

DISABLED AMERICAN VETERANS
Chapter/Department Service Officer

Improved Pension Plan

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Improved Pension - Basic Requirements
Improved Pension. 38 C. F. R. § 3.1(w) and 3.3(a)(3)

Improved Pension means the disability and death pension programs becoming effective **January 1, 1979**.

Improved Pension is benefit payable by the Department of Veterans Affairs to veterans of a period or **periods of war** because of nonservice connected disability.

Payments are made monthly unless the amount of the annual benefit is less than 4 percent of the maximum annual rate payable to a veteran under **38 U.S.C.A. § 1521(b)**, in which case payments may be made less frequently than monthly.

Basic entitlement exists if a veteran:

1. Meets the following **service requirements**:

- Served in the active military, naval or air service 90 days or more during a period of war; or
- Served in the active military, naval or air service during a **period of war** and was discharged or released from such service for a **disability adjudged service connected** without presumptive provisions of law, or at time of discharge had such a service connected disability, shown by official service records, which in **medical judgment** would have justified a **discharge for disability**; or
- Served in the active military, naval or air service for a period of **90 consecutive days** or more and such period began or ended during a period of war; or
- Served in the active military, naval or air service for an aggregate of 90 days or more in **two or more separate periods** of service during more than one period of war; and

2. Is **totally and permanently disabled** from nonservice connected disability not

due to the veteran's own **willful misconduct**; and

3. Meets the **net worth requirements** under 38 C.F.R. § 3.274 and does not have income in excess of the applicable maximum **annual pension rate**