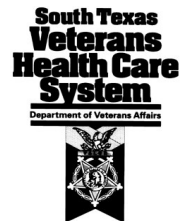




A Guidebook
For
Veterans Incarcerated In
Texas



El Paso VA Health Care System

West Texas VA Health System

TABLE OF CONTENTS

TABLE OF CONTENTS - FORWARD	2-3
SECTION I: USING THE GUIDE AND SEEKING HELP	4-5
SECTION II: HELP FOR VETERANS	6-18
Toll-Free Numbers	6
Where to Start	7
Housing	8
Finding & Keeping a Job	9-10
VA Health Care	11-13
Mental Health Services	14-15
Alcohol - Substance Abuse Treatment & Counseling	15
Financial Help	16
Legal Help	17
Women Veterans	18
SECTION III: SEEKING FEDERAL BENEFITS	19-25
Eligibility for Benefits While Incarcerated	19-20
Benefits Payments while Incarcerated	21
Family Benefits - Apportionment	22-23
Help Seeking Benefits	24-25
CHECKLIST	26
RESOURCE ADDRESSES / SITES	27-30

Forward

This handbook can be an important tool. Review all of the programs thoroughly to understand the opportunities available. When these programs are used properly, the benefits will be a minimization of the outside pressures you may be confronted if released; social acceptance, economics, and re-establishment as a productive member of society.

This booklet is a tool for Veterans Incarcerated and their families who wish access to services to support a new and better way of life. Be aware, this guidebook is designed to assist veterans incarcerated, in the State of Texas, and their families, laws do vary from state to state. Therefore, check your state laws and regulations against this guide.

To perpetuate the value of this document, we respectfully request that if you discover any incorrect, conflicting, or out-of-date information in this Guidebook please send the discrepancies to:

Chair, Veterans Incarcerated Workgroup
Director, Comprehensive Homeless Center and Domiciliaries (116A)
VA North Texas Health Care System
4500 S. Lancaster Road
Dallas, Texas 75216

We would like to recognize and thank: 1) the National Coalition for Homeless Veterans which provided basic concepts and core information for this guide through its "Planning for Your Release" guide funded by the U.S. Department of Labor; 2) the Veterans Incarcerated Workgroup of Walla Walla, Washington, for the concept of state-specific information in its "Guidebook for Incarcerated Veterans" and for allowing the use of its guide as a template for this publication; and 3) Vietnam Veterans of America, Inc. for developing the first incarcerated veterans guidebook, which has inspired and informed subsequent efforts.

SECTION I: USING THIS GUIDE AND SEEKING HELP

This guide is for you to use to plan for your release and to keep as a reference after your release. It includes addresses, phone numbers, and web sites that you can use to find out about programs and other help available after your release. You may want to ask a friend or family member to help you find the information you need if you don't have phone or internet access. Keep in mind that **this guide does not include all of the services available**. What is available in one area may be different from what is available in another, so be sure to check with local resources to learn about services in your area.

While you are in prison, find out which unit in your facility can help you plan for your release (often the education or transfer unit). Classes may be offered so you can work on skills development and prepare for life after release. **You don't want to risk homelessness once you are released, so take advantage of the opportunities available to you.**

Begin thinking about what specifically you will need upon release. Ask yourself these kinds of questions: Will I need housing? Will I need medical, substance abuse, or mental health care? Do I need to learn a job skill? Do I have any other legal issues, such as child support? How do I restart my VA checks or Supplemental Security Income (SSI)?

Make a list of your needs. Remember that this is just a tool to help you get organized. A sample list might look like this:

- I need a place to live.
- I need a job.
- I need clothing to wear to work.
- I need to find out what benefits I can get as a veteran.
- I want to get addictions treatment.
- I owe child support.

Think about your list as you read through this guide. Who do you think can help you with each of your needs? Is there one organization that may be able to work with you, on many different things, or do you need to contact several agencies? Keep track of the steps you take, including the dates and names of people you contact for information or assistance. Although this guide provides *national and state* addresses for many organizations, we recommend you **check your phone book for local, county, and state agencies that know what help is available in your area.**

When writing a letter to request information, **be clear.** Keep your letter short, to the point, and write legibly. Include the following information:

- Your name, social security number and contact information.
- A brief statement about your current situation.
- Your specific request.
- What you have done so far (Example: I have written to _____ X organization and they suggested I contact you).
- Any restrictions for mailings (Example: Mail with staples or paper clips will not be accepted by my prison facility).

When contacting an agency for help by mail, email or phone, **be persistent and polite** in order to get results. Ask questions if information is not clear to you. Remember that many organizations are staffed by volunteers who are eager to help, but may not have the answers you are looking for. If **someone cannot help you, ask about who can.**

The Internet can also be helpful to find information about VA benefits and community resources in your area. This guide includes web addresses, when available. Ask to use a computer in your facility, or visit the public library after release. Computer access may also be provided at WorkSource and WorkSource Affiliate sites, WorkForce Development Council member locations, and Employment Security Department offices (referred to as Job Service Centers or Unemployment Offices).

