UNDERSTANDIDNG a Service Member’s Character of Discharge (COD)

Instructor Lesson Plan

Time Required: 1 Hour

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4560516 |
| Prerequisites | Prior to this lesson, PCRs should have knowledge and experience using the Customer Relation Management Unified Desktop - Optimization (CRM UD-O) and Veterans Benefits Management System (VBMS). |
| target audience | The target audience for Understanding a service member’s Character of Discharge (COD) is PCRs working in the call centers.  Although this lesson is targeted to PCRs, it may be taught to other VA personnel as mandatory for refresher training. |
| Time Required | 1.00 hour |
| Materials/ TRAINING AIDS | Lesson materials:   * COD PowerPoint Presentation * Participant Guide |
| Training Area/Tools | The following are required to ensure the trainees can meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note taking and participation * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * VA TMS to complete the assessment * VBA Intranet |

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| Understanding a Service Member’s Character of Discharge (COD) | | | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Ensure that all learners have the Participant Guide so they can follow along with you | | |
| time required | | 10 minutes | | |
| Purpose of Lesson  Explain the following: | | This lesson is intended to educate the audience on the different types of discharges a service member can receive upon discharge from the military. This lesson will contain discussions and knowledge checks that will allow PCRs to gain a better understanding of:   * the role a Veteran’s COD has on VA benefits, * identifying which types of COD are binding, * identifying which types of COD require a COD determination, * eligibility for health care benefits, and * requesting a discharge upgrade. | | |
| Lesson Objectives  Discuss the following:  Slides 2 | In order to accomplish the purpose of this lesson, the PCR will be required to accomplish the following lesson objectives.  ThePCRs will be able to:   * Identify which types of discharge are binding for VA purposes * Understand how character of discharge impact benefits service members can receive * Identify how PCRs must respond to Dishonorable, Bad Conduct, OTH, and Uncharacterized discharges * Recognize the impact of COD on health care benefits * Identify the steps taken to request an upgrade or correction of a discharge or service records | | | |
| References  Slides 3 | Explain where these references are located in the workplace.  All M21-1 references are found in the [Adjudication Procedures Manual](https://vaww.compensation.pension.km.va.gov/) .   * [38 CFR 3.12](https://www.ecfr.gov/cgi-bin/text-idx?SID=514aa275325137ed149956ccc8beb291&node=se38.1.3_112&rgn=div8), Character of discharge * [38 U.S.C. 5303(a),](https://www.law.cornell.edu/uscode/text/38/5303) Certain bars to benefits * [38 CFR 3.360](https://www.ecfr.gov/cgi-bin/text-idx?SID=f26d641b0c2dc889d3c103f11376843f&mc=true&node=sg38.1.3_1344.sg11&rgn=div7), Service-connected health care eligibility of certain persons administratively discharged under other than honorable condition * [M21-1, Part III, Subpart v, Chapter 1, Section B.1.a](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014217/M21-1-Part-III-Subpart-v-Chapter-1-Section-B-Statutory-Bars-to-Benefits-and-Character-of-Discharge-COD)., Thresholds for Benefit Eligibility * [M21-1, Part III, Subpart v, Chapter 1, Section B.2](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014217/M21-1-Part-III-Subpart-v-Chapter-1-Section-B-Statutory-Bars-to-Benefits-and-Character-of-Discharge-COD) - Statutory Bars to Benefits and Character of Discharge (COD) * <https://www.va.gov/discharge-upgrade-instructions/> * <https://www.defense.gov/ask-us/faq/Article/1777745/how-can-i-make-a-correction-to-my-military-service-records-or-request-an-upgrad/> | | | |
| KNOWLEDGE CHECK  Slide 4 | Ask the following questions to ascertain the knowledge level, you may modify the training to the needs of PCRs in your class.   1. A discharge under honorable conditions (UHC) is not binding for VA purposes. TRUE or **FALSE.** 2. What formis used to request an upgrade in discharge or change to service records within one year of release from active duty?   **DD Form 149**   1. What types of discharges are binding for VA purposes? 2. General, Dishonorable, OTH 3. **Honorable, UHC, General** 4. Honorable, Conditional, OTH 5. If a Veteran has an OTH discharge, you are required discuss time sensittive benefits. TRUE or **FALSE** 6. When should you talk about upgrading a Veteran’s discharge?   **INSTRUCTOR:** *Pull up KM and go over the different scenarios a PCR should talk about upgrading a Veteran’s discharge*.  **INSTRUCTOR**: *Explain to the PCRs that you wanted to assess their knowledge beforehand and more detail information pertaining to these questions will be answered throughout this lesson*. | | | |
