



# Department of Defense INSTRUCTION

**NUMBER** 1341.12

August 10, 2015

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USD(P&R)

**SUBJECT:** Special Compensation for Assistance with Activities of Daily Living (SCAADL) Program

**References:** See Enclosure 1

1. PURPOSE. This instruction:

a. Reissues DoD Instruction 1341.12 (Reference (a)) in accordance with the authority in DoD Directive 5124.02 (Reference (b)).

b. Establishes policy, assigns responsibilities, and implements the statutory authority for payment of SCAADL to eligible members, pursuant to sections 373 and 439 of Title 37, United States Code (U.S.C.) (Reference (c)).

2. APPLICABILITY. This instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

3. POLICY. It is DoD policy that:

a. SCAADL may be paid to an eligible member of the Active or Reserve Component of the Military Services who has a permanent catastrophic injury or illness that was incurred or aggravated in the line of duty and meets the criteria in DoD Manual (DoDM) 1341.12 (Reference (d)) and Enclosure 3 of this instruction.

b. In accordance with Reference (c), the amount of monthly compensation is determined in accordance with section 1720G(a)(3) of Title 38, U.S.C. (Reference (e)) based upon the amount and degree of personal care services provided.

c. SCAADL is paid in addition to any other pay and allowance to which the Service member is entitled or authorized. While receiving SCAADL, the Service member's primary caregiver is eligible to receive the respite benefit if he or she is qualified in accordance with the TRICARE

Operations Manual 6010.56-M (Reference (f)). Service members receiving other home health services in accordance with Reference (f) remain eligible for SCAADL, except as provided in paragraph 3g of this section.

d. Service members will not designate another military member in a pay status as their primary caregiver for the purpose of receiving SCAADL. All primary caregivers, with the exception of the Service member's spouse, must be at least 18 years of age.

e. SCAADL is not paid to a Service member:

(1) If any other federal agency is providing outpatient or in-home services to assist the member with activities of daily living (ADL) or with supervision to avoid the Service member's harming themselves or others.

(2) If the Service member's primary caregiver receives a monthly caregiver stipend from the Department of Veterans Affairs (VA) in accordance with section 1114(r)(2) of Reference (e).

(3) If the Service member qualifies for and accepts in-home assistance with ADL (custodial care), paid with supplemental health care program funds and provided by a TRICARE-authorized home health agency.

(4) If the Service member is found fit by a Service physical evaluation board, or otherwise returned to duty status as unfit, but retained on active duty. The Service member will be removed from the SCAADL program in accordance with the Military Department's regulations.

f. Service members or their designated representative may appeal disapproval to receive SCAADL in accordance with respective Military Service appeal guidelines.

g. Qualifying payments to Service members who receive SCAADL, in accordance with Reference (c), will terminate as detailed in Enclosure 2 of Reference (d).

h. Service members must complete a re-evaluation every 6 months to validate dependency level and assure uninterrupted payment of the SCAADL benefit.

i. Pursuant to section 373 of Reference (c), Service members no longer satisfying SCAADL eligibility requirements will repay any SCADDL allowances received after the member is returned to duty or removed from the SCAADL program.

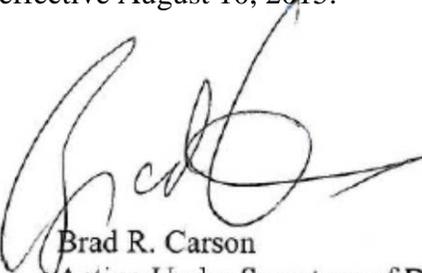
4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3 of this instruction for SCAADL guidelines; detailed procedures are in Reference (d).

6. INFORMATION COLLECTION REQUIREMENTS. The SCAADL Annual Report, referred to in paragraphs 1e(5) and 3k of Enclosure 2 of this instruction, has been assigned report control symbol DD-HA(A)2581 in accordance with the procedures in Volume 1 of DoD Manual 8910.01 (Reference (g)).

7. RELEASABILITY. **Cleared for public release**. This instruction is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This instruction is effective August 10, 2015.