Section II of this guide provides information about assistance for specific needs. **Section III** covers basic information about seeking VA benefits. The last page contains a **Checklist** that summarizes each section of this guide.

WHERE TO START

Check the local phone book yellow pages under "Homeless" or "Social Service Organizations" for a list of many local organizations that offer different services, which may include clothing, public transportation tokens, emergency shelter, and more. You may need to contact several agencies to find all the services you need. Services provided by *government* agencies are listed in the blue pages found near the front of the phone book. Check with your local Public Assistance Office to find out what programs are available and what their guidelines are. We have included some guidance below, but your local organizations are your best resources. **Remember, it never hurts to ask!**

- Every **VA Medical Center** has a **Health Care for Homeless Veterans (HCHV) Coordinator** who is responsible for helping homeless veterans access VA and community-based care to end homelessness among veterans. The HCHV program provides outreach, clinical assessments and referrals for medical and mental health care, long-term transitional residential assistance, case management and employment assistance with linkage to permanent housing. To locate your nearest HCHV Coordinator call 1-877-222-8387 or go to: www.va.gov/homeless.
- **Texas Veterans Commission (TVC)** provides assistance with Veterans benefits & entitlements information, VA claims process, representation and advocacy, Trauma (PTSD) counseling, Veterans Homes for those in need of nursing care, and employment assistance through federal funded reintegration projects. Call 1-800-252-8387 or go to: www.TVC.state.tx.us
- **National Coalition for the Homeless** has a directory of shelters and homeless assistance programs online. This does not list every program in the country, so be sure to check your phone book for local programs. The following are those listed for the State of Texas.
- **Directory of Local Homeless Service Organizations**
- **Salvation Army** - provides services, including shelter and transitional housing, for homeless individuals and families. For local services and information contact: The Salvation Army, nearest the city you will be going to.
- **United Way** - provides a variety of services through local organizations. Check the phone book for a local post or locate local organizations online at - www.unitedway.org.
- Texas Homeless Network provides a directory of organizations providing assistance to homeless individuals. Call 1-800 531-0828 or go to: www.thn.org
- **Local churches and faith-based organizations**, such as Catholic Charities, Salvation Army, and Volunteers of America, may have a variety of programs to assist you. Find these organizations by calling your county or city Department of Social Services. Check the blue pages of the phone book for the number.

HOUSING

It is important to know that you have a place to go when released. The first step in returning to the community is finding a place to stay. This section includes ways to locate emergency shelter, transitional programs, and permanent housing assistance. Transitional or temporary housing can serve as a step toward full independence upon your release. However, there are often waiting lists for housing assistance programs, so you should ask about applying as soon as possible. If you are released and find yourself homeless, emergency assistance is available.

Emergency and Transitional Housing

- To find out if there are homeless veteran service providers in your area, call 1-800-VET-HELP, write to NCHV, 333Y2 Pennsylvania Ave., 8E Washington, DC 20003-1148, or go to: www.nchv.org.

Look in the phone book **yellow pages** under "Social Service Organizations" for local shelters or organizations that may be able to help.

Look in the phone book **blue pages** under local, city, or county government Department of Social Services or "Human Services" or call the County Commissioner's Office for information about local low-income housing coalitions or homeless advocacy groups who may know what is available.

- To find a list of emergency shelters for men, women and families in every state, check the **Department of Housing and Urban Development** online at - www.hud.gov/homeless/hmisagen.cfm.

Long-term or Permanent Housing

Public housing waiting lists can be long, but the length of time can vary from place to place. Even if you are not sure where you want to live yet, apply to get on the waiting list so that you have as many options as possible. To learn how to apply, contact the local housing authority listed in the phone book blue pages under "Local Government, Public Housing Authority".

- **Texas Low Income Housing Information Service**- is an organization with the mission of supporting low-income Texans' efforts to have a decent home in a quality neighborhood. Go to: www.texashousing.org

FINDING & KEEPING A JOB

Finding a job may be hard and can seem overwhelming, but it is possible and very important! When released you may find that you are completely starting over. You should ask for job counseling and training while incarcerated so you are prepared to work when released. **Don't wait** until you get out to start thinking about what you will do. **Start planning now!**

EMPLOYMENT SERVICES

- **WorkSource Centers** provide all the information, technology and services business needs to thrive; and job seekers need to achieve successful careers. They represent a unique concept in the labor market - everything in one place. WorkSource Center Services are delivered to customers in a variety of ways, including:
 - Self-directed efforts, such as kiosks or via the Internet
 - Group programs and activities, such as workshops
 - One-on-one consultations
 - Training programs and business consultations
- **WorkSource Affiliates** serve special populations and are electronically linked to the system. All affiliates offer self service resource rooms and job search activities. Services for job seekers include:
 - Free use of computers, copiers, phones, faxes and other career resources
 - Internet access to jobs
 - Job referral and placement
 - Classes on how to get and keep a job
 - Information on the fastest growing jobs and wages
 - Referral to training and other community services
 - Access to Unemployment Insurance
 - Translation services

WorkSource is a joint venture of organizations dedicated to addressing Washington State' s employment needs.

