide veterans with assistance. The VA provides a directory of all veterans' service organizations where you can find this type of assistance online at: [www.va.gov/vso](http://www.va.gov/vso).

## **ATTORNEYS' FEES**

Some veterans may choose to hire a private attorney to help them, even though there are many volunteer lawyers willing to help with VA benefits claims. Veterans who make this choice should be aware of what fees an attorney may and may not charge for these services. Attorneys may charge a reasonable fee to represent veterans for assisting veterans before they file a VA claim, or for assistance with an appeal after the veteran has filed a Notice of Disagreement. The lawyer must provide the veteran with a written fee agreement and the agreement should specify if the VA should pay the fees to the lawyer directly out of past due benefits if the veteran is successful on appeal. The fee also must be reasonable for the amount of skill required and type of work performed. Under 38 U.S.C. § 5904, if the lawyer is being paid from any past due benefits awarded to the veteran, the lawyer may not receive more than 20 percent of the past due benefit award. The lawyer may not receive a share of the veteran's future benefits.

## VIII. DISCRIMINATION AGAINST VETERANS

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### **STATE LAWS ABOUT DISCRIMINATION AGAINST VETERANS**

Under M.G.L. c. 151B, s. 4, it is illegal for any employer to deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to a person who is a member of, applies to perform, or has an obligation to perform, service in a uniformed military service of the United States, including the National Guard.

If you think you have been discriminated against or your rights may have been violated on the basis of your status as a veteran or military servicemember, you may also file a complaint with the Civil Rights Division of the Office of the Attorney General. For more information, visit:

[www.mass.gov/ago/civilrightscomplaint](http://www.mass.gov/ago/civilrightscomplaint).

You can also file a complaint with the Massachusetts Commission Against Discrimination (MCAD). For more information and instructions on filing a complaint, visit the Frequently Asked Questions section of the MCAD website at: <http://www.mass.gov/mcad/faq.html#2>.

Veterans who believe they were discriminated on the basis of their status as veterans can also report any complaints to the Secretary of the Department of Veterans' Services for investigation.

Department of Veterans' Services  
600 Washington Street, Suite 1100  
Boston, MA 02111  
(617) 210-5755  
Email: [mdvs@vet.state.ma.us](mailto:mdvs@vet.state.ma.us)  
[www.mass.gov/veterans](http://www.mass.gov/veterans)

## **SPECIFIC VETERANS' POPULATIONS**

### **WOMEN VETERANS**

Women veterans receive the same healthcare benefits as all veterans and the VA provides a full range of healthcare services to both genders. In 1992 the Veterans Healthcare Act expanded the services available to women veterans at many VA medical facilities. The VA now provides routine and specialty women's health care including preventative screenings, obstetrics and gynecological services, limited infertility treatment, and breast care. For more information about VA healthcare call 1-877-222-8387, or view the VA Health Care section of this guide.

The [Women Veterans' Network](#) of the Massachusetts Department of Veterans' Services is a resource for women veterans in Massachusetts. It has a database of 12,000 women veterans who receive a biannual newsletter with information on benefits, programs, and events for women veterans. To receive the newsletter, please use the contact below. The Women's Veterans Network provides women veterans with information on federal, state, and local benefits; expands awareness of the needs of women veterans; identifies available health and human resources to meet those needs; and advocates on behalf of women veterans in the Commonwealth of Massachusetts. Contact:

Women Veterans' Network  
600 Washington St., 7th Floor  
Boston, MA 02111  
Phone: (617) 210-5781  
Fax: 617-210-5755  
Email: [DVSWomen@vet.state.ma.us](mailto:DVSWomen@vet.state.ma.us)

### **NON-U.S. CITIZENS**

Active duty servicemembers and certain veterans of the U.S. Armed Forces are eligible to apply for United States citizenship under special provisions of the Immigration and Nationality Act (INA).

Generally, service in the Army, Navy, Air Force, Marine Corps, Coast Guard, or certain reserve components of the National Guard and the Selected Reserve of the Ready Reserve is required for eligibility. The requirements for applying for citizenship also vary depending on whether the veteran or active duty military servicemember served in wartime or peacetime.



### **PEACETIME SERVICE**

Section 328 of the Immigration and Nationality Act applies to all members of the U.S. Armed Forces or those already discharged from service. An individual may qualify for naturalization if he or she has:

- Served honorably for at least one year.
- Obtained lawful permanent resident status.
- Filed an application while still in the service or within six months of separation.

### **WARTIME SERVICE**

All immigrants who have served honorably on active duty in the U.S. Armed Forces or as a member of the Selected Ready Reserve on or after September 11, 2001 are eligible to file for immediate citizenship under the special wartime provisions in Section 329 of the Immigration and Nationality Act. This section also covers veterans of designated past wars and conflicts.

Every military installation has a designated point-of-contact to handle citizenship applications and to complete a Request for Certification of Military or Naval Service (N-426). Servicemembers should inquire through your chain of command to find the appropriate point-of-contact. For more information call the USCIS toll-free military help line at 1-877-CIS-4MIL (1-877-247-4645).

### **LESBIAN, GAY, BISEXUAL, TRANSGENDER VETERANS**

If you are an LGBT veteran or servicemember, you may find additional resources through the Servicemembers Legal Defense Network for more information:

SLDN  
P.O. Box 65301  
Washington, DC 20035-5301  
Phone: (202) 328-3244 or (202) 328-FAIR  
Fax: (202) 797-1635  
Email: [sldn@sldn.org](mailto:sldn@sldn.org)  
[www.sldn.org](http://www.sldn.org)

## **VETERANS & THE ADA**

Title I of the Americans with Disabilities Act of 1990 (ADA) prohibits employers from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations. The ADA's nondiscrimination standards apply to federal sector employees under section 501 of the Rehabilitation Act.

Under the ADA, an employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

Charges of employment discrimination on the basis of disability may be filed at any U.S. Equal Employment Opportunity Commission (EEOC) field office. For the appropriate EEOC field office in your area, contact the EEOC directly at 1-800-669-4000 (TTY: 1-800-669-6820), or visit their website at: <http://www.eeoc.gov/field/index.cfm>.

### **DISABILITY RIGHTS LAWS**

The Attorney General's Office enforces federal and state laws protecting the rights of individuals with disabilities. The AGO enforces Titles II and III of the Americans with Disabilities Act, the Massachusetts Public Accommodation Law (M.G.L. c. 272, s. 92A, 98, and 92A), and the Massachusetts Equal Rights Act (M.G.L. c. 93, s. 103 ), and focuses on eliminating discriminatory barriers to services, programs, and ensuring accommodations for people with disabilities.

An individual with a disability is a person:

- with a mental or physical impairment that substantially limits one or more major life activities;
- who has a history of such an impairment; or
- who is perceived (even if erroneously) as having such an impairment.

Among the many issues the AGO works to address are the following:

- Fair housing rights for individuals with disabilities.
- Access to town and municipal meetings, polling sites, and other governmental programs and services.
- Access to retail establishments, restaurants, stores, transportation, entertainment facilities and other places of public accommodation.

The Attorney General works collaboratively with other state attorneys general and the Civil Rights Division of the U.S. Department of Justice, and various state agencies, in addition to working cooperatively with a network of local disability rights advocates, commissions, independent living centers, community access monitors, and others in the disability community.

### **EMPLOYMENT RIGHTS OF INDIVIDUALS WITH DISABILITIES**

The Massachusetts Antidiscrimination Law (M.G.L. c. 151B ) is the state law that prohibits discrimination in employment against persons with disabilities. The ADA covers public and private employers with 15 or more employees. Chapter 151B applies to public and private employers with 6 or more employees. The ADA and Chapter 151B provide that an employer may not discriminate against a “qualified individual with a disability,” which is defined as a person who can perform the “essential functions of a job, with or without a reasonable accommodation.”