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ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 1341.12, "Special Compensation for Assistance with Activities of Daily Living (SCAADL)," August 31, 2011, as amended (hereby cancelled)
- (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (c) Title 37, United States Code
- (d) DoD Manual 1341.12, "Special Compensation for Assistance with Activities of Daily Living (SCAADL) Process," August 10, 2015
- (e) Title 38, United States Code
- (f) TRICARE Operations Manual 6010.56-M, "Contractor Responsibilities," February 1, 2008, as amended
- (g) DoD Manual 8910.01, Volume 1, "DoD Information Collections Manual: Procedures for DoD Internal Information Collections," June 30, 2014
- (h) DoD 6025-18-R, "DoD Health Information Privacy Regulation," January 24, 2003
- (i) DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
- (j) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (k) Part 199.2(b) of Title 32, Code of Federal Regulations

ENCLOSURE 2

RESPONSIBILITIES

1. ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS (ASD(HA)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), the ASD(HA):

a. Monitors the performance of the SCAADL program and recommends improvements in SCAADL policy.

b. Reviews SCAADL program policies, including those proposed by the Military Departments.

c. Coordinates with the Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)) to develop standard public affairs guidance to assist the Services in publicizing SCAADL implementation.

d. Develops SCAADL program caregiver training guidelines for the Military Departments.

e. Through the Deputy Assistant Secretary of Defense for Warrior Care Policy (DASD(WCP)):

(1) Coordinates with the Assistant Secretary of Defense for Manpower and Reserve Affairs and the Secretaries of the Military Departments to oversee, assess, and report the performance of the SCAADL program and receive recommendations for changes in policy, procedure, or resources to improve the SCAADL program.

(2) Monitors changes and proposed changes to military personnel and compensation statutes and DoD policy and other pertinent authorities to assess their impact on the SCAADL program and related benefits.

(3) Reviews the Military Departments' policies and procedures for the SCAADL program that affect the uniformity of standards for separation, retirement for unfitness because of disability, or separation of Reserve Component members for medical disqualification.

(4) Administers the SCAADL program in coordination with the Secretaries of the Military Departments and in consultation with the Under Secretary of Benefits, Veterans Benefits Administration, Department of Veterans Affairs (VA).

(5) Establishes reporting requirements and requests for information necessary to monitor and assess the performance of the SCAADL program in accordance with this instruction.

(a) Provides SCAADL Annual Report requirements to the Military Departments no later than September 30 of each year.

(b) Analyzes the monthly data submitted to DASD(WCP) by the Military Departments and provides the SCAADL Annual Report.

(6) Maintains a cumulative database of the SCAADL program historical enrollment and participation.

2. ATSD(PA). The ATSD(PA) develops standard public affairs guidance to assist the Services in publicizing SCAADL program implementation.

3. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

a. Establish procedures to inform permanent catastrophically wounded, ill, or injured Service members (or their designated representatives) of their SCAADL program eligibility.

b. Establish procedures to ensure a DoD or VA licensed physician certifies the medical criteria for SCAADL eligibility using DD Form 2948, "Special Compensation for Assistance with Activities of Daily Living (SCAADL) Eligibility," located at <http://www.dtic.mil/whs/directives/forms/index.htm>.

c. Establish procedures for unit commanders or service designated representatives to certify that the Service member meets the non-medical criteria for SCAADL compensation using DD Form 2948.

d. Establish procedures to ensure periodic re-evaluation and recertification of Service members receiving SCAADL compensation is completed every 6 months by a DoD or VA licensed physician.

(1) All other eligibility determinations required by DD Form 2948 must be performed.

(2) All changes in status must be briefed to the Service member in person by a DoD or VA licensed physician, clearly explaining the reasons for any change in tier level scoring.

e. Establish procedures to ensure DoD or VA licensed physicians recertify Service members receiving SCAADL compensation, who become hospitalized for 16 cumulative days or more, and perform all other eligibility determinations required by the DD Form 2948.

f. Establish procedures to ensure recertification of Service members receiving SCAADL compensation upon a change in clinical status or geographic location.

g. Develop procedures to confirm that caregivers meet the requirements in this instruction.

h. Inform the Director, Military Pay, Enterprise Solutions and Standards, Defense Finance and Accounting Service of the effective start and stop date of SCAADL payments.