- **Local Veterans Employment Representatives (LVER) and Disabled Veterans Outreach Program (DVOP) specialist** assigned by the **State Employment Security Department** to help veterans find and keep jobs. LVERs are located with the local WorkSource site or affiliate Job Service Centers (JSC). DVOP Specialists work under the supervision of the LVER to develop job and training opportunities for veterans with service-connected disabilities, linking veterans with employers and making sure follow-up services are provided. To find a LVER or DVOP near you, visit your state employment service office listed in the phone book blue pages under "State Government, Employment Security Department," or go to: <http://www.twc.state.tx.us/vetsvcs/vetemptrain.home>.
- Through its' **Veterans Industries and Compensated Work Therapy programs**, the VA offers structured work opportunities and supervised therapeutic housing for at-risk and homeless veterans with physical, mental health and addictions problems. VA contracts with private industry and the public sector for work by these veterans, who learn job skills, re-learn successful work habits, and regain a sense of self-esteem. Veterans are paid for their work and given assistance with employment in the community. In Washington, the VA currently has Veterans Industries Programs located at the following medical centers, American Lake in Tacoma, Vancouver, and Walla Walla. For further information go to: www1.va.gov/vetind.
- The State of Texas has a **Vocational Rehabilitation** program that helps people with disabilities find and keep jobs. Apply for these services immediately after your release. Look in the phone book blue pages under "Department of Social and Health Services (DSHS)," then "Vocational Rehabilitation," or search the internet for "Vocational Rehabilitation" in Texas.
- National H.I.R.E. Network is an information resource for individuals with criminal histories seeking employment. Go to: www.hirenetwork.org.

VA HEALTH CARE

If eligible for veteran's benefits:

- We encourage you to enroll in the VA Health Benefits System as soon as you are released. Every **VA Medical Center** has a **Health Care for Homeless Veterans Coordinator** who helps veterans and their families find resources inside and outside the VA Health Care system. Call 1-877-222-8387 or go to: www1.va.gov/directory/guide/home.asp?isFlash=1 to find the medical center nearest you.

Dallas Texas

VA North Texas Healthcare System

4500 S. Lancaster Rd.
Dallas, TX 75216
214-742-8387

Amarillo Texas

Amarillo VAMC

6010 Amarillo Blvd West
Amarillo TX 79106
806-355-9703

El Paso Texas

El Paso VA Health Care System

5001 N. Piedras Drive
El Paso, TX 79930
915-564-6100

San Antonio Texas

VA South Texas Healthcare System

7400 Merton Minter Blvd. San Antonio TX 78284
210-617-5300

Temple Texas

VA Central Texas Healthcare System

1901 First St.
Temple TX 76504
254-778-4811

Waco Texas

VA Central Texas Healthcare System

4800 Memorial Dr.
Waco, TX 76711
254-752-6581

Houston Texas

Michael E. DeBakey VAMC

2002 Holcombe Blvd
Houston TX 77030
(713) 791-1414

Big Spring, Texas

Big Spring VAMC

2400 S. Gregg St.
Big Spring, TX 79720
915-263-7361

If ineligible for veteran's benefits, free or low-cost health care may be available from the following sources:

- **Department of State Health Services (DSHS)** can tell you where to find health care facilities for the homeless. Check the phone book blue pages under local, city, or county government for the number.
- **National Health Care for the Homeless Council** has a list of health care providers working with homeless people across the nation. For a list of providers in your state, go to: www.nhchc.org.
- **Free clinics** are run by many local organizations and communities. Look in the phone book blue pages under "Public Health" to contact local government office for clinics in your area.
- **Special Health Information for Veterans:**
- If you think you may be at risk for AIDS and HIV infection after your release, contact the nearest VA Medical Center to get tested, and seek counseling. Those at highest risk for AIDS and HIV infection are:
 - people who share needles or syringes to inject drugs or steroids;
 - men who have sex with other men;
 - those born to mothers who have HIV
 - people who received blood transfusions before 1985;
 - anyone who has sex with anyone who is at risk for HIV / AIDS.
- Veterans, homeless, and incarcerated people are at high risk for **Hepatitis C (HCV)**, a serious disease that can cause cirrhosis (scarring of the liver) and liver cancer. If you think you are at risk after your release, contact the nearest VA Medical Center to get tested and seek HCV counseling.

