

# Justice for ALS Veterans Act of 2023

## H.R.3790/S.1590

### Summary

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The current policy provides DIC monthly payment of \$288.27 to spouses of a veteran, who at the time of death received or was entitled to receive compensation for a service-connected disability that was rated totally disabling for a continuous period of at least eight years right before they died. This extra compensation installment is commonly referred to as the DIC kicker.

Justice for ALS Veterans Act of 2023 would fix the unfair policy that denies benefits to the surviving spouses of veterans who died from ALS by providing the surviving spouse with the DIC kicker without meeting the eight years of disability requirement.

Unfortunately, because most people with ALS, a recognized service-connected disease, live fewer than eight years from diagnosis, the surviving spouses of veterans with ALS have been unfairly denied this benefit. The same spouses who may have quit their jobs to take care of their loved ones who progressively lost muscle control, became paralyzed and relied heavily on their caregiver to stay alive.

### Rationale

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ALS is a military service-connected progressive nervous system disease that affects nerve cells in the brain and spinal cord, causing loss of muscle control. People living with ALS lose their ability to use their arms, use their legs, to speak, to eat and ultimately ALS will rob them of their ability to breathe. This loss of mobility and function means veterans with ALS often rely upon their spouses for care. To serve as caregivers, many spouses quit their jobs. In addition, ALS is an extraordinarily expensive disease. These two factors negatively impact the financial stability of military families. Currently, the law provides surviving spouses the DIC kicker only when the veteran lives with a disability for eight years. Most people living with ALS live only 2-5 years after their diagnosis. The current policy does not assure eligibility for spouses of veterans with ALS.

While the cause of ALS is unknown, we know veterans are twice as likely to be diagnosed with ALS than civilians. A recent study revealed that among deployed post-9/11 veterans the prevalence of ALS is 19.7 per 100,000 returned veterans – this is more than 3.7 times the prevalence of ALS in the U.S. population over a similar time period. Shockingly, the prevalence is even higher for some Air Force personnel (pilots, aircraft crew, missile operators and combat operation staff). This is why the Department of Veterans Affairs rightly recognizes ALS as a presumptive service-connected disease.

By passing the Justice for ALS Veterans Act, Congress would end this unjust policy and provide the surviving spouse the compensation they are entitled.

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## Contact to Support

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## Bill Components

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- + **EXTENDS INCREASED DEPENDENCY AND INDEMNITY COMPENSATION** - paid to surviving spouses of veterans who die from ALS, regardless of how long the veterans lived with ALS.

## About ALS

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ALS is a disease that attacks cells in the body that control movement. It makes the brain stop talking to the muscles, causing increased paralysis over time. Ultimately, people with ALS become prisoners within their own bodies: unable to eat, talk, breathe or move on their own. Their mind, however, often remains sharp so they are aware of what's happening to them. ALS will affect 1 in 300 people in our lifetimes, and people with ALS usually have no more than 2-5 years to live following diagnosis.