§ 17.34 Tentative eligibility determinations.

Subject to the provisions of §§17.36 through 17.38, when an application for hospital care or other medical services, except outpatient dental care, has been filed which requires an adjudication as to service connection or a determination as to any other eligibility prerequisite which cannot immediately be established, the service (including transportation) may be authorized without further delay if it is determined that eligibility for care probably will be established. Tentative eligibility determinations under this section, however, will only be made if:

(a) In emergencies. The applicant needs hospital care or other medical services in emergency circumstances, or

(b) For persons recently discharged from service. The application was filed within 6 months after date of honorable discharge from a period of not less than 6 months of active duty.


§ 17.35 Hospital care and medical services in foreign countries.

The Secretary may furnish hospital care and medical services to any veteran sojourning or residing outside the United States, without regard to the veteran’s citizenship:

(a) If necessary for treatment of a service-connected disability, or any disability associated with and held to be aggravating a service-connected disability;

(b) If the care is furnished to a veteran participating in a rehabilitation program under 38 U.S.C. chapter 31 who requires care for the reasons enumerated in 38 CFR 17.47(1)(2).

(Authority: 38 U.S.C. 1724)


§ 17.36 Enrollment—provision of hospital and outpatient care to veterans.

(a) Enrollment requirement for veterans. (1) Except as otherwise provided in §17.37, a veteran must be enrolled in the VA healthcare system as a condition for receiving the ‘medical benefits package’ set forth in §17.38.

NOTE TO PARAGRAPH (a)(1): A veteran may apply to be enrolled at any time. (See §17.36(d)(1)).

(2) Except as provided in paragraph (a)(3) of this section, a veteran enrolled under this section and who, if required by law to do so, has agreed to make any applicable copayment is eligible for VA hospital and outpatient care as provided in the ‘medical benefits package’ set forth in §17.38.

NOTE TO PARAGRAPH (a)(2): A veteran’s enrollment status will be recognized throughout the United States.

(b) Categories of veterans eligible to be enrolled. The Secretary will determine which categories of veterans are eligible to be enrolled based on the following order of priority:

(1) Veterans with a singular or combined rating of 50 percent or greater based on one or more service-connected disabilities or unemployment.

(2) Veterans with a singular or combined rating of 30 percent or 40 percent based on one or more service-connected disabilities.

(3) Veterans who are former prisoners of war; veterans awarded the Purple Heart; veterans with a singular or combined rating of 10 percent or 20 percent based on one or more service-connected

(HOSPITAL OR NURSING HOME CARE AND MEDICAL SERVICES IN FOREIGN COUNTRIES)

§ 17.36 Enrollment provisions and medical benefits package.

(a) Enrollment requirement for veterans. (1) Except as otherwise provided in §17.37, a veteran must be enrolled in the VA healthcare system as a condition for receiving the ‘medical benefits package’ set forth in §17.38.

NOTE TO PARAGRAPH (a)(1): A veteran may apply to be enrolled at any time. (See §17.36(d)(1)).

(2) Except as provided in paragraph (a)(3) of this section, a veteran enrolled under this section and who, if required by law to do so, has agreed to make any applicable copayment is eligible for VA hospital and outpatient care as provided in the ‘medical benefits package’ set forth in §17.38.

NOTE TO PARAGRAPH (a)(2): A veteran’s enrollment status will be recognized throughout the United States.

(b) Categories of veterans eligible to be enrolled. The Secretary will determine which categories of veterans are eligible to be enrolled based on the following order of priority:

(1) Veterans with a singular or combined rating of 50 percent or greater based on one or more service-connected disabilities or unemployment.

(2) Veterans with a singular or combined rating of 30 percent or 40 percent based on one or more service-connected disabilities.

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(ENROLLMENT PROVISIONS AND MEDICAL BENEFITS PACKAGE)

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