You are at risk if:

- you ever used a needle to inject drugs;
- you had a blood transfusion or organ transplant before 1992;
- you were a health care worker and had contact with blood;
- you were on long-term kidney dialysis;

- your mother had hepatitis C when she gave birth to you.
- The Veterans Health Administration also recommends testing if:
 - you are a Vietnam-era veteran;
 - you have had exposure to blood on your skin;
 - you have had multiple sex partners;
 - you have tattoos or body piercing;
 - you have ever snorted cocaine;
 - you have liver disease;
 - you have a history of drinking a lot of alcohol;
 - you have had an abnormal liver function test.

MENTAL HEALTH SERVICES

If eligible for veterans' benefits:

- Contact the Homeless Veteran Services Coordinator at the local **VA Medical Center** or **Vet Center**. Call 1-877-222-8387 to or go to: www1.va.gov/directory/guide/home.asp?isFlash=1 to find the medical center nearest you.

VET CENTERS IN TEXAS

Amarillo Vet Center

3414 Olsen Blvd., Suite E
Amarillo, TX 79109
Phone: (806) 353-9779
Fax: (806) 351-1104

Corpus Christi Vet Center

4646 Corona, Suite 250
Corpus Christi, TX 78411
Phone: 361-854-9961
Fax: 361-854-4730

El Paso Vet Center

1155 Westmoreland, Suite 121
El Paso, TX 79925
Phone: 915-772-0013
Fax: 915-772-3983

Houston Vet Center

503 Wertheimer
Houston, TX 77006
Phone: 713-523-0884
Fax: 713-523-4513

Laredo Vet Center

6020 McPherson Rd. Suite 1A
Laredo, TX 78041
Phone: 956-723-4680
Fax: 956-723-9144

McAllen Vet Center

801 Nolan Loop Suite 140
McAllen Texas 78504
Phone: 956-631-2147
Fax: 956-631-2430

San Antonio Vet Center

231 W. Cypress St. Suite 100
San Antonio Texas 78212
210-472-4025
210-472-4032

Austin Vet Center

1110 West William Cannon Dr., Suite 301
Austin, TX 78745
Phone: (512) 416-1314
Fax: (512) 416-7019

Dallas Vet Center

5232 Forest Ln., Suite 111
Dallas, TX 75244
Phone: 214-361-5896
Fax: 214-655-2249

Ft Worth Vet Center

1305 W. Magnolia St., Suite B
Ft. Worth, TX 76104
Phone: 817-921-9095
Fax: 817-921-9438

Houston Vet Center

701 N. Post Oak Rd. Suite 102
Houston, TX 77024
Phone: 713-682-2288
Fax: 713-682-7818

Lubbock Vet Center

3208 34th St.
Lubbock, TX 79410
806-792-9782
806-792-9785

Midland Vet Center

3404 W. Illinois, Suite 1
Midland Texas 79703
432-697-8222
432-697-0561

If not eligible for veterans' benefits, the following sources may be able to tell you where you can go to get help:

- **National Alliance for the Mentally Ill** lists community mental health services providers at - www.nami.org, or call 1-800-950-6264.

- **National Mental Health Association** offers support groups, rehabilitation, socialization, and housing services through 340 community organizations located across the country. Call 1-800-969-NMHA, or find a local office online at - www.nmha.org.

SUBSTANCE ABUSE TREATMENT

If eligible for veterans' benefits:

- Contact the Addictions Treatment Center at the local **VA Medical Center**. Call 1-877-222-8387 to or go to: www1.va.gov/directory/guide/home.asp?isFlash=1 to find the medical center nearest you.

If not eligible for veterans' benefits, the following sources may be able to tell you where you can go to get help:

- The Department of Health and Human Services **Drug and Alcohol Treatment Referral Routing Service** can refer *you* to local programs. Call 1-800-662-4357.
- **Focus On Recovery Helpline** - A 24-hour national alcohol and drug abuse addiction and treatment hotline: 1-800-374-2800 or 1-800-234-1253

FINANCIAL HELP

- The American Legion provides **Temporary Financial Assistance**, (TFA) from its national headquarters to help maintain a stable environment for children of veterans. To obtain an application, look in the phone book to contact a local post, or contact the National Headquarters (see page 15) to find the post nearest you.
- If you are unemployed with little or no income, you may be able to get **food stamps**. A person may normally qualify for \$85 to \$100 worth of food stamps per month. Call the toll-free information number at 1-800-221-5689, or find a list of food stamp hotlines for each state at - www.fns.usda.gov/fspl_contact_info/hotlines.htm. You can also contact the local Department of Human Services, many drop-in shelters, or legal aid services to ask for an application.
- **Supplemental Security Income (SSI)** benefits can be applied for before your release, even though you won' t receive the benefits until after you are released. Food Stamps can be applied for together with SSI. Normally, it takes about three months to review an application, so apply well before your release date. It is best to get help filling out the application. For detailed information or assistance, call 1-800- 772-1213, call or your local social security administration office listed in the phone book blue pages, or go to: www.ussi.htm.
- 211—The phone number 211 will reach an information and referral service in your local area. They have listings of assistance providers such as churches, non-profits, etc. that may be able to provide financial, legal or housing assistance. Simply dial 211.