A qualified individual with a disability refers to those individuals with a disability who: (1) satisfy the general skill, experience, education and other job-related requirements, and (2) can perform the essential functions of the job, with or without reasonable accommodation. Essential functions are fundamental job duties that you must be able to perform with or without a reasonable accommodation. A job function is more likely to be “essential” if it requires special expertise, a large amount of time, and/or if that function was listed in the written job description prepared before the employer advertised for or interviewed job applicants. An employer cannot refuse to hire you because you have a disability that prevents you from fulfilling duties that are not essential to the job. A reasonable accommodation is an employment-related modification that an employer must make in order to ensure equal opportunity for a person with a disability to:

- Apply for and test for a job;
- Perform essential job functions; and
- Receive the same benefits and privileges as other employees.

An employer is only required to provide a reasonable accommodation to known disabilities (i.e. if the applicant or employee informs the employer of the disability, or if the disability is obvious).

If an accommodation would cause “undue hardship,” an employer is not legally required to provide it. An accommodation may prove to be an undue hardship when its implementation would result in “significant difficulty or expense” to the employer. Factors to be considered in making this determination include:

- the nature and cost of the accommodation;
- the impact of the accommodation on the operation of the facility involved, taking into account the facility’s overall resources and the number of its employees; or
- the manner in which the employer’s business operates, taking into account its size and financial resources.

An employer is prohibited from asking an applicant or employee if he/she has a disability, or the extent to which he/she is disabled. An employer may ask whether the applicant is able to perform job-related functions, but not questions intended to determine whether or not the person has a disability. For example, an employer may be permitted to ask an applicant whether he/she can lift a 50 pound bag four times per shift, but not whether or not he/she has a bad back.

Employment criteria and tests which tend to screen out or identify individuals with disabilities are prohibited unless they measure one’s ability to perform an essential job function. Job descriptions should clearly list the qualifications and essential functions of the job. An employer is required to select employment tests that measure an individual’s job-related abilities, not defects in sensory, manual or speaking skills where those skills are not necessary to perform an essential job function. For example, exam accommodations for an applicant with a hearing impairment might include extra time, a written exam, or an interpreter.

## IX. EMPLOYMENT RIGHTS & RESOURCES

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### **UNIFORM SERVICES EMPLOYMENT & REEMPLOYMENT RIGHTS ACT**

The Uniform Services Employment and Reemployment Rights Act (USERRA) is a law designed to protect servicemembers from employment discrimination based on past or present military service or National Guard or Reserve status. If a servicemember leaves a civilian job to perform military service, he or she may be entitled to special protection, including retention, re-employment, promotions, and other benefits.

USERRA requires employers to re-employ returning servicemembers in the job they would have had if they had never left for military service, including any pay or salary increases, seniority, or other benefits the servicemember would have received. Employers are required to make reasonable attempts to train returning servicemembers in any skills required for re-employment, and must make reasonable accommodations to disabled veterans.

USERRA also protects a servicemember's right to participate in employer-sponsored health and pension plans. Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 24 months; however, they may be required to pay up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the servicemember had remained employed. An employer who re-employs a servicemember must count the period of his or her military service toward the time required to earn benefits under an employee pension and benefit plan.

To be eligible for these benefits the servicemember must:

- Provide his or her employer with advance written or verbal notice of his or her military service;
- Have five years or less of cumulative military service while with that particular employer. There are important exceptions to the five-year limit, including initial enlistments lasting more than five years, periodic National Guard and Reserve training duty, and involuntary active duty extensions and recalls, especially during a time of national emergency;
- Return to work or apply for reemployment in a timely manner after conclusion of service; and

- Not be separated from service with a disqualifying discharge or under other than honorable conditions.

The U.S. Department of Labor Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information about USERRA, contact the U.S. Department of Labor VETS at 1-866-4-USA-DOL or visit: [www.dol.gov/vets](http://www.dol.gov/vets). For online interactive support visit the USERRA Advisor at: <http://www.dol.gov/elaws/userra.htm>.

## **FAMILY MEDICAL LEAVE ACT**

Under the Family and Medical Leave Act, most employers with 50 or more employees must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth and care of the newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- to take medical leave when the employee is unable to work because of a serious health condition.

Provisions of the 2008 and 2010 National Defense Authorization Acts (NDAAs) altered the Family and Medical Leave Act (FMLA) to assist family members who need to take unpaid leave to care for a servicemember or veteran with a “serious injury or illness.” The law allows spouses, children, parents, and other next-of-kin who provide such care to take as many as 26 workweeks of unpaid leave in a 12-month period.

In separate FMLA provisions, “qualifying exigencies” can entitle the spouse, child, or parent of certain servicemembers to up to 12 workweeks of unpaid leave during a 12-month period. These provisions apply to the specified family members of servicemembers on or notified of an impending call to “covered active duty.” Covered active duty includes servicemembers in the regular Armed Forces who are deployed to a foreign country and servicemembers in the reserve Armed Forces who are called to federal active duty for a deployment to a foreign country. Qualifying exigencies associated with the servicemember’s covered active duty may involve short-notice deployment, military events, childcare/school arrangements, financial/legal arrangements, counseling, rest and recuperation, post-deployment activities, and other related activities as agreed upon between the employer and employee.

Employees and other persons may file complaints with the U.S. Department of Labor’s Employment Standards Administration (usually through the nearest office of the [Wage and Hour Division](#)). The Department of Labor may file suit to ensure compliance and recover damages if a complaint cannot be resolved administratively.

Employees also have private rights of action, without involvement of the Department of Labor, to correct violations and recover damages through the courts. For more information, call the Wage-Hour toll-free help line at 1-866-4USWAGE (1-866-487-9243), or visit the FMLA website at: <http://www.dol.gov/whd/fmla>.

## **NATIONAL GUARD & RESERVISTS**

If you are in the Massachusetts National Guard, you receive additional employment protections. No employer (public or private) can discriminate against you under M.G.L. c. 33, s. 13. If you work for the state, you get paid your state salary while you are on certain types of duty in the Commonwealth at the order of the commander-in-chief. This applies to counties and municipalities, if they adopt M.G.L. c. 33, s. 59. These duties include annual training, emergency assistance, repelling invasions or suppressing insurrections, controlling riots or mobs, or protecting persons or property during catastrophes or natural disasters.

## **FINDING EMPLOYMENT**

### **VETERANS EMPLOYMENT & TRAINING SERVICES PROGRAM**

The Veterans Employment & Training Services Program (VETS) is funded by the U.S. Department of Labor and provides employment and training services to veterans. These services include access to Local Veteran Employment Representatives (LVERs) and the Disabled Veteran's Outreach Program (DVOP) at One-Stop Career Centers across the country. These Career Centers have current information about all the federal, state, and local programs and services available for veterans. For more information, visit: [www.dol.gov/vets](http://www.dol.gov/vets).

The Disabled Veteran Outreach Program staff work with One-Stop Career Center staff to provide access to employment and training services for disabled veterans. DVOP services include:

- Expert assessment of veteran's needs and current skill levels;
- Career counseling and guidance;
- Assisting in providing supportive services;
- Creating and maintaining relationships with employers in order to develop jobs; and
- Providing referrals for veterans to job openings and training opportunities.

### **VETERANS RETRAINING ASSISTANCE PROGRAM**

If you are an unemployed veteran between the ages of 35 and 60 and you are not eligible for other VA education benefit programs, you may be eligible for up to 12 months of assistance with retraining expenses. Visit <http://benefits.va.gov/vow/education.htm> to learn more about this program.

## **VA FOR VETS**

The VA has developed a dedicated career support program to assist veterans in finding and maintaining employment with the VA. VA for Vets offers online tools for employment searches and career development. For more information, visit the VA for Vets website: <http://vaforvets.va.gov/Pages/default.aspx>.

## **TRANSITION ASSISTANCE PROGRAM**

The Transition Assistance Program (TAP) is a five-day workshop intended to help military personnel transition into civilian life. The intensive workshops are facilitated by DVOP and LVER staff and are available regularly at Hanscom Air Force Base in Bedford, Fort Devons in Acton, and the Coast Guard Base in Boston. TAP is a service for transitioning military personnel and their family members who are within 12 months of separating or within 24 months of retiring from the military. TAP workshops include, among others, assessments of employment skills, job search counseling, techniques for stress management, and information related to available veteran services. For more information, visit [www.turbotap.org](http://www.turbotap.org).

