

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 1**

57. DoD and Services: How can military victims continue to receive treatment, counseling, etc., for injuries related to the crime committed against them after separation or retirement from the Armed Forces? How are victims informed of these options?

DoD	Response Pending
USA	<p>For the purpose of this response we assume the Judicial Proceedings Panel is referring to Active Duty Service Members (ADSMs) only. Family members who are victims of abuse or domestic violence have a separate program for continuing medical treatment under TRICARE.</p> <p>If an Active Duty Service Member (ADSM) sexual assault victim is retired from active service, they are eligible to receive medical treatment through the Military Health System (MHS). To our knowledge, there is no independent eligibility for medical care in the MHS based solely on a sexual assault that occurred while on active duty. The Transitional Assistance Management Program (TAMP) provides 180 days of transitional health care benefits to help certain members of the uniformed services and their families' transition to civilian life, but that is irrespective of a sexual assault.</p> <p>The Department of Veterans Affairs (VA) provides free health care for conditions resulting from sexual assault or repeated, threatening sexual harassment that occurred while on active duty. Both physical and mental health treatment (including medications) related to these experiences are provided free of charge. Veterans may receive these services even if not eligible for other VA care. Veterans may also apply for service-connected disability for conditions resulting from Military Sexual Trauma (MST), but the provision of free care is not dependent upon the MST becoming service-connected.</p> <p>A victim would most likely be informed of these options by a Victim Advocate or in the case of TAMP, a TRICARE Beneficiary Counseling and Assistance Coordinator (BCAC).</p>
USAF	<p>SARCs and SVCs will provide information about services available through the Veterans Administration to victims who are separating or retiring. The Transition Assistance Program and mental health and medical providers provide this information as well. Additionally, all members are required to go through a medical examination prior to separating where post-separation healthcare is discussed.</p> <p>Former service members who are retirement eligible and their dependents would continue to receive TRICARE benefits under the TRICARE Prime, Standard, USFHP, TRICARE for Life, or TRICARE Standard Overseas programs. http://www.tricare.mil/Plans/Eligibility/RSMandFamilies.aspx</p> <p>Benefits for retired Reserve members depend on the sponsor's age. If under age 60, they may qualify to purchase TRICARE Standard Reserve. At age 60 (and when receiving retired pay), they are eligible for the same benefits as all other retired service members. http://www.tricare.mil/Plans/Eligibility/NGRRandFamilies.aspx</p>

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 1**

	<p>Former Service Members and dependents who are not retirement eligible may be eligible for the Transitional Assistance Management Program (TAMP). TAMP provides 180 days of premium- free transitional health care after regular TRICARE benefits end.</p> <p>Sponsors and eligible family members may be covered by TAMP if the sponsor is:</p> <ul style="list-style-type: none"> • Involuntarily separating from active duty under honorable conditions. • A National Guard or Reserve member separating from a period of more than 30 consecutive days of active duty served in support of a contingency operation. • Separating from active duty following involuntary retention (stop-loss) in support of a contingency operation. • Separating from active duty following a voluntary agreement to stay on active duty for less than one year in support of a contingency operation. • Receiving a sole survivorship discharge. • Separating from regular active duty service and agree to become a member of the Selected Reserve of a Reserve Component. The Service member must become a Selected Reservist the day immediately following release from regular active duty service to qualify. <p>http://www.tricare.mil/Plans/SpecialPrograms/TAMP.aspx</p> <p>Once TAMP coverage ends or if the victim is not eligible for TAMP, the Secretary of Defense (or his/her designee) and/or the Secretary of the Army, Navy, and Air Force may designate these individuals who are not otherwise entitled for DoD healthcare (medical and dental) in military MTFs. The victim may be granted this Secretarial Designee status, upon his/her request. Individuals may request renewal of Designee status and reapply for Designation; however, continued approval is not guaranteed. Care under Secretarial Designee status is available only on a space available basis at MTFs.</p> <p>http://static.e-publishing.af.mil/production/1/af_sg/publication/afi41-210/afi41-210.pdf</p> <p>The VA will provide disability compensation for sexual assault regardless of the individual's service-connected disability rating or availability of other documentation.</p> <p>http://www.benefits.va.gov/BENEFITS/factsheets/serviceconnected/MST.pdf</p> <p>Individuals are informed of these options through various methods. General healthcare options are briefed during the separation or retirement briefings that every service member attends. Beneficiary Counseling and Assistance Coordinators are available at the MTFs to assist and inform individuals of their options. The SARC is also a source for that information.</p>
USN	<p>Victims would receive treatment through the Department of Veterans Affairs (VA). Anyone who has served in the military is entitled to free treatment for military related injuries including sexual trauma. In order to be entitled to additional benefits, victims must follow the VA disability procedures. Victims are informed of this by their active</p>

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	duty medical providers if or when transition to the VA is required.
USMC	The Veterans Administration provides benefits and services to former service members, including crime victims. Every Marine separated honorably is given a copy of the Federal Benefits for Veterans and Dependents (VA Benefits Manual). Per (page 7) of the VA Benefits Manual: “Military sexual trauma (MST) is the term that the Department of Veterans Affairs uses to refer to sexual assault or repeated, threatening sexual harassment that occurred while a Veteran was serving on active duty (or active duty for training if the service was in the National Guard or Reserves). VA health care professionals provide counseling and treatment to help Veterans overcome health issues related to MST. Veterans who are not otherwise eligible for VA health care may still receive these services. Appropriate services are provided for any injury, illness or psychological condition related to such trauma. For additional information visit: http://www.mentalhealth.va.gov/msthome.asp
USCG	Victims can continue to receive treatment and counseling through the Veterans Administration. Counseling regarding this option is included in training that the members receive prior to separation from the service.