

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 2018](#) is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
130102	Updated the “Authoritative Guidance” paragraph to comply with current administrative instructions.	Revision
130202 130203	Updated the “Eligibility” and “Entitlement” paragraphs to comply with the National Defense Authorization Act for Fiscal Year 2020, Public Law 116-92, section 601, dated December 20, 2019.	Revision
130301 130302 130303	Updated the Special Compensation for Assistance with Activities of Daily Living” section and applicable paragraphs in accordance with the Department of Defense Instruction 1341.12, dated October 31, 2019.	Revision
References	Renamed “Bibliography” to “References” and updated statutes, and supporting 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 pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

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) pursuant to 37 U.S.C., section [372](#).

*130202. Eligibility

A. 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, as defined in subparagraph 130203.B for treatment of such wound, injury, or illness.

B. Service members who are assigned to a medical or patient unit based on orders that confirm the assignment and who are determined as not fully fit to perform full military duties are eligible.

*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. Circumstances Involving Hospitalization:

1. The member, at the time of evacuation, will be considered “first hospitalized for treatment” for the purposes of determining PAC eligibility.

2. After first hospitalization for treatment, a Service member may remain eligible for PAC during follow-on outpatient treatment and/or rehabilitation until triggering one of the three terminating reasons listed in paragraph 130205.

3. The member may be authorized PAC beginning on the first day of the month following the date they were first hospitalized, and it may continue for up to 12 subsequent consecutive months.

C. 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. **Begin PAC payment on the first month after hospitalization.**

Example: If a member was medically evacuated from Iraq to Germany in July, August is the “first month” of PAC.

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 (**Note: The return to assignment is based on a determination that the member is fully fit to perform full military duties.**);

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 DoD Instruction (DoDI) [1341.12](#), "Special Compensation for Assistance with Activities of Daily Living Program," dated October 31, 2019, contains detailed instructions and procedures for initiating the SCAADL entitlement.

*130302. Eligibility

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

1. 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 by everyday living;

2. 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;

3. Be an outpatient and have identified a designated primary caregiver. The designated primary caregiver:

a. May be a Service member assigned to a RC and not serving on active duty. If the Service member designates a member of a RC as their primary caregiver, an alternate caregiver must also be designated. Members of the Active Component and RC assigned to active duty will not serve as designated primary caregivers;

b. Must not be receiving the VA Program of Comprehensive Assistance Caregivers stipend, or VA Aid and Attendance compensation, in accordance with subparagraphs 130303.B.2 and 130303.B.3;

c. May still be eligible to receive the respite benefit if they are qualified in accordance with TRICARE Operations Manual (TOM) [6010.56-M](#); and

d. Must be at least 18 years of age. The exception to this requirement is if the Service member's spouse is under 18 years of age, he or she may be the primary or alternate caregiver;

4. Be an outpatient and not receiving federally funded in-home services (other than respite care), including TRICARE, to assist with activities of daily living (ADL) or provide supervision to avoid harm to self or others.

B. Service member receiving other home health services in accordance with TOM 6010.56-M remain eligible to receive SCAADL compensation, except as described in paragraph 130303.

*130303. Restrictions

A. 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 provide supervision to avoid the Service member from harming themselves or others;

2. If the Service member receives special monthly compensation from the VA in accordance with 38 U.S.C. § 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, supervisory, or protection needs paid with supplemental health care program funds and provided by a TRICARE-authorized home health agency;

5. If the Service member enters hospice care. In accordance with TRICARE Reimbursement Manual 6010.61-M, TRICARE will cover hospice care for those members. However, Service members in hospice care for the management of medication still qualify for the SCAADL Program; or

6. On the last day of the month during which a 90-day period ends after the Service member begins separation or retirement, even though the member has not begun to receive compensation pursuant to 38 U.S.C. § 1114(r)(2) before the end of such period.

B. Service member will be removed from the SCAADL Program:

1. If the Service member is returned to duty through rehabilitation, or 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. Termination effective date will be the last day of the month the Service member is no longer eligible under this provision; or

2. 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, except when:

a. The Secretary of the Military Departments concerned determines that the imposition of the repayment with regard to a Service member would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interest of the United States;

b. The Service member dies or is retired or separated with a combat-related disability; or

c. The Service member receives sole survivorship discharge.

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 **and recertification** every 180-calendar days of eligibility for the SCAADL benefit.

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

G. 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, Application for 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.

***REFERENCES**

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
[National Defense Authorization Act for Fiscal Year, 2020](#)
[Public Law 116-92, section 601, December 20, 2019](#)

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

37 U.S.C. § 439
37 U.S.C. § 373
DoDI 1341.12, [October 31, 2019](#)