LEGAL HELP

Veteran status issues:

- You should talk to a **Veterans Service Officer** for help with discharge upgrades, seeking benefits, and filing a VA claim (call 1-800-562-2308 for the nearest Service Officer).

Other legal issues:

- Most law is state-specific. Most common legal problems are governed by the law in the state where you live or where the problem occurred. When looking for legal help, make sure that information you find applies to your state, or that the lawyer or other service provider is qualified to work in your state.
- The **American Bar Association** has a web site with guidelines about free legal services and links to directories of legal aid offices and pro-bono programs. Go to: www.abanet.org
- **Legal Services or Legal Aid offices** have staff lawyers to provide free legal help to poor clients. The lawyers are usually experts in the types of problems that poor clients often have. Look in the yellow pages for a local Legal Aid office or check online for the program, nearest you. Go to: www.rinlsc.gov/rinboard/rguide/pdirl.htm.
- **Pine Tree Legal Assistance** has an online list of organizations across the nation that provides free legal help to clients who qualify. Go to: www.ptla.org/links/services.htm.
- Texas Legal Aid Finder website is provided by Texas Housing. Go to www.texashousing.org/txlihis/siterebuild/agencies/legalaid.lasso
- Lawyers in private practice sometimes volunteer in "pro-bono" programs to take cases for poor clients free of charge. Check the yellow pages to contact your **Local Bar Association** to learn if there is a pro-bono program in your community, or go to www.abanet.org/barserv/stlobar.html.

WOMEN VETERANS

✦ Most VA **Medical Centers** and readjustment offices have a designated Women Veterans Coordinator to assist women veterans in accessing VA benefit programs and healthcare services. Call 1-877-222-8387 or go to www1.va.gov/directory/guide/home.asp?isFlash=1 to find the medical center nearest you.

- **The Texas Department of Veterans Affairs** has a designated Women Veterans Coordinator to help women veterans. Call 1-800-562-2308 or go to www.tvc.state.tx.us/womenveterans.htm.
- Many women in prison had similar histories, problems, and personal issues before their arrest and conviction. Mentors with **Women in Community Service (WICS)** help women preparing to leave prison and those who are just getting back into society. WICS' prison programs help women think about their behavior, gain job skills, and build self-esteem. Contact **the U.S. DOL, Job Corps** at 1-800-283- 9427 or go to www.charityadvantage.com/wics/Locations.asp to find the nearest WICS program.

SECTION III

SEEKING FEDERAL BENEFITS

The Department of Veterans Affairs publishes a booklet called "**Federal Benefits for Veterans and Their Dependents**" that describes the types of benefits available and lists the addresses and phone numbers for VA facilities nationwide. Write the VA Regional Office (VARO) to request a copy.

U.S. Dept Of Veterans Affairs - Regional Offices in Texas

Houston VARO:

6900 Alameda Road
Houston, Texas 77030

Waco VARO

One Veterans Plaza
701 Clay Avenue
Waco, Texas 76799

Call 1-800-827-1000 or find information about benefits at - www.vba.va.gov/benefits.

ELIGIBILITY FOR VA BENEFITS DURING INCARCERATION

Veterans incarcerated and incarcerated dependents may apply for the same compensation, dependency and indemnity compensation (DIC) – service connected death benefits – and pension benefits as veterans who are not incarcerated. However, Congress has greatly restricted the amount of benefits that may be paid to a veteran or dependent while he or she is incarcerated. These benefits are institutionalized as part of law: *38 U.S.C Sec 5313 (a), 38 C.F.R., Sec. 3.665 (a), (d)*, which reads as follows:

If a veteran is incarcerated as the result of a "felony" conviction as defined by law: "Any offense punishable by death or imprisonment for a term exceeding one year, unless specifically categorized as a misdemeanor under the law of the prosecuting jurisdiction,"

Then, the amount paid to a veteran incarcerated for a service-connected disability is generally limited by law to the 10 percent disability rate, or half the amount of the ten percent rate if the veteran's disability rating is 10 percent. (If the veteran is rated before incarceration as 20 percent disabled or higher, he will receive only the amount payable to a 10 percent disabled veteran.)

Incarcerated DIC recipients will receive one-half the amount paid to a veteran receiving compensation payments for a 10 percent-rated disability.