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| Topic 1: Character of Discharge Explained | | | | | |
| Introduction | | | | This topic will explain the types of discharges necessary to be eligible for VA benefits. It will also distinguish the types of discharges that require a Character of Discharge (COD) determination. | |
| Time Required | | | | 10 minutes | |
| OBJECTIVES/ Teaching Points | | | | Topic objectives:   * Identify which types of discharge and character of service are binding on VA and which require an administrative decision   The following topic teaching points support the topic objectives:   * Identify which types of discharge are binding for VA purposes * Understand how character of discharge impacts benefits service members can receive * Identify time-sensitive benefits * Recognize when an uncharacterized discharge is honorable for VA (HVA) purposes * Understand the steps taken to request an upgrade or correction of service records | |
| INTRODUCTION TO COD  Slide 5 | | | | The conditions surrounding a service member’s discharge from the military can have important implications for his or her ability to claim entitlement to VA benefits.  We will review the different types of characterization of service and the impact a character of discharge can have in obtaining VA benefits. | |
| CHARACTER OF SERVICE BINDING ON VA  *Slide 6*  COD DETERMINATION  *Slide 7*  MORE INFORMATION ON CODs  *Slide 8*  KNOWLEDGE CHECK  *Slide 9* | | | | An individual is entitled to full rights and benefits of programs administered by VA unless there is a bar to benefits under 38 U.S.C. 5303(a). Normally, the military’s characterization of service is binding on VA if the discharge is   * honorable, * under honorable conditions (UHC), or * general.   ***Exception*:** For a general COD, the type of separation will need to be considered. The narrative reason for the separation will determine whether the COD is binding on the VA or not. For example, a general discharge with a narrative reason “bad conduct” requires an administrative decision to determine eligibility to VA benefits.  A formal COD determination is required when the discharge is one of the following:   * an undesirable discharge * an OTH discharge, or * a bad conduct discharge (BCD).   **INSTRUCTOR:** *Please reiterate to the PCRs that they* ***are*** *to encourage everyone to apply for benefits, and the VA will determine who is eligible. It is not a PCR’s job to state if a service member is eligible for VA benefits*.  A Veteran’s COD must be under other than dishonorable conditions to establish eligibility for Department of Veterans Affairs (VA) benefits.  An other than honorable discharge or statutory bar pertaining to a period of service deprives a claimant of all VA benefits for any claim based on that period of service. However,service members who are determined to have been discharged under the regulatory bars described in 38 CFR 3.12(d) may be eligible for health care.  The type of separation and character of service a service member receives is located on his/her DD Form 214, *Certificate of Release or Discharge from Active Duty*.  **Note:** Veterans who have a Bad Conduct Discharge (BCD) are not eligible for health care under Chapter 17 of 38 USC.  **INSTRUCTOR:** *Explain to the PCRs that a when a service member’s COD is not binding on VA, they are not entitled to monetary benefits from VA, but most are eligible to receive VA health care.*  A discharge under honorable conditions (UHC) is not the binding for VA purposes. TRUE or FALSE. | |
| Topic 2: BENEFIT ENTITLEMENT BASED ON COD | | | | | |
| Introduction | | | | This topic will explain the types of discharges necessary for eligibility to VA benefits. It will also distinguish the type of discharge that is required for eligibility for various VA services and inform the PCRs which benefits are time sensitive. | |
| Time Required | | | | 15 minutes | |