## **VETERANS' PREFERENCE**

Veterans who meet the Massachusetts definition of "veteran" (see Appendix D) are entitled to several employment benefits. Under M.G.L. c. 31, s. 26 and 28, and M.G.L. c. 41, s. 112, veterans are entitled to preference in civil service appointments and promotions. Veterans in a public retirement system may also buy back their military time (see M.G.L. c. 32, s. 4(h)). For more information see Chapter 468 of the Acts of 2002.

## **LAY-OFFS**

Veterans who meet the Massachusetts definition of "veteran" under M.G.L. c. 4, s. 7, cl. 43rd (see Appendix C) have tenure in their job if they hold a state job that is not a civil service position under M.G.L. c. 31 and if they have three years in that position. In the event of a lay-off, veterans have a right to be hired for a similar existing position (unless all positions are held by veterans). Veterans who are civil service employees also have certain lay-off protections.

## **ONE-STOP CAREER CENTERS**

The Commonwealth of Massachusetts has many resources available to assist veterans in obtaining employment, including 34 One-Stop Career Centers across the Commonwealth. The Executive Office of Labor and Workforce Development has representatives dedicated to helping veterans in the transition to civilian work. Representatives can assist with the development of a comprehensive job and training plan. You may access these resources by visiting a One-Stop Career Center near you. To find one in your area, visit [www.mass.gov/lwd](http://www.mass.gov/lwd) or <http://www.mass.gov/careercenters>.



## X. INFORMATION & RESOURCES FOR FAMILY MEMBERS

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### **VA CAREGIVER SUPPORT**

The VA sponsors a variety of Caregiver Support Services and Tools to assist those who are providing care to a veteran. Services include a toll free Caregiver Support Line at 1-855-260-3274 and a webpage at [www.caregiver.va.gov](http://www.caregiver.va.gov), providing information on caring for your veteran and for yourself. The website can also connect you with your local Caregiver Support Coordinator.

### **DEPENDENCY & INDEMNITY COMPENSATION**

Dependency and Indemnity Compensation is a tax-free benefit paid to the surviving spouse or dependents of certain veterans. For a survivor to be eligible for Dependency and Indemnity Compensation (DIC), the veteran's death must have resulted from one of the following causes:

- A disease or injury incurred or aggravated in the line of duty while on active duty or active duty for training.
- An injury incurred or aggravated in the line of duty while on inactive duty training.
- A service-connected disability or a condition directly related to a service-connected disability. DIC also may be paid to survivors of veterans who were totally disabled from service-connected conditions at the time of death, even though their service-connected disabilities did not cause their deaths.

The survivor qualifies if the veteran was discharged under conditions other than dishonorable and:

- Continuously rated totally disabled for a period of 10 years immediately preceding death;
- Continuously rated totally disabled from the date of military discharge and for at least five years immediately preceding death; or
- A former POW who died after September 30, 1999, and who was continuously rated totally disabled for a period of at least one year immediately preceding death.

To apply for Dependency and Indemnity Compensation, complete VA Form 21-534a, Application for Dependency and Indemnity Compensation by a Surviving Spouse or Child, and mail it with a copy of the veterans DD Form 1300, Report of Casualty, to your local VA regional office.

## **VA OFFICE OF SURVIVORS ASSISTANCE**

The VA's Office of Survivor's Assistance (OSA) provides services to survivors and dependents of deceased veterans and servicemembers. The OSA serves as a resource on the benefits available to survivors. Answers to most benefits questions can be found on the OSA's website at [www.va.gov/survivors](http://www.va.gov/survivors). If you cannot find the answer on the OSA's Frequently Asked Questions (FAQs) page, you may send an email to [OfficeOfSurvivors@va.gov](mailto:OfficeOfSurvivors@va.gov).

## **FAMILY MEDICAL LEAVE ACT (FMLA)**

### **MILITARY CAREGIVER LEAVE**

Provisions of the 2008 and 2010 National Defense Authorization Acts (NDAAs) altered the Family and Medical Leave Act (FMLA) to assist family members who need to take unpaid leave to care for a servicemember or veteran with a "serious injury or illness." The law allows spouses, children, parents, and other next-of-kin who provide such care to take as many as 26 workweeks of unpaid leave in a 12-month period.

### **QUALIFYING EXIGENCY LEAVE**

In separate FMLA provisions, "qualifying exigencies" can entitle the spouse, child, or parent of certain servicemembers to up to 12 workweeks of unpaid leave during a 12-month period. These provisions apply to the specified family members of servicemembers on or notified of an impending call to "covered active duty." Covered active duty includes servicemembers in the regular Armed Forces who are deployed to a foreign country and servicemembers in the reserve Armed Forces who are called to federal active duty for a deployment to a foreign country. Qualifying exigencies associated with the servicemember's covered active duty may involve short-notice deployment, military events, childcare/school arrangements, financial/legal arrangements, counseling, rest and recuperation, post-deployment activities, and other related activities as agreed upon between the employer and employee.

## **BENEFITS UNDER M.G.L. c. 115**

The Commonwealth provides financial assistance for indigent Massachusetts veterans and their dependents, including assistance for food, shelter, clothing fuel and medical care. These benefits are available for dependents of deceased veterans as well. (M.G.L. c. 115 )

The following dependents of veterans may qualify for Chapter 115 benefits:

- Spouse of the veteran.
- Widow or widower of the veteran.
- Dependent parent of the veteran.
- Any person who acted as a parent to the veteran for five years immediately preceding the commencement of the veteran's wartime service.
- Child of the veteran until his or her 19th birthday.
- Child of the veteran between 19 years and 23 years of age while the child is attending high school, an institution of higher learning or some other accredited educational institution provided that the applicant is in receipt of benefits under the provisions of M.G.L. c. 115.
- Child of the veteran 19 years of age or older who is mentally or physically unable to support himself or herself and was affected by the disability prior to his or her 18th birthday.
- Legally adopted children of the veteran.

NOTE: Veterans and their dependents may be required to apply for federal benefits for which they are eligible before being eligible for state benefits under Chapter 115.

## **CHILD SUPPORT ENFORCEMENT**

Servicemembers on active duty and veterans may be parents with child support orders enforced by the Child Support Enforcement Division of the Massachusetts Department of Revenue (DOR). It is important for parents to understand how military service can affect their child support cases so that they can work with DOR to ensure that child support remains paid in full and on time.

### **ACTIVE DUTY SERVICEMEMBERS WITH CHILD SUPPORT ORDERS**

Servicemembers, including members of the National Guard and Reserves, who are called to active duty should contact DOR to provide information about their activation.

Contact by phone: (800) 332-2733  
(617) 660-1234 (callers from Charlestown, Chelsea, East Boston,  
Everett and Revere)

Contact by email: [csegen@dor.state.ma.us](mailto:csegen@dor.state.ma.us)

### **INCOME WITHHOLDING**

Newly activated servicemembers who have been paying child support by income withholding should contact DOR as soon as possible after they are called to active duty. DOR can issue an income withholding order to the Defense Finance and

Accounting Service (DFAS) so that the child support will be deducted from the servicemember's military pay.

There may be some delay before the income withholding at DFAS goes into effect. To avoid any accrual of arrears during this time, servicemembers must make payments on their own using DOR's payment coupons until child support is being deducted from their military pay.

### **INTEREST AND PENALTIES**

DOR assesses interest and penalties on the last day of any month in which past-due support is owed and the total monthly child support obligation was not paid. In some cases, because of limits in the amount that DFAS can withhold from a servicemember's pay, the amount of the withholding may be insufficient to satisfy the total monthly amount due. If you are paying child support by income withholding, but the amount withheld is less than the total monthly amount due, you should contact DOR to find out if you are eligible for an exemption from interest and penalty charges.

### **MODIFICATION**

Military activation may mean a sizeable reduction in monthly income. The change in income may justify a change in the amount of the child support order. Under Massachusetts law, only a court can modify a child support order. DOR can assist you in asking the court for a modification and in obtaining the forms and instructions needed to request a modification of the child support order. You should remember, however, that until the court modifies the order, you are responsible for paying the current court order amount on time and in full. DOR has a legal obligation to continue to use all available enforcement remedies to collect any past-due support that accrues.

