

CHAPTER 11
INJURED VETERANS GRANT PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

2006-2007 PROGRAM GUIDELINES

801—11.1(35A) Purpose. The legislative intent of this program is to provide immediate financial assistance to a veteran so that family members of the veteran may be with the veteran during the veteran’s recovery from an injury received in the line of duty in a combat zone or in a zone where the veteran was receiving hazardous duty pay after September 11, 2001.

[ARC 0057C, IAB 4/4/12, effective 5/9/12]

801—11.2(35A) Grant amounts.

11.2(1) Grants will be paid by the Iowa department of veterans affairs in increments of \$2,500 up to a maximum of \$10,000 in the following manner:

- \$2,500. When veteran is medically evacuated from the combat zone following a combat-related injury.
- \$2,500. 30 days after evacuation date if still hospitalized, receiving medical treatment or rehabilitation services by the military or Veterans Administration; does not include follow-up appointments.
- \$2,500. 60 days after evacuation date if still hospitalized, receiving medical treatment or rehabilitation services by the military or Veterans Administration; does not include follow-up appointments.
- \$2,500. 90 days after evacuation date if still hospitalized, receiving medical treatment or rehabilitation services by the military or Veterans Administration; does not include follow-up appointments.

11.2(2) Treatment or services must be provided in a location that is not the veteran’s home of record.

[ARC 0057C, IAB 4/4/12, effective 5/9/12]

801—11.3(35A) Eligible veterans.

11.3(1) For purposes of this program, the term “veteran” means:

- a. A resident of this state who is or was a member of the national guard, reserve, or regular component of the armed forces of the United States who has served on active duty at any time after September 11, 2001, and, if discharged or released from service, was discharged or released under honorable conditions; or
- b. A nonresident of this state who is or was a member of a national guard unit located in this state prior to alert for mobilization who has served on active duty at any time after September 11, 2001, was injured while serving in the national guard unit located in this state, is not eligible to receive a similar grant from another state for that injury, and, if discharged or released from service, was discharged or released under honorable conditions.

11.3(2) In addition to the requirements set out in subrule 11.3(1), an eligible veteran must meet all of the following conditions:

- a. The veteran must have sustained a service-related injury in the line of duty, based upon the circumstances known at the time of evacuation or injury; in support of a named overseas operation; or in a hostile fire zone; and
- b. The service-related injury was serious enough to require medical evacuation from the theater of operation to a military hospital or the injury required at least 30 consecutive days of hospitalization at a military hospital.

11.3(3) The veteran shall remain eligible for the grant after discharge from the military so long as the veteran continues to receive medical treatment or rehabilitation services for the specific injury or illness.

11.3(4) The commission may consider a request for a waiver of any of these requirements only pursuant to the provisions of Iowa Code section 17A.9A.

[ARC 9471B, IAB 4/20/11, effective 3/31/11; ARC 0057C, IAB 4/4/12, effective 5/9/12; ARC 4987C, IAB 3/11/20, effective 4/15/20]

801—11.4(35A) Notification and application procedures.

11.4(1) *Retroactive application to September 11, 2001.*

a. The department will accept a consolidated roster of eligible injured veterans from a “flag officer level command” or a central casualty notification agency of the responsible service component as long as the roster includes the following information for each veteran:

- (1) Veteran’s name, rank, and social security number.
- (2) Mailing address for check disbursement.
- (3) Telephone numbers, including day, evening, and cell phone.
- (4) Combat theater served.
- (5) Date on which veteran was medically evacuated from combat theater and verification of combat-related injury.
- (6) Date on which medical or rehabilitative treatment was terminated. If the veteran is still receiving treatment, “inpatient” or “outpatient” shall be noted on the form.
- (7) Contact information for the agency submitting the consolidated roster, including point of contact (POC), telephone numbers, and E-mail address.

b. A veteran filing for the grant under retroactive eligibility must submit an injured veteran grant application form along with supporting documents. Supporting documents needed to verify eligibility shall include copies of the following:

- (1) Military ID card;
- (2) DD214 (if the veteran has been discharged) or military orders to document service in a combat zone;
- (3) Medical records or military orders to document date of medical evacuation and periods of continued medical treatment or rehabilitation; and
- (4) Any document to establish Iowa residency at the time of injury, such as Iowa income tax forms, or to establish that the veteran is or was a member of a national guard unit located in this state prior to mobilization and was injured while serving in that national guard unit and is not eligible to receive a similar grant from another state for that injury.

A veteran may receive assistance in the application process by contacting the department office at (515)252-4698 or (800)838-4692 or by fax (515)727-3713.

11.4(2) *Process for present and future injured veterans.*

a. When the department receives official notification from a designated service office that a veteran has been medically evacuated from a combat zone, the department will confirm Iowa residency of the veteran or, in the case of a nonresident, confirm that the veteran is or was a member of a national guard unit located in this state prior to mobilization and gather the required data to disburse the first grant payment. The check will be made payable to the veteran and mailed or presented to the veteran or next of kin.

b. Grant payments will be stopped if the veteran is returned to duty or when medical or rehabilitative treatment is discontinued.

c. If an eligible combat-injured veteran is not medically evacuated, the 30 days of continuous treatment must occur within 12 months of the injury.

11.4(3) *Commission review.*

a. A three-person subcommittee of commissioners will review applications for those veterans not evacuated but requiring 30 days of consecutive treatment.

b. An applicant may appeal a grant award decision to the commission.

11.4(4) *Subsequent award.*

a. A seriously injured veteran meeting all other requirements of this rule may receive additional grants for subsequent, unrelated injuries that meet the requirements of this rule. Any subsequent, unrelated injury shall be treated as if it were an initial injury for the purposes of determining eligibility or allotment.

b. Grants for veterans suffering subsequent, unrelated injuries after September 11, 2001, but prior to March 30, 2011, shall be payable, upon a showing that the veteran would have been eligible for payment had the subsequent, unrelated injury occurred on or after March 30, 2011.

[ARC 9471B, IAB 4/20/11, effective 3/31/11; ARC 0057C, IAB 4/4/12, effective 5/9/12; ARC 3341C, IAB 9/27/17, effective 11/1/17]

801—11.5(35A) Taxability. An injured veterans grant is exempt from Iowa income tax since the intent of the grant is to reimburse a veteran for family travel and lodging costs during the veteran's medical treatment and rehabilitation.

These rules are intended to implement Iowa Code section 35A.14 as amended by 2011 Iowa Acts, Senate File 402.

[Filed emergency 6/7/06—published 7/5/06, effective 6/7/06]

[Filed emergency 7/12/07—published 8/1/07, effective 7/12/07]

[Filed Emergency ARC 9471B, IAB 4/20/11, effective 3/31/11]

[Filed ARC 0057C (Notice ARC 9939B, IAB 12/28/11), IAB 4/4/12, effective 5/9/12]

[Filed ARC 3341C (Notice ARC 3147C, IAB 7/5/17), IAB 9/27/17, effective 11/1/17]

[Filed ARC 4987C (Notice ARC 4767C, IAB 11/20/19), IAB 3/11/20, effective 4/15/20]