

Retired Military Newsletter



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COLA. The latest COLA report indicates it has increased to 0.3% above the baseline. The CPI for September 2016 - the final piece of the COLA puzzle - is scheduled to be released on Oct. 18, 2016.

Birthday. The United States Navy traces its origins to the Continental Navy, which the Continental Congress established on **13 October 1775**, by authorizing the procurement, fitting out, manning, and dispatch of two armed vessels to cruise in search of munitions ships supplying the British Army in America.

Legal. The Naval Legal Service Command recently unveiled new online legal resources for those eligible for military legal assistance. The new resources on the Navy JAG Legal Services Locator webpage http://www.jag.navy.mil/legal_services/legal_services_locator_rlso.htm include legal brochures on legal assistance topics that commonly affect military members and special power of attorney forms. The new content was created to provide customers with on-demand, 24/7 access to commonly-needed legal information and special powers of attorney forms. If you have difficulty understanding any of the forms, or would like to discuss your power of attorney needs with an attorney or a paralegal, visit your nearest military legal assistance office http://www.jag.navy.mil/legal_services/legal_services_locator_rlso.htm .

Hearing Aids. The Department of Defense (DoD) sponsors the Retiree-At-Cost Hearing Aid Program designed to help military retirees purchase hearing aids at some military treatment facilities at a special government-negotiated cost. The program is open to all military retirees who have hearing loss or tinnitus (ringing in the ears). Services for the hearing evaluation, hearing aid fitting and follow up hearing aid checks are part of the retiree benefits and are available at no cost. Generally, at least two visits are required. A list of participating facilities is available on the Military Audiology Association website <http://militaryaudiology.org/rachap-rhapp-locations> . Facility availability may change occasionally, so call the closest clinic listed to determine if it is currently participating in the program. (Source: Military.com | Week of August 08, 2016)

Medical Record Exchange. The Virtual Lifetime Electronic Record (VLER) Health Information Exchange (HIE) Initiative is the gateway to health information exchange, allowing Military Health System (MHS) providers to access and share patient medical information with authorized federal and community health partners over a secure network known as the eHealth Exchange. This will allow more effective and efficient sharing of clinical care/medical record information between MHS and civilian sector providers without forcing patients to carry and deliver paper medical records between civilian and MHS providers when civilian network care is necessary. MHS is currently sharing active duty beneficiary data with external healthcare providers. On June 1, 2016, the **San Diego** MHS started sharing non-active duty beneficiary data. For readiness purposes, active duty members will not be permitted to opt out of sharing their healthcare information through the VLER HIE initiative. Non-active duty beneficiaries will have the ability to decline sharing of their health information with civilian network providers on the eHealth Exchange by visiting www.tricare.mil/vlerhealth . Veterans and eligible beneficiaries need to understand if they choose to "opt out", their healthcare team may not have immediate and complete access to health information, even in the event of an emergency.

Divorce. Military retired pay can be a valuable asset in a divorce, legal separation or dissolution of marriage. In 1982 Congress passed the Uniformed Services Former Spouse Protection Act, which allows state courts to treat disposable retired pay either as property solely of the member, or as property of the member and his spouse in accordance with the laws of the state court.

Contrary to popular belief, there is no "magic formula" contained in the act to determine the appropriate division of retired pay. A state court can divide retired pay in any way it chooses (subject to the laws of that state). All 50 states treat military pension as marital or community property.

One of the popular misconceptions about military retired pay is that it is only divisible if the marriage lasted at least 10 years. A state court can award a share of the military retired pay to a former spouse of military member even though the marriage lasted less than a year.

However, in order for the Department of Defense to make direct payments of a military member's retired pay to the former spouse, the former spouse must have been married to the military member for a period of at least 10 years, with at least 10 years of the marriage overlapping a period of military service creditable to retired pay.