i. Through their inspectors general or audit agency, review compliance with the requirements contained in Enclosure 3 of this instruction every 2 fiscal years (FYs) for the preceding two FY periods. The initial report is required at the end of FY 2015 that covers FY 2014 through FY 2015. The Secretaries of the Military Departments forward a copy of their final inspectors general or audit agency compliance reports to the ASD(HA).

j. Establish procedures to review and adjudicate applications and any associated appeals for SCAADL. Reviews should include the physician's determination of eligibility and the clinical evaluation and tier scoring. Decisions on appeals should be supported by additional medical review and opinions.

k. Develop procedures to prepare and forward data submissions for the SCAADL Program Annual Report to the DASD(WCP).

l. Develop procedures to prepare and forward a cumulative monthly report to include past and current participation of enrolled SCAADL program members for submission to DASD(WCP) as referenced in paragraph 1e of this enclosure.

m. Comply with the procedures outlined in DoD 6025.18-R (Reference (h)).

ENCLOSURE 3

SCAADL GUIDELINES

1. SCAADL PROGRAM. The provisions of this instruction apply only to those Service members with qualifying injuries or illnesses who meet the criteria in paragraph 2 of this enclosure on or after August 31, 2011. The provision is not retroactive, and this program is voluntary for members.

a. Scope. Service members eligible for this program:

(1) Must have incurred or aggravated a permanent catastrophic illness or injury in the line of duty.

(2) Will be assessed by a DoD or VA licensed physician applying their best clinical judgment within the permanent catastrophic illness or injury definition, based on the medical evidence available, as to whether personal or mechanical assistance is required.

(3) Must be certified by a DoD or VA licensed physician to be in need of assistance from another person to perform the personal functions required by everyday living, and in the absence of such assistance would require hospitalization, nursing home care, or other residential institutional care.

b. Application. All responsible parties must complete the SCAADL program application within 30 days from the date entered in block 6(i) of DD Form 2948. Upon application approval, Service members who have a permanent catastrophic injury or illness, incurred or aggravated in the line of duty, and meet SCAADL criteria are authorized payment of SCAADL. All personally identifiable information documented in the DD Form 2948 will only be used, maintained, and distributed in accordance with DoDD 5400.11 (Reference (i)) and DoD 5400.11-R (Reference (j)).

c. Appellate Review. The Military Service concerned will provide Service members the opportunity to appeal denied SCAADL program enrollment requests. When requested by the Service member or designated representative, the Military Service will review and issue a final determination on SCAADL program enrollment appeals and provide the Service member a written response that specifically addresses each issue presented in the appeal.

2. CRITERIA. To be eligible to receive SCAADL, a Service member must meet all of the following criteria:

a. Be determined by a DoD or VA-licensed physician to have a permanent catastrophic injury and need assistance from another person to perform the personal functions required in everyday living or require constant supervision to avoid harm to self or others.

b. Be determined by a DoD or VA-licensed physician to require hospitalization, nursing home care, or other residential institutional care in the absence of such assistance.

c. Be an outpatient and no longer an inpatient at a military treatment facility, VA medical center, civilian hospital, nursing home, or other residential institutional care facility. Although individuals may be temporarily placed in an inpatient status for tests, examinations, or treatment, they remain eligible for the full monthly SCAADL payment if they are an outpatient at least 16 cumulative days a month.

d. Have a designated primary caregiver who provides assistance with at least one of the following ADL due to the Service member's:

(1) Inability to dress or undress.

(2) Inability to bathe or groom in order to stay clean and presentable.

(3) Frequent need of adjustment of any special prosthetic or orthopedic appliances which, by reason of the particular disability, cannot be done without aid. This does not include the adjustment of appliances that routinely require assistance from another person, such as supports, belts, lacing at the back, etc.

(4) Inability to attend to toileting without assistance.

(5) Inability to eat meals through loss of coordination of upper extremities or through extreme weakness or inability to swallow.

(6) Inability to guard against hazards or dangers incident to a regular, daily environment.

e. In addition to meeting at least one of the criteria in paragraphs 2d(1) through (6) of this enclosure, the Service member must:

(1) Require continual medical management or be at high risk for personal safety and unable to live independently in the community without caregiver support.

