

MS 266 Post-Service Medical Benefits for Volunteers, Trainees, and Dependents

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Attachments

Attachment A – Attending Physician’s Report for Dependents of Peace Corps Volunteers

1.0 Purpose

This Manual Section describes post-service benefits available to Volunteers/Trainees (V/Ts) under the Federal Employees Compensation Act (FECA)(5 USC 8142), and post-service

coverage afforded dependent children under the Peace Corps Act, and post-service health insurance for V/Ts.

FECA provides compensation benefits to civilian employees of the United States for disability resulting from personal injury sustained in the "performance of duty," or from employment-related diseases. FECA is administered by the Office of Workers' Compensation Programs (OWCP), U.S. Department of Labor (DOL). The DOL is solely responsible for adjudicating FECA claims.

2.0 FECA for Volunteers/Trainees and Children

2.1 Coverage

V/Ts are deemed to be federal employees for purposes of FECA. V/Ts are covered by FECA 24 hours a day during the entire period of their training and service outside the United States. Coverage includes both official travel and vacation travel to other countries, except for limitations described in paragraph 2.2 below. FECA states that "an injury suffered by a Volunteer when he/she is outside the several states and the District of Columbia is deemed to be proximately caused by his or her employment." Thus:

- (a) Illnesses or injuries that V/Ts incur overseas are deemed to be service-related in most cases. (See paragraph 2.2 for limitations.)
- (b) In accordance with the Pregnancy Discrimination Act, the Federal Employees' Compensation Act (FECA) coverage is extended to V/Ts for pregnancies that arise during Peace Corps service overseas and continue past the date of termination. Therefore, a pregnant V/T should contact the Office of Medical Services upon arrival in the United States to file a FECA claim. The costs of all pregnancy-related conditions, including prenatal, obstetric, and postnatal care of the mother, should be paid by the DOL. However, the DOL will not pay costs related to the care of the baby, including nursery costs.
- (c) Illnesses or injuries incurred by Peace Corps Trainees while training in the U.S. (any of the fifty states and the District of Columbia) are considered to be service-related only when they occur while the individual is on official Peace Corps business. (The OWCP determines if the injury or the illness is service-related in these cases.)
- (d) Illnesses or injuries incurred while V/Ts are traveling to or from their country of service to the U.S. are generally considered service-related. Illnesses or injuries incurred while in the U.S. on special leave, emergency leave, or annual leave are not presumed to be service-related.

2.2 Limitations to Coverage

FECA provides broad coverage for V/Ts, but there are limitations.

2.2.1 Pre-existing Conditions

Pre-existing conditions are not covered, unless materially aggravated, accelerated, or precipitated by service. The OWCP can, and does, rebut the basic presumption of service-relatedness by clearly demonstrating that an injury, disease, or condition existed prior to Peace Corps service.

2.2.2 Medical Coverage During Special, Annual, or Emergency Leave

As noted in paragraph 2.1, FECA does not cover V/Ts while they are on special leave, annual leave, or emergency leave in the United States unless they are engaged in official Peace Corps business and incur a service-related illness or injury. For this reason V/Ts planning to travel in the U.S. during service are advised to procure short-term medical insurance to cover injuries or illnesses incurred during these periods. Applications for such coverage are available at all Posts.

2.2.3 Additional Exclusions

Three additional exclusions from coverage are:

- (a) Injuries caused by willful misconduct.
- (b) Injury or disease caused by the V/T's intention to bring about the injury or death of him/herself or another.
- (c) Illness or injury where intoxication is the proximate cause.

2.3 Benefits

FECA covers V/Ts during their service with the Peace Corps, but benefits do not begin until after service. Benefits under FECA include full payment for the cost of medical treatment and disability compensation if the medical illness or injury prohibits the V/T from working or limits his/her capability to work. In cases involving the death of a V/T, FECA pays up to \$800 of burial expenses and an additional \$200 to the next-of-kin or personal representative as reimbursement for the administrative costs of closing out the affairs of the deceased.

2.4 Responsibility

Because adjudication of a FECA claim is based on the V/T's medical experience during service, documentation is essential. The V/T and the Peace Corps Medical Officer (PCMO) at each Post share the responsibility for documentation of any illness or injury incurred during service. Because it is difficult to predict which injuries or illnesses may result in future claims, it is imperative that:

- (a) Volunteers notify the PCMO at the time of injury or illness.
- (b) The PCMO document all illnesses and injuries at the time they occur and include this documentation in the individual's Health Record (PC 1575). All entries on the chronological report and all medical statements should be signed by the Medical Officer

or attending physician. Unsigned medical documentation is not considered "substantial medical evidence" for the purpose of FECA.

- (c) Form CA-1, Official Supervisor's Report of Injury, be completed for all injuries, and that the PCMO file this form in the V/T's Health Record. (Form CA-1 may be ordered through Administrative Services [M/AS].)
- (d) V/Ts inform the PCMO before close of service of illnesses or injuries incurred during service, and request the PCMO to record in the Health Record any illnesses or injuries not already documented therein.

