

## Veterans without Benefits: Discharge Status and Healthcare Disparities

Johanna Buwalda, M.Ed., M.A., L.C.P.C.

VVAW Military and Veterans Counseling  
The Soldiers Project-Chicago

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## Types of Military Discharges

- Administrative
- Punitive
- Officer Discharge
- Entry Level Separation



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## Administrative Discharges

- Honorable Discharge: Eligible for all benefits.
- General (Under Honorably Conditions) Discharge: Eligible for most benefits.
- Other Than Honorable Conditions Discharge: Ineligible for many benefits.



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### **Punitive Discharge**

**Bad Conduct Discharge:**  
Ineligible for vast majority of benefits  
**Dishonorable Discharge:**  
Virtually all benefits are forfeited.

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### **Other Discharges**

- **Officer Discharge:** Commissioned officers cannot receive bad conduct discharges or a dishonorable discharge, nor can they be reduced in rank by a court-martial. If an officer is discharged by a general court-martial, they receive a Dismissal notice which is the same as a dishonorable discharge. Virtually all benefits are forfeited.
- **Entry Level Separation (ELS):** If an individual leaves the military before completing at least 180 days of service, they receive an entry level separation status. This type of military discharge can happen for a variety of reasons (medical, administrative, etc.) and is neither good or bad, though in many cases, service of less than 180 may prevent some people from being classified as a veteran for state and federal military benefits.

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### **VA Medical Care**

**E:** Eligible  
**NE:** Not eligible  
**A:** Eligible only if the administering agency determines that, for its purposes, the discharge was not under dishonorable conditions.

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VA Benefits	DD	BCD GCM	BCD SPCM	OTH	GEN	HON
Wartime disability compensation	NE	NE	A	A	E	E
Wartime death compensation	NE	NE	A	A	E	E
Peacetime disability compensation	NE	NE	A	A	E	E
Peacetime death compensation	NE	NE	A	A	E	E
Dependency and indemnity compensation to survivors	NE	NE	A	A	E	E
Education assistance (not GI Bill)	NE	NE	A	A	E	E
Pensions to widows and children	NE	NE	A	A	E	E
Hospital and domiciliary care	NE	NE	A	A	E	E
Medical and dental care	NE	NE	A	A	E	E
Prosthetic appliances	NE	NE	A	A	E	E
Seeing-eye dogs, mechanical and electronic aids	NE	NE	A	A	E	E
Burial benefits (flag, national cemeteries, expenses)	NE	NE	A	A	E	E
Special housing	NE	NE	A	A	E	E
Vocational rehabilitation; Survivor's educational assistance	NE	NE	A	A	E	E
Autos for disabled veterans	NE	NE	A	A	E	E
Inductees reenlistment rights	NE	NE	A	A	E	E

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## OTH and BCD SPCM

Veterans with Other Than Honorable  
Veterans with Bad Conduct Discharge under Special Court Martial

- may be considered eligible for VA Medical Care, if they can show that:

**They served honorably until their service connected condition made it impossible for them to do so.**

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## What is the Problem?

- About 2 million service members were deployed in the latest wars.
- The VA estimates that 20% suffers from a service connected mental health problem such as PTSD and Depression (total 400,000).
- While the VAMC's are doing what they can to respond, it is overwhelmed with influx of veterans.
- Many (estimated 20,000) veterans receive discharges that make them ineligible, or need an administrative decision to receive VA Health Care.
- Most non-VA programs require Honorable Discharges.
- It is unknown how many of these ineligible veterans have a discharge that resulted from misconduct caused by their service connected mental health problem.



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## RAND Report

- o "If PTSD and depression go untreated or are under treated, there is a cascading set of consequences," Jaycox said. "Drug use, suicide, marital problems and unemployment are some of the consequences. There will be a bigger societal impact if these service members go untreated. The consequences are not good for the individuals or society in general."
- o Service members report many reasons for not seeking treatment. Many are worried about the side effects of medication or believe that family and friends can provide more help than a mental health professional. Even more reported that they worried seeking care might damage their career or cause their peers to lose confidence in their abilities.