A veteran may not receive non-service connected VA pension benefits, or any portion of these benefits, while incarcerated for a felony. However, his family may receive an apportionment of such benefits under the procedure described above. (See 38 C.F.R. Sec.3.666)

One important requirement for eligibility for VA benefits is that the veteran has to have been issued either an honorable or general discharge, or would have received one if not for re-enlisting. If a veteran had two periods of service, one honorable and the other less than honorable, he may still be eligible for VA benefits based on the honorable period of service.

✓ **VA Medical Care** is not provided to veterans in prison, but VA health facilities may provide care to you after your release. Contact 1-877-222-8387 or go to www1.va.gov/directory/guide/home.asp?isFlash=1 to find the medical center nearest you.

BENEFITS PAYMENTS WHILE INCARCERATED

There is a 60-day "**grace period**" following a conviction when you may still receive full benefits. **To avoid an overpayment**, it is important that you notify the VARO immediately when you go to prison if you are receiving payments. If you do not notify the VA and receive overpayment, you and your family will lose all financial payments until the debt is paid.

*For example, Joe is a veteran who receives a VA pension of \$807 per month. He commits a crime and is incarcerated, but doesn't tell the VA right away and keeps getting paid for 6 months. **Joe is overpaid a total of \$4,872.** After serving his sentence of 18 months, he is released and applies to the VA to have his pension restarted. The new pension rate is \$830 per month, but the VA will use that amount to start repaying the \$4,872 debt. **Joe's first real check will start 5 months after he is released and will be for \$30!** Joe has to go at least 5 months without that income.*

Your award for compensation or pension benefits should resume from the date you are released, as long as the VA receives notice of release within one year. This includes placement in a community treatment center or halfway house. **Remember, you must notify the VA when you are released to restart your payments.**

APPORTIONMENT

Although legally, the veteran can only receive a portion of the full amount payable for his or her disability rating, the remaining balance may be “apportioned to the individual’s dependent family”. To apply for apportionment, send a letter to the VA Regional Office (VARO) that has jurisdiction over the veteran’s case. VA regulations clearly specify this apportionment amount will only go to family members if they can show financial need for such amount. This applies to the spouse, children, or dependent parents who are involved in the application.

In deciding whether any apportionment is appropriate, the amount of the apportionment, and to whom it will go, the following factors are considered:

- The family member’s income and living expenses;
- The amount of compensation available to be apportioned;
- The needs and living expenses of other family members; and
- Special needs of any of the family members.

For example: a veteran incarcerated rated as 80 percent disability can only receive the amount he or she would get if he or she were 10 percent disabled. However, his or her family may be apportioned up to 70 percent, the difference of the 80 percent rating. (DIC may also be apportioned with similar restrictions.)

There is a 60-day “**grace period**” following conviction where the veteran, or DIC recipient, may still receive full benefits. If the veteran continues to receive benefits after the 60-day period, it will result in an “over-payment”. The VA considers it to be the recipient’s responsibility and fault if this occurs because the recipient failed to notify the VA of his or her incarceration. Attempts to obtain a waiver in these situations of overpayment are often unsuccessful. As a rule, the veteran loses most, if not all, financial benefits until the entire overpayment is recovered by the VA. It has also been a standard procedure that the family will not be entitled to receive an apportionment until the debt is completely recovered.

For more information concerning VA debt collection rules that may affect the veteran incarcerated, telephone: 1-800-827-1000 and request a Veterans Service Organization

representative or, write to a Veterans Service Organization (attention SR list) at the address listed on page seventeen in this document.

It is important that each disabled veteran receiving compensation or DIC payments promptly notify the VARO. Regular full benefit payments should begin upon release, providing the VA is notified of the veteran's release, including placement within a community treatment center or halfway house in the community, within one year of release.

One other relevant restriction on veteran's incarcerated eligibility for service connected disability compensation is that: "No total disability rating based on un-employability, may be assigned to an incarcerated veteran".

It is important to remember that most VA decisions, including those on apportionment, can be appealed to the Board of Veterans Appeals and, if need be, to the Court of Appeal for Veterans Affairs.

HELP SEEKING BENEFITS

If you would like to get benefits or think you have a pending claim before the VA, it is best to get professional help to assist you.

- Many Veterans **Service Organizations** have trained staff who can help you with your VA claim, and can legally represent your claim before the VA. Some also help homeless and at-risk veterans find the support services they need. You can contact any VSO listed below to see if there is a service representative near you.

The following service organizations are located at the Waco and Houston Regional Offices as well as at many of the local VA Medical Centers:

- American Legion
 - AMVETS
 - Disabled American Veterans
 - Military Order of the Purple Heart
 - Paralyzed Veterans of America
 - Texas Veterans Commission
 - Veterans of Foreign Wars
-
- Although we encourage you to seek the aid of a service representative, you may choose to apply for VA benefits on your own. Write the VARO or find the forms online at: www.vba.va.gov/pubs/forms.htm. You can also apply for certain benefits online at: <http://vabenefits.vba.va.govNonapp/main.asp>.