2.4.1 Rights to FECA Benefit During and After Peace Corps Service

The Peace Corps assumes responsibility for V/T health care during service. Therefore, medical services and compensation are not available through OWCP until after close of service.

The PCMO should inform V/Ts before close of service of their right to file claims under FECA, and the appropriate procedures.

Former V/Ts may file claims for compensation under FECA at any time after close of service if a service-related medical condition develops. If a claim is not filed within 3 years, the V/T must explain the reasons for the delay.

2.5 Completion of Service (COS) and Early Termination Physical Examination

Upon close of service, each V/T should undergo a prescribed physical examination. (See MS 262 *Peace Corps Medical Services Program* for additional information concerning termination examinations.)

2.6 Claims

2.6.1 Documentation of Health Problems

The PCMO should document in the Health Record the existence of any problem and advise the V/T to contact a Compensation Specialist in Medical Services (OHS/MS) upon arrival in the U.S. or when treatment for the service-related problem is necessary.

2.6.2 Procedures

A former V/T seeking compensation should submit a claim request, in writing, to OHS/MS stating the intent to file a claim under FECA, the nature of the illness or injury, and why it is considered to be service-related.

OHS/MS will send the forms needed to file a claim to the V/T. After the completed forms and pertinent records are returned, OHS/MS will prepare and submit the claim.

OWCP will inform the claimant of the decisions rendered.

2.7 FECA Coverage While En Route Home

Former V/Ts may be entitled to FECA benefits for illnesses or injuries incurred while on a direct route home after close of service, but they are not covered for injuries incurred while returning via an indirect route.

2.7.1 Injuries or Illnesses During Return to Home of Record

A PCMO who learns that a former V/T traveling through his/her country has suffered an injury or illness that may be service-related should send a cable containing full details to OHS/MS (with an information copy to the former V/T's PCMO). The telegram should include the following:

- (a) The V/T name, social security number, country of service, and close of service date;
- (b) The coded diagnosis, prognosis, and etiology, including the reason the injury is service-related;
- (c) The nature and approximate cost of treatment needed;
- (d) Whether hospitalization or out-patient care is required;
- (e) Whether the individual is transportable; and
- (f) Information concerning any personal health or accident insurance.

2.7.2 Information to be Provided to Volunteers/Trainees (V/Ts)

- (a) All COSing and early terminating V/Ts should be informed of the limits of FECA coverage and of the availability of supplemental post-service health insurance covering:
 - (1) Injuries sustained on an indirect route home
 - (2) Non-service related illnesses or injuries
- (b) V/Ts COSing or early terminating in-country should be encouraged to purchase health insurance.
- (c) V/Ts COSing or early terminating in the U.S. should also be informed of the availability of and need for post-service insurance plans.

3.0 Service-related Injuries and Illnesses of Dependents

In accordance with Section 5(m)(2) of the Peace Corps Act, Peace Corps may provide minor children of V/Ts limited health care for injuries or illnesses incurred during their parents' service. Section 5(m)(2) enables Peace Corps to provide dependent children with coverage similar to that provided V/Ts under FECA, including the \$800 payment for burial expenses, even though the

dependent children are not covered by FECA. While the post-service care available for dependent children approximates that provided former Volunteers, compensation payments for periods of disability are not available, and care for congenital defects is not provided.

3.1 Request for Care

Parent(s) of the dependent child should submit requests for health care on Form PC 1736 (see Attachment A) to OHS/MS for approval. Documentation requirements for such health care are similar to those required under FECA.

3.2 Documentation

It is the responsibility of the PCMO and the Volunteer parent(s) to ensure that any medical problems that occur overseas during service are appropriately documented in the Health Record.

4.0 RPCV Short-term Health Insurance For Transition and Travel

RPCV Short-term Health insurance For Transition and Travel is a private, comprehensive, post-service health insurance policy for Volunteers and Trainees (V/Ts). Peace Corps pays for one month's coverage. V/Ts have the option of purchasing up to 2 additional months of coverage.

4.1 Eligibility

Upon completion or early termination of service, V/Ts receive RPCV Short-term Health Insurance For Transition and Travel coverage. Trainees who are in country less than one day before leaving service are subject to pre-existing condition restrictions. Peace Corps Response Volunteers receive the same coverage as other Peace Corps Volunteers.

4.2 Coverage

RPCV Short-term Health Insurance For Transition and Travel covers medical needs after service that are not covered by PC-127C (post-service medical/dental evaluation voucher) or the Federal Employees Compensation Act (FECA) benefits. This includes coverage for conditions that originated during service but are not deemed to be service-related under FECA (e. g., while on home leave in the U.S.).

4.3 Responsibilities

The Peace Corps Medical Officer, or in some cases the Administrative Officer, explains this coverage to V/Ts at the time of their close of service and encourages V/Ts to extend their coverage. V/Ts are responsible for extending their RPCV Short-term Health Insurance For Transition and Travel coverage, if they choose. They are also responsible for enrolling qualified dependents as appropriate.

4.4 Readjustment Allowance Deduction

V/Ts who extend coverage before closing their service may request that payment be made through deduction to their readjustment allowance.

5.0 Effective Date

The effective date is the date of issuance.