### **MEDICAL SUPPORT**

If you are ordered to provide health insurance coverage for your children, your call to military duty means your existing insurance coverage with your civilian employer will end. However, you may enroll your children in the military health care coverage TRICARE. You must notify DOR that you will no longer be maintaining your existing health insurance plan and, if needed, request assistance in enrolling your children in the military's TRICARE coverage.

### **AUTHORIZATION FOR RELEASE OF INFORMATION**

DOR's policy prevents discussion about a servicemember's child support case

with anyone other than the servicemember or the other parent in the case without written permission to do so. Servicemembers may want to designate someone else to speak with DOR on their behalf. To do so, you must provide a completed Authorization for Release of Information, available on DOR's web site at [www.mass.gov/cse](http://www.mass.gov/cse). Once DOR has the form on file, the designated individual will be authorized to speak with DOR personnel about your child support case.

## **VETERANS**

Veterans who are collecting veteran's benefits from the federal government or the Commonwealth of Massachusetts and have a child support obligation should contact DOR to discuss their child support cases. While some federal and state veteran's benefits are not subject to income withholding, veterans who receive these benefits can enter into voluntary payment agreements to pay their child support obligations. By entering into a voluntary payment agreement, you may be able to avoid certain enforcement actions to collect past-due support. Veterans may also be eligible for an exemption from interest and penalty charges based on receipt of certain veteran's benefits. If you have a current support obligation and are a disabled veteran or your earning capacity has changed since your return from active duty, DOR can assist you in asking the court for a modification of your child support order.

## **CITIZENSHIP FOR MILITARY PERSONNEL AND FAMILY MEMBERS**

### **CITIZENSHIP AND IMMIGRATION SERVICES**

Non-U.S. citizens serving in the armed forces and their dependents may be eligible for U.S. citizenship. To obtain information on citizenship or other immigration issues, such as permanent residence ("green cards") visit <http://www.uscis.gov/military>.

Servicemembers and their families may also contact the U.S. Citizenship and Immigration Services' (USCIS) Military Help Line for immigration-related information: 1-877-CIS-4MIL (1-877-247-4645).

## **AMERICAN RED CROSS**

### **EMERGENCY COMMUNICATION SERVICES**

During a family emergency, the American Red Cross can provide a link between families and servicemembers. The Red Cross can provide verified information to a servicemember when an immediate family member dies or is seriously ill or when a child is born. To contact the Red Cross for assistance, call 1-877-272-7337 (toll free within the continental U.S.). Please note that the Red Cross cannot provide or confirm information about a servicemember's illness, injury, or death. To learn more about Red Cross services for servicemembers, veterans, and their families, visit [www.redcross.org](http://www.redcross.org).

## SERVICES FOR VICTIMS OF CRIME

For many people, witnessing violence or being the victim of a crime is life altering. Even those with a strong support system can experience a difficult adjustment period. Military service members and their families have access to a host of military, government, and non-government supports to assist them with crime related needs. The following is a list of agencies and services available to provide resources and assistance.

### MILITARY SEXUAL ASSAULT RESPONSE COORDINATORS/DOMESTIC VIOLENCE ADVOCATES/FAMILY ADVOCACY CENTERS

<p><b>Army</b></p> <p>Natick Soldiers Systems Center                      Location: Natick, MA                      Phone: (508) 233-6925                      Sexual Harassment Assault Response &amp; Prevention Hotline: (508) 395-9141</p> <p>Fort Devens                      Location: Devens, MA                      Sexual Harassment/Assault Response Team                      Office: (781) 225-6401                      Hotline: (781) 225-7272                      Domestic Violence/ Family Advocacy Center                      Office: (781) 225-6385                      Hotline: (877) 785-2020</p>	<p><b>Air Force</b></p> <p>Westover Air Force Base                      Location: Westover, MA                      Sexual Assault Prevention &amp; Response Program                      Phone: (413) 557-2623                      Hotline: (413) 687-3543                      Airman &amp; Family Support Center Phone:                      (413) 557-3024</p> <p>Hanscom Air Force Base                      Location: Bedford, MA                      Sexual Assault Response Coordinator (SARC)                      Hotline: (781) 225-7272                      Office: (781) 225-6401                      Family Advocacy Center: (781) 225-6385</p>
<p><b>Coast Guard</b></p> <p>US Coast Guard D-1                      Location: Boston, MA                      Sexual Assault Response                      (617) 223-5012 (duty hours)                      (617) 894-9603 (after hours)                      Office of Health, Safety, &amp; Work Life                      (800) 872-4957 Ext. 301</p>	<p><b>National Guard</b></p> <p>Massachusetts National Guard –                      Joint Force Headquarters                      Location: Bedford, MA (Hanscom AFB)                      Phone: (339) 202-3999                      Hotline: (508) 889-6644</p>

## **MASSACHUSETTS CRIME VICTIM'S COMPENSATION**

Violent crime; such as rape, sexual assault, child abuse, assault and battery, arson, and homicide, can impact many aspects of a person's life. The financial burden of monetary losses incurred by these crimes should not further victimize or add additional undue stress to those who were affected by violent crimes. The Massachusetts Crime Victim's Compensation Program seeks to provide financial assistance to eligible victims of violent crime in order to assist with related medical and dental care, mental health counseling, funeral and burial costs, crime scene clean up services, and security measures.

Victims of violent crimes that occurred in Massachusetts, regardless of whether the incident happened on a military installation or off, may be eligible to receive compensation. Eligibility requirements include:

- The crime must have been reported to the police within five days unless there is a good cause for delay.
- The victim must cooperate with law enforcement officials in the investigation and prosecution of the crime unless there is a reasonable excuse not to cooperate.
- The victim, or parent/guardian of an underage victim, must apply for compensation within three years of the date of the crime.

A variety of crime related expenses may be covered for an eligible applicant through the Crime Victims' Compensation Fund. The types of expenses include:

- Medical and dental expenses (including equipment, supplies, and medications) not covered by insurance
- Counseling expenses (for victims, for family members of homicide victims, and for children who witness violence against a family member)
- Funeral/burial costs of up to \$6,500, with an additional \$700 for ancillary burial expenses
- Lost wages (for victims only)
- Loss of financial support (for dependents of homicide victims)
- Security measures (including replacement locks and security/alarm systems)
- Replacement bedding/clothing (for those items seized or rendered unusable as a result of a criminal investigation)

Applications for the Victims of Violent Crime Compensation Fund may be accessed online through the Attorney General's website at <http://www.mass.gov/ago/public-safety/resources-for-victims/victims-of-violent-crime/>. You may also contact the Attorney General's Victim Compensation Division at (617) 727-2200 Ext. 2160 with question or to have an application mailed to you.

**OTHER RESOURCES**

Additional information regarding victim rights and services may be found by contacting the victim witness assistance program at your local District Attorney's Office.

## District Attorney Victim Witness Assistance Programs

Location	Number
Berkshire County	(413) 443-3500
Bristol County	(508) 997-0711
Cape & Islands	(508) 362-8103
Essex County	(978) 745-6610
Hampden County	(413) 505-5901
Middlesex County	(781) 897-8300
Norfolk County	(781) 830-4800
Northwestern District (Franklin & Hampshire Counties)	(413) 586-9225
Plymouth County	(508) 584-8120
Suffolk County	(617) 619-4000
Worcester County	(508) 755-8601

For more general information regarding victim services contact:

Massachusetts Office for Victim Assistance  
 One Ashburton Place, Suite 1101  
 Boston Massachusetts 02108  
 (617) 586-1340  
<http://www.mass.gov/mova>



## XI. SUPPORT GROUPS & SERVICES

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### **VALOR Act**

On May 31, 2012, Governor Patrick signed the Veterans Access, Livelihood, Opportunity and Recognition Act (the VALOR Act) into law ([Chapter 108 of the Acts of 2012](#)). Massachusetts is already a leader on providing outstanding benefits to its servicemembers and veterans. The VALOR Act expands upon those benefits by providing additional support for veterans and their families in areas such as education; small business entrepreneurship; and workforce development. The Act also provides Massachusetts' criminal justice system with additional tools to address some of the underlying issues, such as PTSD, TBI and substance abuse, that many of our veterans suffer from when they return home and that may result in involvement with law enforcement and the courts.