| OBJECTIVES/ Teaching Points | | | | Topic objectives:   * Identify which types of discharge and character of service are needed for various VA benefits   The following topic teaching points support the topic objectives:   * Identify the different types of discharge and which are acceptable to obtain VA compensation benefits * Identify what types of discharge are acceptable to obtain VA education benefits * Identify what types of discharge are acceptable to obtain VA Loan Guaranty benefits * Identify what types of discharge are acceptable to obtain VA Veteran Readiness & Employment (VR&E) benefits * Identify what types of discharge are acceptable to obtain VA health care benefits * Identify what types of discharge are acceptable to obtain VA Veterans’ Group Life Insurance benefits * Identify CODs for Solid Start Purposes | |
| BENEFIT ENTITLEMENT BASED ON COD  *Slide 10*  BENEFIT ENTITLEMENT BASED ON COD (References)  *Slide 11*  KNOWLEDGE CHECK  *Slide 12*  COD FOR SOLID START PURPOSES  *Slide 13*  ALL CONTACTS  *Slide 14*  1st CONTACT  *Slide 15*  2nd and 3rd CONTACTS  *Slide 16*  KNOWLEDGE CHECK  *Slide 17* | | | | |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | **If DD214 Shows** | Compensation Benefits | Education Chapter 30 & 33/ Post-9/11 | Loan Guaranty | Veteran Readiness & Employment | Health care | Veterans’ Group Life Insurance | | **Honorable** (HON) | X | X | X | X | X | X | | **Dishonorable** (DISHON) | NE | NE | NE | NE | X**\*** | X | | **Other Than Honorable** (OTH) | AD | NE | NE | AD | X | X | | **Under Honorable Condition** (UHC) | X | NE | X | X | X | X | | **General Discharge** | X | NE | X | X | X | X | | **Bad Conduct Discharge** (BCD) | NE | NE | NE | NE | X**\*** | X |      * [**M21-1, Part III, Subpart V, Chapter 1, Section B**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001034/content/554400000014217/M21-1-Part-III-Subpart-v-Chapter-1-Section-B-Statutory-Bars-to-Benefits-and-Character-of-Discharge-COD?query=character%20of%20discharge%20cod) **-** Statutory Bars to Benefits and Character of Discharge (COD) * [**Part 3: Chapter 3 - Processing Applications for Education Benefits**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001048/content/554400000073583/Part%203:%20Chapter%203%20-%20Processing%20Applications%20for%20Benefits) * [**Loan Guaranty Benefits and Your Character of Discharge**](https://www.benefits.va.gov/benefits/character_of_discharge.asp) * [**Active Duty Service members and VA Health care**](https://www.va.gov/health-care/eligibility/active-duty/) * [**Eligibility for Veteran Readiness and Employment**](https://www.va.gov/careers-employment/vocational-rehabilitation/eligibility/) * [**Veterans’ Group Life Insurance (VGLI)**](https://www.va.gov/life-insurance/options-eligibility/vgli/)   What types of discharge are binding for VA purposes?   1. General, Dishonorable, OTH 2. Honorable, UHC, General 3. Honorable, Conditional, OTH   There are specific Solid Start procedures for the following four CODs:   * Dishonorable * Bad Conduct * OTH * Uncharacterized   For All Contacts (all stages) VASS **PCRs must**:   * Advise that one year of mental health care treatment is available to any discharge status. * Provide information and assist the Veteran in applying for VA benefits, as applicable, regardless of character of discharge.   + VA will review character of discharge after receipt of an application for benefits to confirm eligibility. The discharge may be determined "honorable for VA purposes."   **VASS PCRs must:**   * Follow VA Solid Start Program [Outbound](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001001/content/554400000140011) and [Inbound](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001001/content/554400000140013) Call Guide, exclusive of discussing time-sensitive benefits and identifying and discussing two (2) VA benefits the Veteran is not currently utilizing.   **Agents must ask:**   * "Do you have any questions about VA benefits in general?"   + Use conversation starters located in [VASS Scripting tool](https://dvagov.sharepoint.com/sites/VBABASqualitytraining/bastrain/siteassets/ccex/script3_v2.aspx).   **VASS PCRs must:**   * Follow VA Solid Start Program [Outbound](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001001/content/554400000140011) and [Inbound](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001001/content/554400000140013) Call Guide, including identifying and discussing two (2) VA benefits the Veteran is not currently utilizing. * Use conversation starters located in [VASS Scripting tool](https://dvagov.sharepoint.com/sites/VBABASqualitytraining/bastrain/siteassets/ccex/script3_v2.aspx). * Discussing time sensitive benefits is not required. * Include [discharge upgrade information](https://www.va.gov/discharge-upgrade-instructions/) links in the summary email.   It is not required to talk about time sensitive benefits if the Veteran has an uncharacterized discharge.  ***TRUE or FALSE*** | |
