

Benefits for Surviving Spouses of ALS Veterans

The Department of Veterans Affairs (VA) provides Dependency and Indemnity Compensation (DIC) to qualified survivors of service members and veterans. Eligible survivors can also receive an additional \$288.27 per month in DIC in cases where a veteran who, at the time of death, was in receipt of or was entitled to receive compensation for a service-connected disability that was rated totally disabling for a continuous period of at least eight years. This extra payment is commonly referred to as the “DIC kicker.”

Currently, VA regulations recognize amyotrophic lateral sclerosis (ALS) as a presumptive service-connected disease and, due to its aggressive nature, veterans diagnosed with ALS are automatically rated at 100 percent once service connected. Unfortunately, many veterans are unable to meet the eight-year DIC kicker requirement because the average life expectancy for a person with ALS is two to five years. Rarely do survivors of veterans who die from ALS qualify for the additional DIC benefit given the eight-year requirement.

This policy fails to recognize the significant sacrifices these veterans and their families have made for this country. ALS is an aggressive disease that leaves many veterans totally incapacitated and reliant on family members and caregivers. DIC kicker payments should be provided to survivors of veterans who die from ALS regardless of how long they were service connected for ALS prior to death.

PVA Position

- PVA believes survivors should not be deprived of a benefit simply because the service-connected disease their veterans acquired made it nearly impossible for them to meet an eight-year life expectancy requirement.
- Congress should pass the **Justice for ALS Veterans Act of 2021 (H.R. 5607)** to entitle survivors of veterans who died of service-connected ALS to the DIC kicker.