### **VA CAREGIVER SUPPORT**

The VA sponsors a variety of Caregiver Support Services and Tools to assist those who are providing care to a veteran. Services include a toll free Caregiver Support Line at 1-855-260-3274 and a webpage at [www.caregiver.va.gov](http://www.caregiver.va.gov), providing information on caring for your veteran and for yourself. The website can also connect you with your local Caregiver Support Coordinator.

### **SUPPORT SERVICES FOR ACTIVE DUTY MILITARY PERSONNEL AND FAMILIES**

The following facilities offer support groups and other services to military families:

Devens RFTA  
Army Community Services  
61 Quebec Street, Bldg. 683  
Devens, MA 01434  
Phone: (978) 796-3023 or (978)796-3119  
[https://www.devens.army.mil/Devens\\_Staff/Army\\_Community\\_Services/Army\\_Community\\_Services.asp](https://www.devens.army.mil/Devens_Staff/Army_Community_Services/Army_Community_Services.asp)

Hanscom Airman & Family Readiness Center  
20 Kirtland Street, Bldg. 1218  
Lexington, MA 02421  
Phone: (781) 225-2765

Westover Airman & Family Readiness Center  
100 Walker Ave.  
Chicopee, MA 01022  
Phone: (413) 557-3024

National Guard Family Program of Massachusetts  
14 Minuteman Lane  
Wellesley, MA 02481  
Phone: (888) 301-3103 ext. 7221  
[http://states.ng.mil/sites/MA/resources/family/MA\\_Family\\_Support\\_Program/index.htm](http://states.ng.mil/sites/MA/resources/family/MA_Family_Support_Program/index.htm)

## **FAMILY MEMBERS OF POW/MIA SERVICEMEMBERS**

Each military branch has a service casualty office to serve family members of POW or MIA servicemembers. The Department of State also has a casualty office to serve family members of civilian defense employees. Military officials can explain how missing servicemembers are accounted for and efforts being made to bring servicemembers home. Casualty assistance officers act as liaisons to family members. If you are the family member of POW or MIA servicemember visit [Defense Prisoner of War/Missing Personnel](#) for more information, or contact the appropriate casualty assistance officer listed below.

U.S. Air Force Missing Persons Branch  
Phone: 1-800-531-5501  
<http://www.afpc.af.mil/library/airforcepowmias.asp>

U.S. Army Human Resources Command  
Human Resources Contact Center  
Phone: 1-800-276-9472  
<https://www.hrc.army.mil/site/index.asp>

Headquarters U.S. Marine Corps  
Morale, Welfare, Recreation and Business Operation Division (MR)  
3044 Catlin Ave  
Quantico, VA 22134  
Phone: (703) 784-3806  
[https://www.manpower.usmc.mil/portal/page/portal/M\\_RA\\_HOME/MR](https://www.manpower.usmc.mil/portal/page/portal/M_RA_HOME/MR)

U.S. Navy  
Navy POW/MIA Branch  
Casualty Assistance Division (OPNAV N135C)  
5720 Integrity Drive  
Millington, TN 38055-6210  
1 (800) 443-9298  
<http://www.public.navy.mil/bupers-npc/support/casualty/Pages/NavyPOW-MIA.aspx>

## **OTHER RESOURCES FOR FAMILY MEMBERS**

### **FISHER HOUSE**

Military servicemembers and their families are stationed worldwide and must often travel great distances for specialized medical care. Fisher House provides family members of veterans and active duty servicemembers with a place to stay while their loved ones receive medical treatment. The Fisher House™ program is a unique private-public partnership that donates “comfort homes” on or near the grounds of most major military or VA medical centers. These homes are given to the U.S. Government as gifts and are operated by the military service secretaries and the Secretary of Veterans Affairs.

There is no charge for any family to stay at a Fisher House operated by the Department of Veterans Affairs, and the Fisher House Foundation uses donations to reimburse the individual Fisher Houses operated by the Army, Navy, and Air Force.

Fisher House has constructed housing at the VA Medical Center in West Roxbury, MA and currently has comfort homes located at every major military medical facility, including Landstuhl, Germany where many OEF/OIF veterans are treated.

For more information, including a list of existing locations, visit the Fisher House website at: [www.fisherhouse.org](http://www.fisherhouse.org).

## **THE YELLOW RIBBON FUND**

The Yellow Ribbon Fund is a nonprofit organization that was created in early 2005 to assist injured servicemembers and their families while they recuperate at the Walter Reed Army Medical Center and the National Naval Medical Center. The Yellow Ribbon Fund assists veterans and their families during their stay at these medical centers by providing free car rentals, cab vouchers, hotel rooms, apartments, job mentoring and internship programs and free tickets to cultural and sporting events. For more information, contact:

Yellow Ribbon Fund, Inc.  
4905 Del Ray Avenue  
Suite 500  
Bethesda, MD 20814  
Phone: (240) 223-1180  
Fax: (301) 654-7674  
Email: [email@YellowRibbonFund.org](mailto:email@YellowRibbonFund.org)  
[www.yellowribbonfund.org](http://www.yellowribbonfund.org)

## **WOUNDED WARRIOR PROJECT**

The Wounded Warrior Project provides a variety of types of assistance to veterans and their families, including financial assistance, counseling, benefits information, employment assistance, and assistance transitioning to civilian life. For more information, contact:

The Wounded Warrior Project  
4899 Belfort Road, Suite 300  
Jacksonville, FL 32256  
Phone: 877-TEAM-WWP (832-6997)  
(904) 296-7350  
[www.woundedwarriorproject.org](http://www.woundedwarriorproject.org)

## **OUR MILITARY**

Our Military is a Department of Defense program that provides opportunities for citizens to show their support for the US Armed Forces. Our Military connects individuals, organizations and companies to hundreds of home front groups offering a variety of support to the military community. Our Military provides a list of organizations that support servicemembers, veterans, and their families in a variety of ways, from care packages to scholarships and financial support. For more information, visit <http://www.ourmilitary.mil/resources/community-support-for-our-military/>.

## **CANINES FOR COMBAT VETERANS**

Canines for Combat Veterans is a project of New England Assistance Dog Services (NEADS) based in Princeton, Massachusetts. NEADS provides extensive training for service dogs to assist veterans with physical disabilities so that they can maintain their independence. Service dogs are trained to provide support including picking up items from the floor or counter top, turning lights on and off, pushing elevator buttons, pulling a wheelchair a short distance, and getting help for the disabled owner. NEADS dogs are granted public access rights under the Americans with Disabilities Act.

To be eligible to receive a dog, individuals must spend two weeks attending a training course with their dog and pay a fee. NEADS offers fundraising assistance, and flexible payment options. It is NEADS' policy not to deny any application on the basis of the applicant's ability to pay. For more information, contact:

NEADS  
Dogs for Deaf and Disabled Americans  
P.O. Box 213  
West Boylston, MA 01583  
Phone: (978) 422-9064  
Fax: (978) 422-3255  
<http://neads.org/page.aspx?pid=388>

## **SEW MUCH COMFORT**

Sew Much Comfort provides adaptive clothing free of charge to support the unique needs of injured servicemembers from all branches of the military and National Guard. The organization will custom design or adapt existing clothing items to accommodate injured servicemembers with prosthetics and other medical devices. Simple changes such as adding a Velcro closure to the side seam on an ordinary pair of pants may enable injured servicemembers to be more independent and recover with dignity and comfort. Clothing is distributed at VA and military hospitals. For more information, visit: [www.sewmuchcomfort.org](http://www.sewmuchcomfort.org).

