

Program of Comprehensive Assistance for Family Caregivers TDVS Fact Sheet V2 January 2025

VA has published a <u>proposed rule</u> in the Federal Register to revise the regulations that govern VA's Program of Comprehensive Assistance for Family Caregivers (PCAFC). This proposed rule explains numerous changes VA is considering making that would primarily impact PCAFC, including, but not limited to, removing, adding, and revising definitions; revising criteria related to eligibility, revocations, and discharges; revising certain processes related to reassessments and the timing of reassessments; and relaxing in-home visits during emergencies.

Why it matters: This proposed rule has the potential to expand the availability of PCAFC benefits. It also seeks to address issues such as inconsistent application and eligibility assessments and reassessments that have plagued the PCAFC program.

Yes but: The PCAFC and the subsequent expansion has been plagued by issues such as inconsistent application and eligibility reassessments.

- Enacted in 2010 to provide benefits to caregivers of post-9/11 disabled Veterans with serious injuries.
- Eligibility expanded by 2018 MISSION Act.
 - o October 1, 2020 Veterans discharged on or before May 7, 1975
 - October 1, 2022 All Eras of Veterans
- July 1, 2020, VA rewrote eligibility criteria and began a reassessment of legacy participants.
- April 2021, CAVC found right to appeal Caregiver denials to Board of Veterans' Appeals
- September 22, 2021, VA extended the reassessment by an additional year.
- March 22, 2022, VA announces pause to reassessments.
- September 15, 2022, VA announces extension of eligibility for legacy participants.
- September 21, 2022, final interim rule published in the Federal Register extending eligibility for legacy participants.
- December 6, 2024, proposed rule published in the Federal Register to revise the regulations that govern PCAFC.

I'd like more: TDVS has chronicled the fits and starts of the PCAFC program.

- <u>Benefits Bulletin 21-6</u> discussing *Beaudette's* extension of judicial review to Caregiver decisions and <u>Benefits Bulletin 21-12</u> providing more information on how to appeal an adverse decision.
- Benefits Bulletin 21-7 outlining VHA's Clinical Review or appeal process.



- <u>Benefits Bulletin 21-10</u> discussing extension of reevaluation.
- Benefits Bulletin 22-4 discussing VA's pause of reassessments.
- <u>2022 Spring Quarterly Training:</u> NVLSP: A Guide to VA Benefits for Family Caregivers and the Beaudette Class Action

Here are more resources to assist Veterans or caregivers.

- Program of Comprehensive Assistance for Family Caregivers (PCAFC) VSO Toolkit
- NVLSP's Family Caregiver Assistance Program
- VA Caregiver Support Program Options for Further Review and Appeal
- VA Resources