| Topic 3: health benefits | | | | | |
| Introduction | | | | This topic will explain the eligibility requirements for VA health care benefits and the effects *Public Law 95-126* has on health care benefits. | |
| Time Required | | | | 5 minutes | |
| OBJECTIVES/ Teaching Points  HEALTH CARE BENEFITS  *Slide 18*  HEALTH CARE BENEFITS (cont.)  *Slide 19* | | | | Topic objectives:   * Explain that a Service member’s discharge does not have to be honorable to receive health care benefits.   ***Note:*** Reiterate to the PCRs that Service members are entitled to one year of free mental health care despite the character of discharge.  Effective October 8, 1977, under *PL 95-126*, eligibility for health care benefits for any disability incurred or aggravated in the line of duty during active service is extended to any former Service member with an OTH discharge, regardless of the date of that discharge.  Service members who are determined to have been discharged under the regulatory bars described in [38 CFR 3.12(d)](http://www.ecfr.gov/cgi-bin/text-idx?SID=514aa275325137ed149956ccc8beb291&node=se38.1.3_112&rgn=div8), are also eligible for health care.  Eligibility for health care is not extended to   * former Service members with a BCD, or * former Serviemembers that were discharged under one of the conditions listed in [38 CFR 3.12(c)](http://www.ecfr.gov/cgi-bin/text-idx?SID=514aa275325137ed149956ccc8beb291&node=se38.1.3_112&rgn=div8) | |
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| Topic 4: REQUESTING A DISCHARGE UPGRADE | | | | | |
| Introduction | | | | This topic will explain the steps taken to upgrade or correct service information. | |
| Time Required | | | | 10 minutes | |
| OBJECTIVES/ Teaching Points | | | | Topic objectives:   * Understand the steps a Veteran can take to update or correct service information | |
| REQUESTING DISCHARGE UPGRADE  *Slide 20*  HOW TO REQUEST A DISCHARGE UPGRADE  Slide 21 | | | | A discharge may be upgraded by a discharge review board (DRB). Depending on the type of upgrade and the authority under which the discharge was upgraded, the decision may be binding on VA.  A discharge upgrade changes the “character of service” shown on a Veteran’s DD Form 214 (discharge certificate).  Veterans who were released within one year of active duty can apply to request their military service records be corrected, or discharge upgraded, by contacting their respective service Board for Correction of Military Records or filling out and mailing a [DD Form 149](https://vbaw.vba.va.gov/VBADOD/docs/IDES/DDForm149-.pdf), Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552.  The address for each branch of service is located on last page of the [DD Form 149](https://vbaw.vba.va.gov/VBADOD/docs/IDES/DDForm149-.pdf). | |

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| KNOWLEDGE CHECK  Slide 22 | What form is used to request an upgrade in service within the first year of release from active duty?  \_DD Form 149\_\_ |
| SUMMARY AND COURSE WRAP-UP | |
| Introduction | This topic will summarize the topics discussed in this training and provide PCRs with information on how to obtain credit for the training. |
| Time Required | 10 minutes |
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| SUMMARY  *Slide 23* | * Honorable, under honorable conditions (UHC), or general discharges are binding for VA purpose with exceptions listed under [38 U.S.C. 5303(a](https://www.law.cornell.edu/uscode/text/38/5303)) * PCRs are to encourage **all** service members to apply for VA benefits. VA will review character of discharge after receipt of an application for benefits to confirm eligibility. The discharge may be determined "honorable for VA purposes” * Mental health care treatment is available to all service members in the first year after active duty, regardless of discharge status * Service members must contact their respective service Board for Correction of Military Records or fill out and mail a [DD Form 149](https://vbaw.vba.va.gov/VBADOD/docs/IDES/DDForm149-.pdf) to request an upgraded COD. |