# APPENDIX A: HOMELESS/TRANSITIONAL SHELTERS

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## **24/7 NATIONAL CALL CENTER FOR HOMELESS VETERAN**

The VA maintains a 24/7 national call center and online chat service for veterans and their families who are homeless or at-risk of becoming homeless. To learn more about VA homeless programs and mental health services in your area, call or chat online with a trained VA counselor: 1-877-4AID-VET (1-877-424-3838) or [www.va.gov/HOMELESS/NationalCallCenter.asp](http://www.va.gov/HOMELESS/NationalCallCenter.asp).

## **HOMELESS SHELTERS**

New England Center for Homeless Veterans  
17 Court Street  
Boston, MA 02108  
Phone: (617) 371-1800  
Email: [info@nechv.org](mailto:info@nechv.org)  
[www.nechv.org](http://www.nechv.org)

Southeastern Mass. Veterans Housing Programs, Inc.  
20 Willis Street  
New Bedford, MA 02740  
Phone: (508) 992-5313  
[www.vetshouse.org](http://www.vetshouse.org)

Soldier On  
421 N. Main Street, Buildings 6 and 26  
Leeds, MA 01053-0481  
Phone: (413) 584-4040, ext. 2288  
Email: [info@wesoldieron.org](mailto:info@wesoldieron.org)  
[www.wesoldieron.org](http://www.wesoldieron.org)

Massachusetts Veterans Inc.  
69 Grove Street  
Worcester, MA 01605  
Phone: (508) 791-1213  
24/7 Phone: (800) 482-2565  
<http://www.veteransinc.org/>

## TRANSITIONAL/SUPPORTIVE HOUSING WITH SERVICES

Veteran Hospice Homestead  
69 High Street  
Fitchburg, MA 01420  
Phone: (978) 353-0234  
Email: [info@vethospice.com](mailto:info@vethospice.com)  
[www.veteranhomestead.org](http://www.veteranhomestead.org)

Montachusett Veterans  
Outreach Center, Inc.  
268 Central Street  
Gardner, MA 01440  
Phone: (978) 632-9601  
[Veterans@net1plus.com](mailto:Veterans@net1plus.com)  
[www.veterans-outreach.org](http://www.veterans-outreach.org)

Veterans Northeast  
Outreach Center Inc.  
10 Reed Street  
Haverhill, MA 01830  
Phone: (978) 372-3626  
[vneoc@northeastveterans.org](mailto:vneoc@northeastveterans.org)  
[www.northeastveterans.org](http://www.northeastveterans.org)

Nam Vets Association of the  
Cape and Islands, Inc.  
565 Main Street  
Hyannis, MA 02601  
Phone: (508) 778-1590  
[namvets@capecod.net](mailto:namvets@capecod.net)  
<http://www.namvets.net/>

Hero Homestead  
25 Grove Avenue  
Leominster, MA 01453  
Phone: (978) 840-6693  
Email: [info@vethospice.com](mailto:info@vethospice.com)  
[www.veteranhomestead.org](http://www.veteranhomestead.org)

Habitat P.L.U.S. Inc.  
516-520 Essex Street  
Lynn, MA 01902  
Phone: (781) 599-8578  
[habitat@verizon.net](mailto:habitat@verizon.net)

Veterans Transition House  
20 Willis Street  
New Bedford, MA 02740  
Phone: (508) 992- 5313  
Email: [info@vetshouse.org](mailto:info@vetshouse.org)  
<http://www.vetshouse.org/>

Springfield Bilingual Veterans  
Outreach Center  
281 Franklin Street  
Springfield, MA 01107  
Phone: (413) 731-0194  
Email: [bvocofmass@yahoo.com](mailto:bvocofmass@yahoo.com)  
[www.bilingualvets.org](http://www.bilingualvets.org)

Turner House Center  
for Veterans, Inc.  
825 Simonds Road  
Willamstown, MA 01267  
Phone: (413) 458-1819  
[Turnerhousevets@aol.com](mailto:Turnerhousevets@aol.com)

Massachusetts Veterans'  
Housing Program  
Cambridge/Canterbury Street  
Worcester, MA 01603  
Phone: (800) 482-2565  
Phone: (508) 791-5348  
[www.veteransinc.org](http://www.veteransinc.org)





# APPENDIX B: OBTAINING RECORDS

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The National Personnel Records Center offers Military personnel records can be used for proving military service, or as a valuable tool in genealogical research. Most veterans and their next-of-kin can obtain free copies of their DD Form 214 (Report of Separation) and other military and medical records several ways.

You can start the request online through the eVetRecs System (<http://www.archives.gov/veterans/military-service-records/>), or you can download form SF-180 (<http://www.archives.gov/veterans/military-service-records/standard-form-180.html>) to mail or fax in your request. Please note the following information will be required regardless of the method of request:

- The veteran's complete name used while in service,
- Service number or social security number,
- Branch of service,
- Dates of service,
- Date and place of birth may also be helpful, especially if the service number is not known,
- If the request pertains to a record that may have been involved in the 1973 fire, also include:
  - Place of discharge,
  - Last unit of assignment,
  - Place of entry into the service, if known.

Information on where to send the request will be provided either at the end of the online request form or on page 3 of the Form SF-180.

# APPENDIX C: VETERANS BENEFITS ELIGIBILITY

To be eligible for veterans' benefits in Massachusetts an individual must be a "veteran" or a dependent of a "veteran" under M.G.L. c. 4, sec. 7, cl. 43rd as amended by the Acts of 2005, ch. 130. See below for service requirements and exceptions.

The following chart was compiled by the Massachusetts Department of Veterans Services.

Era of Service	Dates	Requirement for Veteran Status
WWI	April 6, 1917, to November 11, 1918	90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	November 12, 1918, to September 15, 1940	180 days of regular active duty service and a last discharge or release under honorable conditions.
WWI	September 16, 1940, to July 25, 1947 (Merchant Marine: December 7, 1941 through December 31, 1946)	90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.
PEACETIME	July 26, 1947 to June 24, 1950	180 days of regular active duty service and a last discharge or release under honorable conditions.
KOREA	June 25, 1950, to January 31, 1955	90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.
Korean Defense Service Medal	July 28, 1954 (to be determined later)	90 days of active duty service, last discharge under honorable conditions and the Korean Defense Service Medal.
VIETNAM I	February 1, 1955, to August 4, 1964	180 days of regular active duty service and a last discharge or release under honorable conditions.
VIETNAM II	August 5, 1964, to May 7, 1975	90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.

Era of Service	Dates	Requirement for Veteran Status
PEACETIME	May 8, 1975, to August 1, 1990	180 days of regular active duty service and a last discharge or release under honorable conditions.
Lebanon Campaign*	August 25, 1982 (to be determined later)	90 days of active duty service, one (1) day during “wartime” and a last discharge or release under honorable conditions.
Grenada Campaign*	October 25, 1983, to December 15, 1983	90 days of active duty service, one (1) day during “wartime” and a last discharge or release under honorable conditions.
Panama Campaign*	December 20, 1989, to January 31, 1990	90 days of active duty service, one (1) day during “wartime” and a last discharge or release under honorable conditions.
PERSIAN GULF	August 2, 1990 (to be determined later)	90 days of active duty service, one (1) day during “wartime” and a last discharge or release under honorable conditions.

*\*Naval and Marine DD214 must indicate Expeditionary Medal. All DD214’s must specify campaign: Lebanon, Granada, or Panama.*

For **GUARD MEMBERS** to qualify they must have 180 days of active duty service and have been activated under Title 10 of the U.S. Code -OR- Members who were activated under Title 10 or Title 32 of the U.S. Code or Massachusetts General Laws, chapter 33, sections 38, 40, and 41 must have 90 days of active duty service, at least one of which was during wartime, per the above chart.

For **RESERVISTS** to qualify, they must have been called to regular active duty, at which point their eligibility can be determined by the above chart.

Training Duty Exception: Active duty service in the armed forces shall not include active duty for training in the Army or Air National Guard or active duty for training as a Reservist in the Armed Forces of the United States.

