

Department of Veterans Affairs
Program of Comprehensive Assistance for Family Caregivers
Final Rule

Monthly Stipend Payment Frequently Asked Questions

1. How is VA changing the way stipends are calculated?

Currently, stipend payments in the Program of Comprehensive Assistance for Family Caregivers (PCAFC) are based, in part, on the definition of “combined rate,” which refers to data from the Bureau of Labor Statistics (BLS). Under the final rule, VA will base stipend payments, in part, on the definition of “monthly stipend rate,” which refers to the Office of Personnel Management (OPM) General Schedule (GS).

In addition, VA is moving away from the current clinical ratings used to determine the stipend amount, which are based on the degree to which the eligible Veteran (to include qualifying a service member) is unable to perform one or more activities of daily living (ADL) or is in need of supervision or protection, based on symptoms or residuals or neurological or other impairment or injury.

VA is moving to two levels (away from the three tiers) to distinguish the amount and degree of personal care services provided to an eligible Veteran. The applicable level will be based on whether the eligible Veteran is determined to be unable to self-sustain in the community.

In addition, stipend payments will be based on a percentage of the monthly stipend rate instead of presuming that the eligible Veteran requires a certain number of weekly hours of caregiver assistance.

2. What is the monthly stipend rate?

Under the final rule, the monthly stipend rate will be based on the OPM GS Annual Rate for grade 4, step 1, based on the locality pay area in which the eligible Veteran resides. Because VA provides a monthly stipend, the annual rate will be divided by 12.

3. How will the stipend amount be linked to the Veteran’s level of care?

Under the final rule, VA will rely on two levels for stipend payment amounts versus the three tiers in the current rule. The Department will no longer base stipend payment amounts on a presumed number of hours of caregiver assistance required by the eligible Veteran. Instead, VA will apply a specific percentage of the monthly stipend rate based on the amount and degree of personal care services provided to the eligible Veteran. The levels for stipend payments are as follows:

- a) Level 2: For an eligible Veteran who is determined to be **unable to self-sustain in the community**, the Primary Family Caregiver’s stipend amount will be 100% of the monthly stipend rate. For example, the GS rate at grade 4, step 1 in Dallas, Texas for 2020 is \$33,638 annually. Thus, the 2020 monthly stipend amount for a Primary Family Caregiver of an eligible Veteran in Dallas, Texas at this rate will be approximately \$2,803.17.
- b) Level 1: For an eligible Veteran who is **not** determined to be **unable to self-sustain in the community**, the Primary Family Caregiver’s stipend amount will be 62.5% of the monthly stipend rate. Thus, the 2020 monthly stipend amount for a Primary Family Caregiver of an eligible Veteran in Dallas, Texas at this rate will be approximately \$1,751.98.

Note: Under the final rule, the term “unable to self-sustain in the community” will mean that an eligible Veteran: (1) requires personal care services each time he or she completes three or more of the seven activities of daily living (ADL) listed in the definition of an inability to perform an ADL, and the eligible Veteran is fully dependent on a caregiver to complete such ADLs; or (2) has a need for supervision, protection, or instruction on a continuous basis.

Note: Under the final rule, the term “inability to perform an activity of daily living” will mean the Veteran or service member requires personal care services each time he or she completes one or more of the following: (a) dressing or undressing oneself; (b) bathing; (c) grooming oneself in order to keep oneself clean and presentable; (d) adjusting any special prosthetic or orthopedic appliance that, by reason of the particular disability, cannot be done without assistance (this does not include the adjustment of appliances that nondisabled persons would be unable to adjust without aid, such as supports, belts, lacing at the back, etc.); (e) toileting or attending to toileting; (f) feeding oneself due to loss of coordination of upper extremities, extreme weakness, inability to swallow, or the need for a non-oral means of nutrition; or (g) mobility (walking, going up stairs, transferring from bed to chair, etc.).

Under the final rule, the term “need for supervision, protection, or instruction” will mean an individual has a functional impairment that directly impacts the individual’s ability to maintain his or her personal safety on a daily basis.

4. How will the stipend change for a Primary Family Caregiver of a legacy participant or a legacy applicant?

The final rule defines a legacy participant, in part, as an eligible Veteran whose Family Caregiver(s) was approved and designated by VA before the effective date of the final rule (i.e., October 1, 2020). The eligible Veteran will continue to be considered a legacy participant so long as his or her Primary Family Caregiver (approved and designated before the effective date of the final rule) continues to be approved and designated as such.*

The final rule defines a legacy applicant, in part, as a Veteran or service member who submits a joint application for the Program of Comprehensive Assistance for Family Caregivers (PCAFC) that is received by VA before the effective date of the final rule (i.e., October 1, 2020) and for whom a Family Caregiver(s) is approved and designated on or after the effective date of the final rule. The Veteran or service member will continue to be considered a legacy applicant so long as his or her Primary Family Caregiver (approved and designated after the effective date of the final rule pursuant to the joint application) continues to be approved and designated as such.*

* The final rule includes further discussion of these terms, including the complete definitions.

The stipend amount for a Primary Family Caregiver of a legacy participant or legacy applicant will not decrease in the 12 months following the date the final rule becomes effective (i.e., October 1, 2020), except in cases where the reduction is the result of the eligible Veteran relocating to a new address.

- a) **For legacy participants and legacy applicants who meet the new eligibility requirements**, VA will determine the applicable stipend amount under the new stipend payment methodology.
 - o **If the reassessment results in an increase in the stipend amount**, the increase will take effect as of the date of the reassessment, and the Primary Family Caregiver will

receive a retroactive payment to account for the increase back to the effective date of the final rule.

- **If the reassessment results in a decrease in the stipend amount**, VA will provide advance notice of the decrease one year after the effective date of the final rule. The decrease will go into effect no earlier than 60 days after such notice.
- b) **For legacy participants and legacy applicants who do not meet the new PCAFC eligibility criteria** (and who are not discharged or revoked on another basis), VA will provide advance notice of discharge one year after the effective date of the final rule. The discharge will be effective no earlier than 60 days after such notice, and benefits will continue for 90 days after discharge from the program.