

Brian Neuman VA Clothing Allowance Improvement Act / Mark O'Brien VA Clothing Allowance Improvement Act



The Department of Veterans Affairs (VA) currently provides a clothing allowance to veterans that have prosthetics, orthopedic devices, or skin medicine that damages their clothing or requires alterations so long as their condition results from military service (e.g., limb loss, severe burns). Veterans must reapply annually. The annual requirement is burdensome since most have lifelong conditions. Approximately 40,000 veterans received clothing allowance benefits in 2020.

CURRENT CLOTHING BENEFIT POLICY

To receive the clothing allowance benefit, a veteran must file a claim for disability compensation and provide a clothing allowance form to their local VA medical center by August 1. Payments occur from September 1 – October 31.

A veteran can receive a one-time payment of \$841.36, but can reapply annually in future years if at least one of the following is true:

- has more than one prosthetic or orthopedic device, **or**
- has more than one skin medicine, **and/or**
- has more than one type of clothing affected by the device or skin medicine.

BILL SUMMARY

This bill would amend 38 U.S.C. 1162, which authorizes the clothing allowance program. It would add language so that those payments continue on an automatically recurring annual basis until the earlier of:

- the date the veteran elects to stop receiving payments; or
- the date on which VA determines the veteran is no longer eligible.

The bill would direct VA to prescribe regulations with standards for determining whether a claim is static, meaning the veteran has an ongoing established need for the benefit. If a claim is non-static, VA shall review it to determine eligibility within five years of the first allowance, on a periodic basis thereafter, and whenever VA receives notice the veteran is no longer eligible.

If VA determines a veteran is no longer eligible, VA shall discontinue the allowance, inform the veteran, and provide ways for the veteran to appeal the decision. The changes made by the bill would apply to:

- claims submitted after the bill is effective; and
- claims submitted after the bill takes effect if the veteran has already received the clothing allowance for that year.

SUPPORTING ORGANIZATIONS

- Wounded Warrior Project (WWP)
- Iraq and Afghanistan Veterans of America (IAVA)
- Veterans of Foreign Wars (VFW)
- Blinded Veterans Association (BVA)
- Paralyzed Veterans of America (PVA)
- Military Officers Association of America (MOAA)
- Army Aviation Association of America (AAAA)
- The Retired Enlisted Association (TREA)
- USCG Chief Petty Officers Association (CPOA)
- Disabled American Veterans (DAV)
- The Independence Fund