

VOLUME 7A, CHAPTER 13: “ILLNESS OR INJURY PAYMENT PROGRAMS”**SUMMARY OF MAJOR CHANGES**

All changes are denoted by **blue font**.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by **bold, italic, blue, and underlined font**.

The previous version dated **March 2016** is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
Bibliography	Updated statutes and references.	Revision

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CHAPTER 13

ILLNESS OR INJURY PAYMENT PROGRAMS

1301 GENERAL

130101. Purpose

This chapter describes the payment programs authorized for military personnel, who, while serving in the line of duty, are either injured, wounded, or became ill, or who have a permanent catastrophic injury or illness and require a caregiver.

130102. Authoritative Guidance

The bibliography at the end of this chapter lists the authoritative references.

1302 PAY AND ALLOWANCE CONTINUATION (PAC) PROGRAM

130201. General

Effective May 15, 2008, the Secretary of Defense authorized the PAC Program for Service members of the Regular or Reserve Components (RC).

130202. Eligibility

To be eligible, Service members must have been wounded, ill, or injured in a combat zone, a hostile fire area, or while exposed to a hostile fire event, and hospitalized for treatment of such wound, injury, or illness. Service members may be considered hospitalized if their orders indicate attachment or assignment to a medical/patient unit for duty. The phrase “medical or patient unit” may be subject to refinement, consistent with statute, by the Military Department concerned.

130203. Entitlement

A. Service members of the Regular or RC who incur a wound, injury, or illness in the line of duty while serving in a combat operation or a combat zone, while serving in a hostile fire area, or while exposed to a hostile fire event (regardless of location), and are hospitalized for treatment of the wound, injury, or illness, will continue to receive the pay and allowances the member was receiving at the time of hospitalization. These pay and allowances include special and incentive pays, bonuses, and the daily incidental expense portion of the temporary duty allowance authorized for members deployed in a combat operation or combat zone.

B. For purposes of Hardship Duty Pay – Location (HDP-L), Service members serving on a temporary deployment, or attached duty of more than 30 days in a designated hardship duty location, and who are wounded, injured, or become ill within the first 30 days of serving in the designated area, will be considered eligible for HDP-L at the time the wound, injury or illness is incurred.

130204. Commencement of Payment

Continuation of pay and allowances under the PAC Program begins on May 15, 2008, or the date of the member's eligibility, whichever occurs later.

130205. Termination of Entitlement

The pay and allowances for Service members that meet the PAC Program eligibility requirements will continue until the end of the first month beginning after the earliest of the following dates:

A. The date on which the Service member is returned for assignment to other than a medical or patient unit for duty;

B. The date on which the Service member is discharged, separated, or retired (including temporary disability retirement) from the uniformed services; or

C. One year after the date on which the Service member is first hospitalized for the treatment of the wound, injury, or illness. The Principal Deputy Under Secretary of Defense (USD) for Personnel and Readiness (P&R) may extend the termination date in 6-month increments under extraordinary circumstances.

1303 SPECIAL COMPENSATION FOR ASSISTANCE WITH ACTIVITIES OF DAILY LIVING (SCAADL)

130301. General

The provisions of the SCAADL Program apply only to those Service members with qualifying injuries or illnesses incurred on or after August 31, 2011. The Secretary concerned may pay special compensation to eligible Service members of the Active or RC who have incurred or aggravated a permanent catastrophic illness or injury in the line of duty, and require a caregiver who provides non-medical care, support, and assistance to the member. The Department of Defense (DoD) Instruction (DoDI) 1341.12, "Special Compensation for Assistance with Activities of Daily Living Program," August 10, 2015 contains detailed instructions and procedures for initiating the SCAADL entitlement.

130302. Eligibility

In order to receive the SCAADL compensation, the Service member must:

A. Have a determination made, by a licensed DoD physician or a Veterans Affairs (VA)-licensed physician, that the member has a permanent catastrophic injury and needs assistance from another person to perform the personal functions required in everyday living, or requires constant supervision to avoid harm to self or others;

B. Have a determination made, by a DoD or a VA-licensed physician, that the member requires hospitalization, nursing home care, or other residential institutional care in the absence of such assistance;

C. Be an outpatient and no longer an inpatient at a military treatment facility, VA medical center, civilian hospital, nursing home, or other residential institutional care facility. Although individuals may be temporarily placed in an inpatient status for tests, examinations, or treatment, they remain eligible for the full monthly SCAADL payment if they are an outpatient at least 16 cumulative days a month. If the Service member is admitted as an inpatient for a period of at least 16 cumulative days in a month, then payment should be suspended until a post-discharge re-evaluation occurs to determine SCAADL eligibility;

D. Have a designated primary caregiver who provides assistance with at least one of the following Activities of Daily Living (ADL) due to the Service member's:

1. Inability to dress or undress;
2. Inability to bathe or groom in order to stay clean and presentable;
3. Frequent need of adjustment of any special prosthetic or orthopedic appliances, which by reason of the particular disability, cannot be done without aid. This does not include the adjustment of appliances that routinely require assistance for another person, such as supports, belts, and lacing at the back;
4. Inability to attend to toileting without assistance;
5. Inability to eat meals through loss of coordination of upper extremities or through extreme weakness or inability to swallow; or
6. Inability to guard against hazards or dangers incident to a regular, daily environment;

E. In addition to meeting at least one of the criteria in subparagraph 130302.D.1 through 6, the Service member must:

1. Require continual medical management or be at high risk for personal safety and unable to live independently in the community without caregiver support;
2. Require hospitalization, nursing home, or other residential institutional care, unless caregiver support provides personal care services at home in an ongoing manner;
3. Receive no concurrent services by another federal entity; or
4. Not be returned to duty by a physical evaluation board;

- F. Be unable to perform the duties of their office, grade, rank or rating; and
- G. Receive final eligibility certification from the unit commander or service designated representative.

