

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
October 6-7, 2021
Indianapolis, Indiana**

Resolution No. 21: Expanding Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) Coverage

Origin: Veterans Affairs & Rehabilitation Commission

Submitted by: Veterans Affairs & Rehabilitation Commission

WHEREAS, In 1973, Congress enacted the *Veterans Health Care Expansion Act* which subsequently established the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) to furnish comprehensive medical care to eligible family members of veterans rated permanently and totally disabled for a service-connected disability or for the surviving family members of veterans who died from a Department of Veterans Affairs (VA) rated service-connected disability; and

WHEREAS, As currently written 38 U.S.C. §101, requires that a dependent child loses CHAMPVA eligibility when (a) the child turns 18, unless enrolled in an accredited school as a full-time student; or (b) the child, who has been a fulltime student, turns 23 or loses full-time student status; or (c) the child marries; and

WHEREAS, In 2010, the *Patient Protection and Affordable Care Act (ACA)* required private-sector health plans to allow children to remain on their parents' insurance until age 26 regardless of student or marital status; and

WHEREAS, In 2011, the Department of Defense (DoD) extended its TRICARE Young Adult (TYA) plan to unmarried dependents up to age 26; and

WHEREAS, The VA has endorsed changes to better align eligibility for CHAMPVA with TRICARE and private insurance plans so that widows and dependents do not need to bear undue hardships upon the death of their veteran; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 6-7, 2021, That The American Legion urges Congress to enact legislation which seeks parity between Department of Defense and Department of Veterans Affairs programs when providing services to widows and dependents to include making health-care coverage available for a dependent child until 26 years of age, regardless of dependent's marital or school-enrollment status; and, be it finally

RESOLVED, That The American Legion supports entitlements and services owed to our nation's surviving widows and dependents and urges Congress to decisively reject any unjustly proposed increases placed on military families' enrollment fees, deductibles, or premiums.