

November 7, 2002

**VETERANS WHO REFUSE TO SIGN VA FORM 10-10EC, APPLICATION FOR
EXTENDED CARE SERVICES**

1. **PURPOSE:** This Veterans Health Administration (VHA) Directive states Department of Veterans Affairs (VA) policy for treating and billing veterans who refuse to sign VA Form 10-10EC (Application for Extended Care Services), which is required for veterans to receive extended care services.

2. **BACKGROUND:** Public Law 106-117, the Veterans Millennium Health Care and Benefits Act, expanded extended care services and gave the Secretary of Veterans Affairs the authority to establish extended care copayment amounts and a maximum monthly copayment cap. The final regulation implementing the extended care copayment was published on May 17, 2002, and went into effect on June 17, 2002. The final regulation provides that as a condition of receiving extended care services, certain veterans must agree to pay VA a copayment by submitting to a VA medical facility a signed VA Form 10-10EC, Application for Extended Care Services. VHA Directive 2002-065, dated October 21, 2002, provides guidance to VHA officials on implementing these copayments. The policy and action set forth in this Directive apply only to veterans who are required to agree to pay VA a copayment for their extended care services.

3. **POLICY:** It is VHA policy that a veteran who requests VA extended care and who refuses to sign VA Form 10-10EC is *ineligible* for extended care services provided by VA. A veteran who is receiving extended care services from VA and who refuses to sign VA Form 10-10EC is obligated to pay the maximum extended care copayment as a condition of receiving the services. This policy applies only to veterans who are required to pay copayments for their extended care services. **NOTE:** *A veteran may decline to complete VA Form 10-10EC but sign the form stating that he will agree to pay VA the applicable copayment.*

4. ACTION

a. Medical Center Director. The medical center Director will ensure that a veteran requesting extended care services who refuses to sign VA Form 10-10EC is not provided extended care services from VA (either directly by VA or paid for by VA) and that:

(1) Social Work Service (SWS) counsels the veteran regarding the VA extended care copayment requirements and the need for the completion of and signature on VA Form 10-10EC. If the veteran refuses to sign VA Form 10-10EC, SWS will notify Health Administration Service (HAS). SWS will offer counseling and assistance to the veteran with placement options outside of VA. and:

(2) HAS will notify the non-exempt veteran in writing that by refusing to sign VA Form 10-10EC and agreeing to pay VA the applicable extended care copayment, he is *ineligible* for extended care services provided by VA.

b. A veteran currently receiving extended care services provided by VA who refuses to sign VA Form 10-10EC is obligated to pay the maximum extended care copayment as a condition of

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receiving the services. HAS in conjunction with SWS and the Revenue Office will notify the veteran in writing that the veteran must pay the maximum extended care services copayment from July 26, 2002, or the date the veteran first received extended care services from VA (whichever is later) after the 21-day period. See Title 38 CFR 17.111 or VHA Directive 2002-065 for further information on the 21-day period. SWS will assist the veteran with alternative placement options and the Revenue Office will complete a bill for the extended care services.

5. REFERENCES

- a. Public Law 106-117.
- b. Title 38 CFR 17.111.
- c. Title 38 U.S.C. 1710B(c).
- d. VHA Directive 2002-65.

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Officer (16) is responsible for the contents of this directive.

7. RECISSIONS: None. This VHA Directive expires November 30, 2007.

Robert H. Roswell, M.D.
Under Secretary for Health

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