



NATIONAL VETERANS LEGAL SERVICES PROGRAM

## **NVLSP ALERT:**

### **TO GET REIMBURSED FOR POST-2010 EMERGENCY MEDICAL EXPENSES, VETS MUST APPLY TO VA BY FEB. 22, 2024**

Last year, VA announced that it had created a unique, one-year open period during which veterans enrolled in VA Health Care can apply for VA reimbursement of their emergency medical expenses at non-VA facilities for emergencies that occurred at any time during the last 14 years (that is, after Feb. 1, 2010). This right to a new reimbursement decision applies even if the veteran was previously denied reimbursement or never applied for reimbursement in the past.

**But to be eligible for this new reimbursement decision, the veteran must apply to VHA for reimbursement on or before FEBRUARY 22, 2024.**

To file a reimbursement claim, a veteran must complete and sign VA Form 10-583 and mail or deliver it to the nearest VA medical facility to where you live. You can get a copy of VA Form 10-583 at

[www.va.gov/communitycare/programs/veterans/file-a-claim.asp](http://www.va.gov/communitycare/programs/veterans/file-a-claim.asp). or

<https://www.va.gov/resources/reimbursement-of-non-va-prescriptions-or-medical-expenses/>

You can find the nearest VA medical facility to you at [www.va.gov/find-locations/](http://www.va.gov/find-locations/)

The VA form must be **received** by the VA medical facility by the **February 22, 2024 deadline**. If you decide to hand-deliver the form, get a VA employee to sign his or her name and date of receipt to the copy of your signed VA Form 10-583 that you keep for your records. If you decide to mail the completed VA form, it should be sent in a way that allows you to prove the date on which the medical facility received the form – for example, by Priority Mail, or Federal Express.

To the extent possible, you should also include the following along with the completed form:

- a statement identifying the dates of the medical emergency care, and the name of the non-VA facility at which emergency medical care was provided;

- a copy of any invoices provided by the non-VA facility for the medical services;
- a copy of receipts of any payments you made for the non-VA medical services; and
- if Medicare, Medicaid or other private health care insurance covered part of the emergency expenses, a copy of any Explanation of Benefits or Medical Care Summary Notice prepared by these insurers.

You should keep a copy for your records of all the papers you provide to the VA medical facility.

The one-year open period for applying for reimbursement is an outgrowth of NVLSP's victory in the lawsuit *Kimmel v. Secretary of Veterans Affairs*. In that case, the U.S. Court of Appeals for the Federal Circuit invalidated the part of VA's reimbursement regulation that prohibited VA from reimbursing a veteran with private health insurance for the veteran's coinsurance liability not covered by insurance. In February 2023, VA announced the one-year open period to apply for reimbursement so that veterans who had emergencies in the past can take advantage of the favorable changes in the VA reimbursement system that have taken place over the last 14 years.

**GET ADVICE:** During the last two years, did VA deny you reimbursement for emergency medical expenses you incurred at non-VA facilities? If so, NVLSP may be able to advise you on what to do about it. Contact us at [reimbursement.help@nvlsp.org](mailto:reimbursement.help@nvlsp.org) with the date of the VA denial letter, and, if possible, a copy of the denial letter.

#### **About The National Veterans Legal Services Program (NVLSP)**

The National Veterans Legal Services Program (NVLSP) is an independent, nonprofit veterans service organization that has served active duty military personnel and veterans since 1981. NVLSP strives to ensure that our nation honors its commitment to its 18 million veterans and active duty personnel by ensuring they have the benefits they have earned through their service to our country. NVLSP has represented veterans in lawsuits that compelled enforcement of the law where the VA or other military services denied benefits to veterans in violation of the law.

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