



- ★ COMMUNITY
- ★ GUIDANCE
- ★ SUPPORT

## BENEFITS FOR FORMER SPOUSES OF MILITARY PERSONNEL

In addition to authorizing direct payment of a portion of a military retiree's pay to the former spouse, the Uniformed Services Former Spouses' Protection Act (USFSPA) also extends some privileges to certain former spouses, as follows:

### Full Privileges: The "20/20/20" Rule

The former spouse of a service member, if not remarried, is entitled to receive all military benefits and installation privileges, including medical benefits and commissary privileges, when the following conditions are met:

- *the parties were married for at least 20 years;*
- *the service member performed at least 20 years of creditable service; and*
- *there was at least a 20-year overlap between the marriage and the military service.*

### Partial Privileges: The "20/20/15" Rule

The former spouse of a service member, if not remarried, is entitled to receive transitional medical benefits for only one year from the date of the divorce, dissolution, or annulment. Benefits do not include other installation privileges, such as commissary privileges. Former spouses are covered when the following conditions are met:

- *the parties were married for at least 20 years;*
- *the service member performed at least 20 years of creditable service; and*
- *there was at least a 15-year overlap between the marriage and the military service.*

A former spouse who is covered by an employer-sponsored health care plan loses eligibility for military medical benefits. If at any point the former spouse is no longer covered by the employer-sponsored plan, military medical benefits may be reinstated. However, for 20/20/15 former spouses, any reinstatement cannot extend beyond the original one-year entitlement.

A former spouse who remarries loses eligibility for all benefits. If the subsequent marriage is ended by divorce or death, commissary privileges may be reinstated. Medical care, however, cannot be reinstated.

### No Privileges

Former spouses who were not at least "20/20/15" spouses do not qualify for entitlements.

 How long were you married? \_\_\_\_\_

How long did you (or your spouse) serve? \_\_\_\_\_

How long was the overlap of marriage and military service? \_\_\_\_\_