130303. Restrictions

The following restrictions apply:

- A. Service members will not designate another military member in a pay status as their primary caregiver for the purpose of receiving SCAADL. All primary caregivers, with the exception of the Service member's spouse, must be at least 18 years of age.
- B. SCAADL is not paid to a Service member:
 - 1. If any other federal agency is providing outpatient or in-home services to assist the member with ADL or with supervision to avoid the Service member from harming themselves or others;
 - 2. If the Service member receives aid and attendance allowance from the VA in accordance with Title 38, United States Code (U.S.C.), section 1114(r)(2);
 - 3. If the Service member's primary caregiver receives a monthly caregiver stipend from the VA's Comprehensive Assistance for Family Caregivers Program;
 - 4. If the Service member qualifies for and accepts in-home assistance with ADL (custodial care), paid with supplemental health care program funds and provided by a TRICARE-authorized home health agency; or
 - 5. If the Service member is found fit by a Service physical evaluation board, or otherwise returned to duty status as unfit, but retained on active duty. The Service member will be removed from the SCAADL program in accordance with the Military Department's regulations.
- C. Service members or their designated representatives may appeal disapproval to receive SCAADL in accordance with respective Military Service appeal guidelines.
- D. Qualifying payments to Service members who receive SCAADL, in accordance with paragraph 130203, will terminate as detailed in subparagraph 130305.C.
- E. Service members must complete a re-evaluation every 6 months to validate dependency level and assure uninterrupted payment of the SCAADL benefit.
- F. Pursuant to 37 U.S.C. § 373, Service members no longer satisfying SCAADL eligibility requirements will repay any SCAADL allowances received after the member is returned to duty or removed from the SCAADL program.

G. Service members in receipt of SCAADL will recertify compensation upon a change in clinical status or geographical location.

H. All Service members hospitalized for 16 cumulative days or more of a month will be required to recertify upon release from the hospital.

130304. Monthly Compensation

An online [SCAADL Calculator](#) is available to compute the approximate monthly SCAADL compensation. The military services will use the DoD [\(DD\) Form 2948](#), Special Compensation for Assistance with Activities of Daily Living (SCAADL) Eligibility, to document the Service member's eligibility for SCAADL. The following guidelines apply:

A. Monthly compensation is computed based on the Bureau of Labor Statistics (BLS) wage rate for a home health aide, using the 75th percentile of the hourly wage rate in the Service member's geographic area of residence. The BLS wage rates are updated annually and published effective January of each year. The amount of monthly compensation is calculated using the zip code of the geographic location where the Service member currently resides and the Service member's dependence level.

B. A three-tier system recognizing the variation in complexity of care required by the Service member and provided by the caregiver determines the monthly compensation. The member's Primary Care Manager (PCM) will assess the Service member's dependency level and assign a point value corresponding to the number of hours of care the member requires each week.

1. High Tier. It is presumed that a Service member who scores 21 or higher will require at least 40 hours per week of caregiver assistance.

2. Medium Tier. It is presumed that a Service member who scores 13-20 will require at least 25 hours per week of caregiver assistance.

3. Low Tier. It is presumed that a Service member who scores 1-12 will require at least 10 hours per week of caregiver assistance.

C. Service members or their designated representatives may appeal a PCM's determination of dependency level to their Service headquarters. The dependency level may also change if the Service member's condition changes and a reevaluation of the member's level of dependency is conducted.

130305. Payment Period

The following guidelines apply to the period that the SCAADL entitlement may be paid:

A. Service members become eligible for the SCAADL entitlement on the date a licensed DoD or VA physician certifies that the member meets the eligibility criteria. If the certification is not on the first of the month, and the entitlement is continuous for more than

1 month, the first month will be prorated based on a 30-day month computation. The 31st day of the first month will be excluded.

B. Service members entitled to SCAADL for a continuous period of less than 1 month will receive payment for the actual number of days at the rate of 1/30th of the monthly amount. The 31st day of a calendar month may not be excluded from this computation.

C. SCAADL entitlement stops on:

1. The last day of the month in which a 90-day period ends after the date the Service member separates or retires. (For example, March 15 (separation date) plus 90 days equals June 13 (last day of entitlement is June 30));

2. The last day of the month during which a Service member dies (See Note);

3. The last day of the month a physician determines that a Service member no longer meets the eligibility requirements for SCAADL; or

4. The last day of the month preceding the month during which the Service member begins receiving aid and attendance from the VA under 38 U.S.C. § 1114(r)(2), or the Service member's primary caregiver begins receiving a monthly caregiver stipend from the VA under 38 U.S.C. § 1720G.

Note: This last SCAADL payment should be paid to the beneficiary in the unpaid pay and allowances [described in Chapter 36, section 3603](#).

*BIBLIOGRAPHY

ILLNESS OR INJURY PAYMENT PROGRAMS

1302 - PAY AND ALLOWANCE CONTINUATION (PAC) PROGRAM

- * 37 U.S.C. § 372
Office of the USD (P&R) Memo, July 16, 2009

1303 - SPECIAL COMPENSATION FOR ASSISTANCE WITH ACTIVITIES OF DAILY LIVING (SCAADL)

- * 37 U.S.C. § 439
37 U.S.C. § 373
DoDI 1341.12, August 10, 2015
DoD Manual 1341.12, August 10, 2015