

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 * 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 May 2012 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
1301	Deleted Combat-Related Injury Rehabilitation Payment (CIP) Program as it terminated in 2008.	Deletion
1301	Created new General section.	Addition
130204.B and C	Deleted subparagraphs relating to CIP.	Deletion
130204.D, E, F and examples	Deleted subparagraphs and related examples about extensions for the Pay and Allowance Continuation Program since they applied only to 2008/2009 time frame.	Deletion

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CHAPTER 13

ILLNESS OR INJURY PAYMENT PROGRAMS

*1301 GENERAL

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

1302 PAY AND ALLOWANCE CONTINUATION (PAC) PROGRAM

*130201. General

The Secretary of Defense authorized the continued payment of pay and allowances to service members of the Regular or Reserve Components under the PAC Program, effective May 15, 2008.

130202. Definitions

A. Hostile Fire. An event including hostile fire, an explosion of a hostile explosive device, or any other hostile action that involves an attack or other use of force perpetrated by a foreign individual(s) or entity against the United States or a member of its uniformed services, or other designated persons or property. It also includes force used directly to impede the mission and/or duties of the uniformed services, such as the recovery of U.S. personnel or vital U.S. Government property. Under such circumstances, it is reasonable to anticipate that a member may suffer a wound, injury, or illness as a result of an accident, mistake, or friendly fire directed at a hostile force or what it thought to be a hostile force.

B. Combat Operation. A military action that may involve carrying out a strategic, operational, or tactical mission against a hostile or unfriendly force, to include carrying on combat and any related movement, supply, attack, defense, or maneuvers needed to gain the objectives of a battle or campaign. Operations Enduring Freedom and Iraqi Freedom are examples of combat operations for purposes of this PAC program.

C. Combat Zone. An area designated by Executive Order under 26 United States Code (U.S.C.) 112, as an area in which U.S. Armed Forces are or have engaged in combat. An area becomes a combat zone or ceases to be a combat zone on the dates designated by Executive Order. For the purposes of the PAC program, direct-support areas certified by the Secretary of Defense will be treated as combat zones.

D. Line of Duty. A member will be considered as serving in the line of duty unless the wound, injury, or illness is the result of the member's intentional misconduct or willful negligence, or is incurred during a period of unauthorized absence.

E. Hospitalized. The pay and allowances that are continued for eligible members under the PAC program are those the member is receiving at the time of hospitalization. A member may be initially admitted as an inpatient and later receive outpatient rehabilitation or some other form of appropriate medical care in a military treatment facility, a Department of Veterans Affairs (VA) or civilian hospital, or other treatment facility. The hospitalization related to a wound, injury, or illness that is the result of service in a combat operation or combat zone, service in a hostile fire area, or exposure to a hostile fire event, may occur immediately following such wound, injury or illness, or at a later time if the need for hospitalization is not initially evident.

F. Medical or Patient Unit. An organizational entity or functional division or facility associated with providing medical care to qualifying wounded, injured, or ill members. The phrase “medical or patient unit” may be subject to refinement, consistent with statute, by the Military Department concerned.

130203. Entitlement

A. Members of the Regular or Reserve Components who, in the line of duty, incurred a wound, injury, or illness 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 he/she received at the time of hospitalization. These entitlements include special and incentive pays, bonuses, and the daily incidental expense portion of temporary duty allowance authorized for members deployed in a combat operation or combat zone.

B. Members serving on temporary, deployed, or attached duty of over 30 days duration in a designated hardship duty location for purposes of Hardship Duty Pay - Location (HDP-L), 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 began on May 15, 2008, or the date of the member’s eligibility, whichever occurred later.

130205. Termination of Entitlement

Members meeting the eligibility requirements for PAC will have the pay and allowances continued until the end of the first month beginning after the earliest of the following dates:

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

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

C. One year after the date on which the member is first hospitalized for the treatment of the wound, injury, or illness. The Principal Deputy Under Secretary of Defense for Personnel and Readiness 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 Secretary concerned may pay special compensation to eligible members of the Active or Reserve Components who have a permanent catastrophic injury or illness, incurred or aggravated in the line of duty, and require a caregiver who provides non-medical care, support, and assistance to the member. Detailed instructions and procedures for initiating the SCAADL entitlement are contained in the Department of Defense Instruction (DoDI) 1341.12, "Special Compensation for Assistance with Activities of Daily Living", dated August 31, 2011.