Also, direct payments will not be made for division of retired pay in excess of 50 percent or 65 percent if alimony or child support is paid in addition to division of retired pay. Disability pay is not subject to division as property but it is subject to garnishment for alimony or child support.

One very important provision of the USFSPA is that in order for a state court to be allowed to divide member's retired pay, the court must have jurisdiction over the member by:

- His/her residence, other than because of military assignment, in the territorial jurisdiction of the court;
- His/her domicile in the territorial jurisdiction of the court; or
- His/her consent to the jurisdiction of the court.

For example, if John Smith is stationed in Ohio, but claims Nebraska as his legal domicile and if his spouse files for divorce in Ohio, the court would not be allowed to divide John's military retired pay unless John consents to the jurisdiction of the court.

In addition to a share of the military retired pay, the former spouse has a right to receive certain military benefits so long as he/she meets the criteria. As the benefits are statutory entitlements, they are automatic and not subject to negotiation or deviation by a divorce court and the member cannot confiscate the spouse's ID card, or otherwise suspend the spouse's military privileges.

Former spouses will retain all military benefits and privileges, including medical, commissary, military exchanges, if he or she was married to the member at least 20 years, the member had at least 20 years of creditable service, and there was at least a 20-year overlap between the marriage and the military service.

If there is less than 20 but at least 15 years of overlap, the former spouse will be entitled to one year of transitional medical benefits only. Medical benefits are suspended while the former spouse is covered by an employer-sponsored health care plan and will terminate upon the former spouse's remarriage. (Source: Air Force News)

AAFES Layaway. The [Army & Air Force Exchange Service is offering fee-free layaway](#) for Soldiers, Airmen, families and retirees. Starting now, the Exchange will waive the \$3 service fee for items that are placed on layaway and paid for by Dec. 24 — including toys and bikes. Purchases of \$25 or more are eligible for the layaway plan. A deposit of 15 percent is required to hold items on layaway at the Exchange. Shoppers can visit customer service at their local Exchange for complete program details and eligibility information. www.shopmyexchange.com



RADs. Retiree Appreciation Days are listed at this link: <http://www.hostmtb.org/RADs and Other Retiree-Veterans Events.html> . If you do not see

your station or base listed, you might inquire there.

Eye glasses. As a reminder, retirees are eligible to receive one pair of eye glasses annually.

How to request a pair is explained at this link:

<http://www.med.navy.mil/sites/nostra/order/Pages/Retiree.aspx>

Space A. A lot of eligible folks have never used this valuable benefit. Sometimes folks have little or no knowledge of Space-A. Other times the fear of the unknown applies. I am not an expert on the subject but I have flown Space A several times and found it to be a good way to go. These newsletters have previously provided Space A information. If you have procedural questions, check Space A on the AMC site. If you still have questions, give us—the RAO—a call and we will see if we can help.(Source: Letter publisher)

East Coast lodging - [Shades of Green Resort](#), an AFRC located at Disney World® in Florida, offers reasonably priced rooms for service members. Guests enjoy easy access to Disney theme parks and all the perks that come with staying at a Disney resort. For more information, call 888-593-2242. The Coast Guard maintains a cabin on Cape Cod and another one on Nantucket, which are available to all active duty service members and their families, as well as reservists and retirees. Visit [Coast Guard MWR Recreational Lodging](#). [Fort Fisher Air Force Recreation Area](#), near Cape Fear, North Carolina, offers beach cottages and a lodge. Call 910-458-6549 for details.



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Armed Forces of the United States of America

How to contact us

The Retired Activities Office, Naval Weapons Station, Seal Beach, California is located at 800 Seal Beach Blvd in Bldg. 22, Rm 2, Seal Beach, CA 90740-5000. We are here to serve all Armed Forces retirees and are open M-Th 0900 to 1500; Fri 0900 to 1200. You may contact us at (562)-626-7152 or by emailing us at rao-nwssb@navy.mil

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[Retired Activities Website](#)