(2) Require hospitalization, nursing home, or other residential institutional care, unless caregiver support provides personal care services at home in an ongoing manner.

(3) Receive no concurrent services by another federal entity.

(4) Not be returned to duty by a physical evaluation board.

f. Be unable to perform the duties of their office, grade, rank, or rating.

g. Receive final eligibility certification from the unit commander or service designated representative.

3. FINAL AUTHORITY. The final approval authority for a Service member to receive SCAADL compensation will be detailed in the respective Military Service SCAADL implementing policy guidance.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ADL	activities of daily living
ASD(HA)	Assistant Secretary of Defense for Health Affairs
ATSD(PA)	Assistant to the Secretary of Defense for Public Affairs
DASD(WCP)	Deputy Assistant Secretary of Defense for Warrior Care Policy
DoDM	Department of Defense Manual
FY	fiscal year
SCAADL	special compensation for assistance with activities of daily living
U.S.C.	United States Code
VA	Department of Veterans Affairs

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this instruction.

ADL. Feeding (including special diets), dressing and sheltering; personal hygiene; observation and general monitoring; bowel training or management (unless abnormalities in bowel function are of a severity to result in a need for medical or surgical intervention in the absence of skilled services); safety precautions; general preventive procedures (such as turning to prevent bedsores); passive exercise; transportation; and other such elements of personal care that can reasonably be performed by an untrained adult with minimal instruction or supervision.

ADL may also be referred to as “essentials of daily living” as defined in Part 199.2(b) of Title 32, Code of Regulations (Reference (k)).

For the purposes of eligibility for the SCAADL program, ADL and “personal functions required in everyday living” are the same.

catastrophic injury or illness. A permanent, severely disabling injury, disorder, or illness incurred or aggravated in the line of duty that compromises the ability to perform ADL to such a degree that a Service member requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.

custodial care. Treatment or services, regardless of who recommends such treatment or services or where such treatment or services are provided, that either can be rendered safely and reasonably by a person who is not medically skilled or designed mainly to help the patient with ADL.

designated representative. A person designated to make SCAADL decisions for the Service member. This could be a person designated by the Service member, a court-appointed guardian, or a personal representative in accordance with Reference (h).

DoD or VA-licensed physician. A physician with medical expertise in the determination of medical disability by nature of their medical training or completion of training specifically with the intent and requirements of SCAADL evaluation and certification.

guardian. A person who legally cares for another person who is incompetent to act for himself or herself.

health care professional. Military or civilian personnel (including working under contractual or similar arrangement) who have received advanced education or training beyond the technical level in a recognized health care discipline and who are licensed, certified, or registered by a State, government agency, or professional organization to provide specific health services in that field. This includes those involved in the provision of diagnostic, therapeutic, or preventive care, ancillary services, and administration.

inpatient. An individual who is admitted to a hospital or other authorized institution for bed occupancy to receive necessary medical care, with the reasonable expectation the patient will remain in the institution at least 24 hours, and with the registration and assignment of an inpatient number or designation. Institutional care in connection with in and out (ambulatory) surgery is not included, whether or not an inpatient number or designation is made by the hospital or other institution. If the patient has been received at the hospital, but death occurs before the actual admission, then an inpatient admission exists as if the patient had been formally admitted.

line of duty. An inquiry used to determine whether an injury or disease occurred while in a military duty status, whether it was aggravated by military duty, and whether incurrence or aggravation was due to the Service member's intentional misconduct or willful negligence.

outpatient. An individual who uses a health care facility for diagnosis or treatment without being admitted to a hospital or other authorized institution as an inpatient; this individual is sometimes called a day patient. Outpatient status also includes in and out surgery (ambulatory surgery).

permanent. Lasting or remaining without essential change; not expected to change in status, condition, or place.

primary caregiver. An individual who renders assistance to an eligible Service member to support ADL and specific services essential to the safe management of the Service member's

condition. Also referred to as a home health aide.

SCAADL. Authorized compensation to a Service member that offsets the economic burden borne by a primary caregiver providing non-medical care, support, and assistance to the member.

service designated representative. An individual authorized to certify a Service member's SCAADL eligibility on the DD Form 2948 on behalf of the respective Military Service.