## **MINIMUM ACTIVE SERVICE EXCEPTION (PURPLE HEART OR SERVICE-CONNECTED DISABILITY OR DEATH)**

### ***WARTIME SERVICE***

If his or her last discharge or release from wartime service was under honorable conditions, then a person who served on active duty in the Armed Forces of the United States under Title 10 of the United States Code during 1 day of wartime service or a person on full time Massachusetts National Guard duty under Title 32 of the United States Code during at least 1 day of wartime service or a person on full time Massachusetts National Guard duty under sections 38, 40 and 41 of chapter 33 of the general laws during at least 1 day of wartime service, who sustained a service-connected disability during such wartime service or was awarded the Purple Heart during such wartime service or who died during such wartime service under conditions other than dishonorable, is excused from completing the 90-day active service requirement during such wartime service.

### ***PEACETIME SERVICE***

If his or her last discharge or release from active service was under honorable conditions, then a person who served on active duty in the Armed Forces of the United States under Title 10 of the United States Code during peacetime, who sustained a service-connected disability while on active duty during peacetime or who died on active duty during peacetime under conditions other than dishonorable, is excused from completing the 180-day active service requirement during peacetime.

# APPENDIX D: VETERANS' SERVICE ORGANIZATIONS IN MASSACHUSETTS

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The following information was compiled by the Massachusetts Department of Veterans Services. Organizations for all veterans are listed first. Organizations specifically for women veterans are listed second.

## **FOR ALL VETERANS**

American Legion  
State House, Room 546-2  
Boston, MA 02133  
Phone: (617) 727-2966  
[www.legion.org](http://www.legion.org)

American Legion Auxiliary  
State House, Room 546-2  
Boston, MA 02133  
Phone: (617) 727-2958  
[www.legion-aux.org](http://www.legion-aux.org)

AMVETS  
State House, Room 546-3  
Boston, MA 02133  
Phone: (617) 727-2972  
[www.amvets.org](http://www.amvets.org)

Disabled American Veterans  
State House, Room 546  
Boston, MA 02133  
Phone: (617) 727-2974  
[www.dav.org](http://www.dav.org)

Gold Star Wives of America, Inc.  
Greater Boston Chapter  
Kathleen Blamire Cardona, President  
Email: [Star7551@aol.com](mailto:Star7551@aol.com)  
[www.goldstarwives.org](http://www.goldstarwives.org)

Italian American War Veterans  
State House, Room 545  
Boston, MA 02133  
Phone: (617) 727-8397  
<http://www.itamvets.org/massachusetts.html>

Jewish War Veterans  
State House, Room 547  
Boston, MA 02133  
Phone: (617) 727-2963  
[www.jwv.org](http://www.jwv.org)

Korean War Veterans  
State House, Room 546-4  
Boston, MA 02133  
Phone: (617) 723-1783  
[www.kwva.org](http://www.kwva.org)

Marine Corps League  
State House, Room 545  
Boston, MA 02133  
Phone: (617) 720-0414  
[www.mcleague.org](http://www.mcleague.org)

Marine for Life  
Contact: Kevin F. Coughlin  
Phone: (617) 293-4102  
Email: [boston@m4l.usmc.mil](mailto:boston@m4l.usmc.mil)  
[www.marineforlife.org](http://www.marineforlife.org)

Military Order of the Purple Heart  
State House, Room 545  
Boston, MA 02133  
Phone: (617) 263-4654  
[www.purpleheart.org](http://www.purpleheart.org)

New England Chapter of the  
Paralyzed Veterans of America  
1600 Providence Highway, Suite 101R  
Walpole, MA 02081  
Phone: (508) 660-1181  
Email: [info@nepva.org](mailto:info@nepva.org)  
[www.nepva.org](http://www.nepva.org)

Paralyzed Veterans of America  
Boston VA Regional Office  
J.F.K. Federal Building, Rm. 1575-C  
Boston, MA 02203-0393  
Phone: (617) 303-1395  
[www.pva.org](http://www.pva.org)

Persian Gulf Era Veterans  
State House, Room 545  
Boston, MA 02133  
Phone: (617) 263-7438  
Toll-free: 1-888-891-1117  
[www.rt1automile.com/web/mall/pgev/](http://www.rt1automile.com/web/mall/pgev/)

Polish American Veterans  
State House, Room 545  
Boston, MA 02133  
Phone: (617) 727-2970  
[www.plav.org](http://www.plav.org)

Puerto Rican Veterans Association  
281 Franklin Street  
Springfield, MA  
Phone: (413) 739-1082

Veterans of Foreign Wars  
State House, Room 546-1  
Boston, MA 02133  
Phone: (617) 727-2612  
[www.vfwwebcom.org/massachusetts](http://www.vfwwebcom.org/massachusetts)

Vietnam Veterans of America  
State House, Room 546-4  
Boston, MA 02133  
Phone: (617) 303-5687  
Toll-free: 1-800-358-4340  
[www.baystatevet.com](http://www.baystatevet.com)

## FOR WOMEN VETERANS

### American Legion

Women's Post #417

Sara Hayden, Commander

PO Box 374

Methuen, MA 01844

Phone: (978)683-3720

Pioneer Valley Women's Post #463

Lydia Rodriguez Commander

Meets at the GAR Hall in Springfield

### Army Nurse Corps Association

Region 1 contact: Flora M.Sullivan

<http://e-anca.org/>

### New England Navy

Nurse Corps Association

Janet Allen

70 Lisa Terrace

Portsmouth, NH 02871-2602

Email: [janallen@aiconnect.com](mailto:janallen@aiconnect.com)

<http://nnca.org/join-nnca/local-chapters/nennca/>

### SPARS (U.S. Coast Guard Women's Reserve)

c/o Helen McLaren

Box 281, 292 High St.

Westwood, MA 02090

Phone: (781) 326-4821

### Women's Army Corps (WAC)

Veterans Association

Bay State Chapter #14

Eileen Merullo, Vice President

57 Grafton Street

Brockton, MA 02301-5121

Phone: (781) 289-0633

<http://www.armywomen.org/>

### Women Airforce Service Pilots (WASP)

Sara Hayden, National Officer

22 Stadium Rd.

Methuen, MA 01844

Phone: (978) 683-3720

### Women Accepted for Volunteer

Emergency Service (WAVES) National

Unit 17, Old Ironsides

c/o Johanne Walker, Treasurer

10 Waite Street

Oxford, MA 01540

Phone: (508) 987-3154

Unit 18, Cape Cod WAVES

c/o Marjorie Rugen

27 Joyce Street

East Falmouth, MA 02536

<http://www.womenofthewaves.com/wavesnational/>

### Women Marines Association

MA1 Chapter (eastern Mass.)

Heidi Hurley President

Email: [heidihurl@gmail.com](mailto:heidihurl@gmail.com)

MA2 Chapter (western Mass.)

Isabel (Betsy) Paulsen

298 Jarvis Ave., Apt. 124

Holyoke, MA 01040

Phone: (413) 538-8971

[http://www.womenmarines.org/index\\_main.aspx](http://www.womenmarines.org/index_main.aspx)

### Women Military Aviators

Lucy Young

23 Hamilton St.

East Falmouth, MA 02536

Phone: (508) 457-1264

<http://womenmilitaryaviators.org/>

### Women's Overseas Service League

Boston Unit

Anne G. Hargreaves, President

36 Blueberry Hill

Dedham, MA 02026

Phone: (781) 329-0143





# APPENDIX E: LEGAL ASSISTANCE AGENCIES

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## **ONLINE RESOURCE**

Stateside Legal is an online resource for researching legal issues. Their website is [www.statesidelegal.org](http://www.statesidelegal.org).

## **OBTAINING LEGAL ASSISTANCE**

Please note that while you are free to pay an attorney for assistance, many attorneys are willing to offer assistance to veterans free of charge. There are also legal services organizations that provide free services to low-income individuals. Some legal services organizations are featured under General Legal Assistance on the next page. Alternatively, you may be able to obtain free legal assistance from a veterans' service organization (see Appendix D).

## **ASSISTANCE WITH VA BENEFITS CLAIMS APPEALS**

Several organizations and private lawyers have experience assisting veterans with VA benefits claims appeals. If you are selecting a lawyer to assist you, be sure to read the section of this guide on appealing a benefits claim, which outlines the limits on what fees an attorney can charge to represent you.