Below are brief descriptions of forms needed to file for certain VA benefits. Be sure you use a return address where mail will get to you as quickly as possible. Make photocopies of all forms for your records before sending your packet to the VARO nearest you.

- **Standard Form-180 – Request Pertaining to Military Records** - is used to get copies of your Record of Discharge (DD-214), military personnel and medical records. You will need a copy of your DD-214 when applying for any benefits. Requests may also complete online at <http://vetrecs.archives.gov>.

- **VA Form 21-526 - Application for Compensation or Pension** - is used to apply for compensation or pension. This form, along with your DD-214 and the following forms should be mailed directly to the VARO nearest your release destination 30 to 45 days before our release.
- **VA Form 21-527 –Income-Net Worth and Employment Statement** – is used to
 - apply for non service-connected pension. This form is used to re-open a NSC claim
 - or if receiving service –connected compensation (less than 50%). This may be the pay
 - option.
- **VA Form 21-4138 - Statement in Support of Claim** – is used to re-open claims for Service Connection disabilities, and/or any other information you wish to submit in reference to claims. It is best to have an experienced service representative help you complete' the form.
- **VA Form 21-4142 - Authorization for Release of Information** - If you have received medical or mental health care, that may be relevant to your claim, from anyone other than a VA Medical Facility, you need to fill out a **VAF 21-4142** giving permission for release of medical records to the VA..
- **VA Form 10-10EZ - Enrollment for Medical Benefits** - is used by the VA to determine if you can receive medical benefits. Complete the form and bring it with you to the VA medical facility where you will seek evaluation for treatment.
- **VA Form 28-1900 - Vocational Rehabilitation for Disabled Veterans** - is needed to apply for the vocational rehabilitation program to help veterans who were disabled during their service reach maximum independence in daily living, to learn the skills needed to get a job, and to find and keep a job. Send Form 28-1900 to the VARO in your area 10 to 15 day' s before your release.
- **VA Form 70-3288 - Request for and Consent to Release of Information from Claimant's Records** - is used to get records relevant to your claim from VA facilities (regional offices, medical centers, outpatient clinics, and vet centers). Request a fee waiver under section 38 C.F.R. Sec.1.526 (h), which requires the VARO to provide a veteran with one set of his or her records free of charge.

- **DD Form 293 - Application for Review of Discharge from Armed Forces of the United States**-To be used for applications to up-grade discharges. This form is sent to appropriate Service Departments (Address are on the Forms)

CHECKLIST

Using This Guide

- Ask about classes or resources to help you plan for your release.
- Make a list of your needs.
- Make a list of who may be able to help you.
- Write letters and/or contact organizations by phone or email.
- Write down the steps you take so that you do not repeat them.

Just for Veterans

- Know where to call toll-free for help.
- Contact organizations about what services they have to offer.
- Think about your housing needs and gather information about what is available locally.
- Learn about job resources and create a plan to find a job.
- Learn about health issues, and what services are available.
- Learn about the resources available for substance abuse and mental health treatment in your area.
- Learn about your options to get financial help.
- Begin to take care of other legal issues.
- Learn about homeless veterans services.
- Learn about resources for women veterans
- If you are not currently receiving benefits, find out if you can or should be.
- If you are receiving benefits, notify the VA when you go to prison to avoid an overpayment.
- Contact a veteran service representative to represent you and help you file a claim.
- Apply for apportionment so that some of the money withheld may be given to eligible family members.

Resource Addresses/Sites

US Dept of Veterans Affairs (USDVA) - www.va.gov/

Veterans of Foreign Wars (VFW) – www.vfw.org

Disabled American Veterans (DAV) - www.dav.org

Vietnam Veterans of America - www.va.org

American Legion - www.legion.org

AMVETS - www.amvets.org

Social Security Administration - www.ssa.gov/

National Coalition for Homeless Veterans - www.nchv.org/index.cfm

Facility	Address	Phone
<u>Houston Regional Office</u>	6900 Almeda Road, Houston, TX 77030	1-800 827-1000
<u>Waco Regional Office</u>	1 Veterans Plaza, 701 Clay Av. Waco, TX 76799	1-800 827-1000
<u>Beaumont Clinic</u>	3420 Veterans Circle Beaumont, TX 77707	409-981-8550 or 1-800-833-7734
<u>Charles Wilson VA Outpatient Clinic</u>	1301 Frank Avenue, Lufkin, TX 75901	936-637-1342 or 1-800-209-3120
<u>Houston Vet Center</u>	503 Westheimer, Houston, TX 77006	713-523-0884
<u>Houston Vet Center</u>	701 N. Post Oak Road, Houston, TX 77024	713-682-2288
<u>Michael E. DeBakey VA Medical Center</u>	2002 Holcombe Blvd. Houston, TX 77030-4298	713-791-1414 or 1-800-553-2278