130302. Eligibility

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

A. Be certified by a licensed Department of Defense or VA physician to have a permanent catastrophic injury and need assistance from another person to perform the personal functions required in everyday living or require constant supervision.

B. Be an outpatient. Individuals may be temporarily placed in an inpatient status during the month for tests, examinations, or treatment, and will remain eligible for the full monthly SCAADL payment provided they are in an outpatient status the majority of the month (i.e., more than 15 days a month).

C. Have a designated primary caregiver who provides assistance for at least one of the following [because of the member's](#):

1. Inability to dress or undress him or herself.
2. Inability to bathe or groom in order to keep self clean and presentable.
3. Frequent need of assistance adjusting any special prosthetic or orthopedic appliances.
4. Inability to toilet or attend to toileting without assistance.

5. Inability to feed him or herself.

6. Physical or mental incapacity which requires care or assistance on a regular basis to protect the service member from hazards or dangers incident to his or her daily environment.

D. Require continual medical management or be at high risk for personal safety and cannot live independently in the community without caregiver support.

E. Require hospitalization, nursing home or other institutional care if caregiver support is not provided for personal care services at home in an ongoing manner.

F. Not be provided concurrent services by another entity.

130303. Restrictions

The following restrictions apply:

A. Service members may not designate another military member as their primary caregiver for the purpose of receiving SCAADL.

B. SCAADL may not be paid to a qualified member if any other Federal Agency is providing outpatient or in-home services to assist with activities of daily living or supervision to avoid harm to self or others.

C. SCAADL may not be paid to a qualified member if the member's primary caregiver is receiving a monthly caregiver stipend from the VA under 38 U.S.C. 1114(r)(2).

D. Service members who qualify for and accept in-home assistance with activities, with daily living paid with supplemental health care program funds and provided by a TRICARE-authorized home health agency, are not eligible for SCAADL.

130304. Monthly Compensation

The monthly compensation can be determined by accessing an on-line computation calculator provided by Office of Wounded Warrior Care and Transition Policy, Office of the Secretary of Defense. The calculator is located at: <http://militarypay.defense.gov/Tools/scaadlintro.html>. The military services will use Department of Defense (DD) Form 2948, Special Compensation for Assistance with Activities of Daily Living (SCAADL) Eligibility, to substantiate the member's entitlement. 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. If there is more than one BLS wage rate within a specific metropolitan area, the higher rate will be used.

B. The amount of compensation will be based on a three-tier system recognizing the variation in complexity of care required by the service member and provided by the caregiver. The member's primary care manager (PCM) will assess the member's level of dependency. A point value corresponding to the number of hours of care the member requires each week will be assigned to the member. Based upon the evaluation, the member will be rated as follows:

1. High Tier. A member who scores 21 or higher will be presumed to require 40 hours per week of caregiver assistance.

2. Medium Tier. A member who scores 13-20 will be presumed to require 25 hours per week of caregiver assistance.

3. Low Tier. A member who scores 1-12 will be presumed to require 10 hours per week of caregiver assistance.

C. 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 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. Members become eligible for the SCAADL entitlement on the date a licensed physician certifies that the member meets the eligibility criteria. If the certification is not on the 1st 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. 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 member separates or retires. (E.g., March 15 (separation date) + 90 days = June 13 (last day of entitlement is June 30);

2. The last day of the month a member dies;

3. The last day of the month a physician determines that a member is no longer afflicted with the catastrophic injury or illness; or

4. The last day of the month preceding the month the member begins receiving compensation under the VA caregiver program under 38 U.S.C. 1720G, or the member's primary caregiver begins receiving a monthly caregiver stipend from the VA under 38 U.S.C. 1114(r)(2).

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