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## Erik

- Sniper
- 3 tours to Iraq
- Best friend shot and killed
- Almost died in mortar attack
- No longer able to function due to inability to sleep, hypervigilance, exaggerated startle response, flashbacks, suicidal ideation
- Multiple denials access to Behavioral Health Clinic on Base
- Self medication with marihuana
- Desperation leads to BCD

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## Simon

- 5 deployments to Iraq and Afghanistan




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**Margaret**

- Two deployments to Iraq and Afghanistan
- Sexually assaulted by fellow soldier
- No longer functioning due to depression, inability to show up for work due to sleep deprivation, anxiety attacks on base
- Tried to report assault but not provided with support
- Goes AWOL to get help
- Receives Dishonorable Discharge

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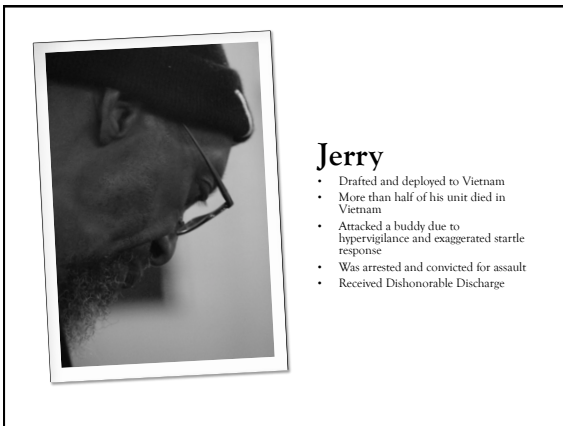
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**Jerry**

- Drafted and deployed to Vietnam
- More than half of his unit died in Vietnam
- Attacked a buddy due to hypervigilance and exaggerated startle response
- Was arrested and convicted for assault
- Received Dishonorable Discharge

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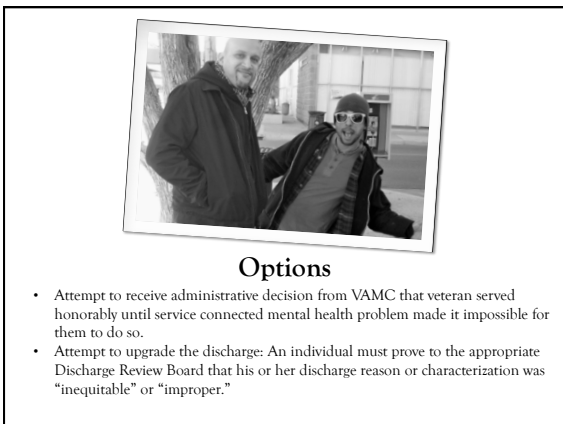
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**Options**

- Attempt to receive administrative decision from VAMC that veteran served honorably until service connected mental health problem made it impossible for them to do so.
- Attempt to upgrade the discharge: An individual must prove to the appropriate Discharge Review Board that his or her discharge reason or characterization was "inequitable" or "improper."

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## Barriers for Ineligible Veterans



- Veterans with service connected (mental) health problems do not have access to VA (mental) health care.
- Mainstream (mental) health care is not necessarily well prepared for treating the veteran population
- Veterans have difficulty to obtain health insurance through employment. An OTH discharge as well as untreated service connected (mental) health problems, make it difficult to obtain employment
- Veterans report being unable to take action. Their mental health problems make it very difficult to attempt to get administrative approvals and/or discharge upgrades. Follow through is low.
- Many are homeless or move frequently because they have difficulty holding jobs. They miss deadlines because letters are not received.
- Mental health providers don't know where they are. The VA does not consider them veterans and nobody seems to keep track of them.
- Lack of treatment can lead to self medication, criminal activity, unemployment, homelessness, marital problems, and more.

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## Changes Needed

- Military needs to become more aware of the reasons behind misconduct (i.e. is the service member needing mental health services).
- Military needs to remove barriers to treatment (culture change).
- VA needs to simplify the process to assess eligibility for veterans with OTH discharges.
- Veteran Service Officers need to be better trained to facilitate discharge upgrades and character of service applications.
- The process for upgrading a discharge needs to be simplified.

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## Conclusion

In addition to veterans who are eligible for some or all benefits, there are many veterans with service connected mental health problems who are unable to access VA benefits including mental health treatment. These veterans can become a burden on criminal justice system, homelessness services, emergency rooms, public mental health care, and more.

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## Contact

Johanna Buwalda, M.Ed., M.A., L.C.P.C.

- VVAW Military and Veterans Counseling
  - 773 370 4789
  - [vetcounseling@vaw.org](mailto:vetcounseling@vaw.org)
- The Soldiers Project-Chicago
  - 877 761 4377
  - [jbuwalda@thesoldiersproject.org](mailto:jbuwalda@thesoldiersproject.org)

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## Presenter Disclosures

<Johanna Buwalda>

**(1) The following personal financial relationships with commercial interests relevant to this presentation existed during the past 12 months:**

No Relationships to Disclose

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