Facility	Address	Phone
<u>VA North Texas Health Care System:Fort Worth Outpatient Clinic</u>	300 W. Rosedale Street, Fort Worth, TX 76104	1-800-443-9672
<u>Victoria Clinic</u>	1502 E. Airline Dr. Victoria, TX 77901	361-582-7700
<u>Austin, Financial Services Center</u>	1615 E. Woodward St. Austin, TX 78714	512-460-5010
<u>Brownwood CBOC</u>	2600 Memorial Park Drive Brownwood, TX 76801	325-641-0568
<u>Bryan/College Station CBOC</u>	1605 Rock Prairie Rd. Ste.212 College Station, TX 77845	979-680-0361
<u>Cedar Park CBOC</u>	701 Whitestone Boulevard Cedar Park, TX 78613	512-260-1368
<u>Central Texas Veterans Health Care System</u>	1901 Veterans Memorial Dr. Temple, TX 76504- 7451	254-778-4811
<u>Central Texas Veterans Health Care System - Austin Outpatient Clinic</u>	2901 Montopolis Drive Austin, TX 78741	512-389-1010
<u>Central Texas Veterans Health Care System - Olin E Teague Veterans' Center</u>	1901 Veterans Memorial Dr. Temple, TX 76504	254-778-4811
<u>Central Texas Veterans Health Care System - Waco VA Medical Center</u>	4800 Memorial Drive Waco, TX 76711	254-752-6581
<u>Corpus Christi Outpatient Clinic</u>	5283 Old Brownsville Road Corpus Christi, TX 78405	361-806-5600
<u>Frank M. Tejada VA Outpatient Clinic</u>	5788 Eckhert Road San Antonio, TX 78240	210-699-2100
<u>Kerrville VA Medical Center</u>	3600 Memorial Blvd Kerrville, TX 78028	830-896-2020

Facility	Address	Phone
<u>Laredo Outpatient Clinic</u>	6551 Star Court Laredo, TX 78041-9136	956-523-7850
<u>Marlin CBOC</u>	1016 Ward Street Marlin, TX 76661	254-883-3511
<u>McAllen Clinic</u>	2101 S. Row Blvd. McAllen, TX 78501	956-618-7100
<u>Palestine CBOC</u>	2000 So. Loop 256, Suite 124 Palestine, TX 75801	903-723-9006
<u>South Texas Veterans Health Care System</u>	7400 Merton Minter Blvd. San Antonio, TX 78229	210-617-5300
<u>VA North Texas Health Care System: Dallas VA Medical Center</u>	4500 South Lancaster Rd. Dallas, TX 75216	214-742-8387
<u>VA North Texas Health Care System: Sam Rayburn Memorial Veterans Center</u>	1201 E. 9th Street Bonham, TX 75418	903-583-2111
<u>Abilene Clinic</u>	6200 Regional Plaza, Suite 1200 Abilene, TX 79606	325-695-3252
<u>Amarillo VA Health Care System</u>	6010 Amarillo Boulevard, West Amarillo, TX 79106	806-355-9703
<u>Amarillo Vet Center</u>	3414 E. Olsen Blvd., Suite E Amarillo, TX 79109	806-354-9779
<u>Childress Clinic</u>	P.O. Box 1030, Hwy 83 N Childress, TX 79201	940-937-3636
<u>El Paso VA Health Care System</u>	5001 North Piedras Street El Paso, TX 79930-4211	915-564-6100

Facility	Address	Phone
<u>El Paso Vet Center</u>	1155 Westmoreland Suite 121 El Paso, TX 79925	915-772-0013
<u>Fort Stockton Clinic</u>	P.O. Box 1060 Fort Stockton, TX 79735	432-336-8365
<u>Lubbock Clinic</u>	6104 Avenue Q South Dr. Lubbock, TX 79412	806-472-3400
<u>Lubbock Vet Center</u>	3208 34 Street Lubbock, TX 79410	806-792-9782
<u>Midland Vet Center</u>	3404 W. Illinois, Suite 1, Midland, TX 79703	915-697-8222
<u>Odessa Clinic</u>	The Professional Tower 419 W. Fourth St Odessa, TX 79761	432-337-1586
<u>San Angelo Clinic</u>	2018 Pulliam San Angelo, TX 76905	325-658-6138
<u>Stamford Clinic</u>	Box 911, Hwy 6 East Stamford, TX 79553	325-773-2710
<u>Stratford Clinic</u>	1220 Purnell, P.O. Box 1107 Stratford, TX 79084	806-396-2852
<u>West Texas VA Health Care System</u>	300 Veterans Blvd. Big Spring, TX 79720	432-263-7361