The National Association of Veterans Advocates (NOVA)  
1425 K Street, NW, Suite 350  
Washington, DC 20005  
Phone: 1-877-483-8238  
<http://www.vetadvocates.com/>

Massachusetts Bar Association Lawyer Referral Service  
20 West Street  
Boston, MA 02111-1204  
Toll-free in Massachusetts: 1-866-MASS-LRS or 1-866-627-7577  
Boston: (617) 654-0400  
TTY: (617) 338-0585  
<http://www.massbar.org/for-the-public/need-a-lawyer/lrs-online-request-form>

## **GENERAL LEGAL ASSISTANCE**

If you need help with legal matters, contact one of the legal services below, which offer sliding fee and pro bono services. Some services are available to low-income individuals only. Be sure to ask about income restrictions when contacting a legal services organization.

### **LEGAL ASSISTANCE HOTLINE**

A legal assistance hotline is available for military personnel and veterans who live in the Greater Boston area. You can contact this service by calling 617-603-1710 at any time to leave a message, and someone will return your call within two business days.

Military Legal Help Line  
Phone: (617) 603-1710  
[www.larcma.org](http://www.larcma.org)

A partnership of the Boston Bar Association, Legal Advocacy & Resource Center, Shelter Legal Services and the Volunteer Lawyers Project. A dedicated intake line for members of the military, veterans and their families.

(In the online form, please include your relationship with the military in the "Agency or Other Referral" field in order to receive priority status.)

### **MONTHLY DIAL-A-LAWYER PROGRAM**

The monthly dial-a-lawyer program is available the first Wednesday of each month from 5:30 PM to 7:30 PM. This service, sponsored by the Massachusetts Bar Association, allows members of the public to call for free legal advice: 617-338-0610. The phone lines are frequently busy during this time, and it may require repeated attempts to get through.

### **LEGAL SERVICE ORGANIZATIONS**

Boston Bar Association Lawyer Referral Service

16 Beacon Street  
Boston, MA 02108  
Phone: (617) 742 0625  
Toll-free: (800) 552-7046  
Email: [LRS@bostonbar.org](mailto:LRS@bostonbar.org)  
[www.bostonbarlawyer.org](http://www.bostonbarlawyer.org)

Open 8:30 am to 5:30 pm Monday – Thursday; 8:30 am - 5:00 pm Friday.  
By phone or email only. NO walk-ins.

Boston College Legal Assistance Bureau

24 Crescent Street, Suite 202

Waltham, MA 02453-4088

Phone: (781) 893-4793

TTY: (781) 736-9006

Fax: (781) 893 -4799

<http://www.bc.edu/schools/law/services/academic/programs/clinical/lab.html>

Community Legal Services and Counseling Center

One West Street

Cambridge, MA 02139

Phone: (617) 661-1010

Fax: (617) 661-3289

[www.clsacc.org](http://www.clsacc.org)

Greater Boston Legal Services [www.gbls.org](http://www.gbls.org)

Boston Office

197 Friend Street

Boston, MA 02114

Phone: (617) 371-1234

TTY: (617) 371-1228

Fax: (617) 371-1222

Toll-free: 1-800-323-3205

Cambridge Office

60 Gore Street, Suite 3

Cambridge, MA 02141

Phone: (617) 494-1800

TTY: (617) 494-1757

Fax: (617) 494-8222

Harvard Legal Aid Bureau

23 Everett Street, First Floor

Cambridge, MA 02138-2702

Phone: (617) 495-4408

Fax: (617) 496-2687

Email: [hlab@law.harvard.edu](mailto:hlab@law.harvard.edu)

<http://www.harvardlegalaid.org/>

Community Legal Aid [www.laccm.org](http://www.laccm.org)  
<http://livejustice.org/livehelp.htm>

Worcester Office  
405 Main Street, 4th Floor  
Worcester, MA 01608  
Phone: (508) 752-3718  
TTY: (508) 755-3260  
Fax: (508) 752-5918

Northampton Office  
20 Hampton Avenue, Suite 100  
Northampton, MA 01060  
Phone: (413) 584-4034  
Toll-free: 1-800-639-1309  
Fax: (413) 585-0418

Springfield Office  
One Monarch Place, Suite 400  
Springfield, MA 01144  
Phone: (413) 781-7814  
Toll-free: 1-800-639-1109  
Fax: (413) 746-3221

Pittsfield Office  
152 North Street, Suite E-155  
Pittsfield, MA 01201  
Phone: (413) 499-1950  
Toll-free: 1-800-639-1509  
Fax: (413) 448-2715

Fitchburg Office (open Wednesdays, 10:00 a.m. to 4:00 p.m.)  
Crown Point Building  
76 Summer Street  
Fitchburg, MA 01420

Greenfield Office (open 1st & 3rd Wednesday 9:00 a.m. to 1:00 p.m. and  
by appointment)  
55 Federal Street  
Greenfield, MA 01301

Milford Office (open 1st and 3rd Thursday, 10:00 a.m. to 4:00 p.m.)  
Milford Senior Center  
60 North Bow Street  
Milford, MA 01757

North Adams Office (Tuesdays from 10:00 a.m. to 4:00 p.m. and by appointment)  
61 Main Street  
North Adams, MA 01247

Southbridge Office (open 1st and 3rd Wednesday of every month, 10:00 a.m. to  
4:00 p.m.)  
Catholic Charities  
79 Elm Street  
Southbridge, MA 01550

Legal Services for Cape Cod and Islands  
460 West Main Street  
Hyannis, MA 02601  
Phone: (508) 775-7020  
Toll-free: 1-800-742-4107  
Senior citizens: (508) 771-7458

Massachusetts Justice Project <http://www.majp.org/>

Hotline hours are between 9:30 a.m. and 4:00 p.m. Monday through Thursday and 9:30 a.m. to 12:30 p.m. on Friday. These hotlines screens cases for five counties: Berkshire, Franklin, Hampden, Hampshire and Worcester.

Phone: (413) 533-2660

Phone: (508) 831-9888

Phone: 1-800-639-1209

Phone: 1-888-427-8989

Merrimack Valley Legal Services [www.mvlegal.org](http://www.mvlegal.org)

Lowell Office

35 John Street, Suite 302

Lowell, MA 01852-1101

Phone: (978)458-1465

Toll-free (in MA only): 1-800-336-2262

TTY: (978) 452-4740

MetroWest Legal Services

63 Fountain Street, Suite 304

Framingham, MA 01702

Phone and TTY: (508) 620-1830

Toll-free: 1-800-696-1501

Fax: (508) 620-2323

[www.mwlegal.org](http://www.mwlegal.org)

Shelter Legal Services

885 Centre Street

Newton, MA 02459

Phone: (617) 552-0623

Fax: (617) 552-2615

Email: [info@shelterlegalservices.org](mailto:info@shelterlegalservices.org)

[www.shelterlegalservices.org](http://www.shelterlegalservices.org)

Shelter Legal Services offers legal services to low-income veterans through clinics at the New England Center for Homeless Veterans and the Chelsea Soldiers' Home.

South Coastal Counties Legal Services <http://sccls.org>

Fall River Office

22 Bedford Street, 1st Floor

Fall River, MA 02720

Phone: (508) 676-6265

Toll-free: 1-800-287-3777

Brockton Office

231 Main Street, Suite 201

Brockton, MA 023014342

Phone: (508) 586-2110

Toll-free: 1-800-244-8393

Tri-City Community Action Program, Inc.

The Pro Bono Legal Project

110 Pleasant Street

Malden, MA 02148

Phone: (781) 322-4125

Fax: (781) 397-2339

[www.tri-cap.org//index.php?option=com\\_content&view=article&id=51&Itemid=114](http://www.tri-cap.org//index.php?option=com_content&view=article&id=51&Itemid=114)







**OFFICE OF ATTORNEY GENERAL MARTHA COAKLEY**

One Ashburton Place

Boston, MA 02108

(617) 727-8400

[www.mass.gov/ago/veterans](http://www.mass.gov/ago/veterans)