



I have an OTH discharge and need VA mental healthcare. How do I get it?

With an OTH, there are two quick ways that you can get mental healthcare from the VA depending on your military experience and the type of mental healthcare that you need: (1) emergency services for veterans who may be at risk of suicide or other harmful behaviors and (2) the Honor Our Commitment Act (HOCA).

The guides below can assist in getting access to VA mental healthcare. However, combat veterans and their families can also access mental health counseling through the VA's [Vet Centers](#) regardless of discharge status.

What emergency services are available to veterans with OTH discharges?

Veterans with OTH discharges are eligible for VA emergency mental health treatment. This includes treatment over a period of up to ninety days from specialists in psychiatric medication management and mental health therapy. This treatment can include outpatient services (where you go home at the end of each appointment) or inpatient services (where you stay at the VA during treatment), depending on your needs.

What happens after my ninety-day period of treatment is over?

During your treatment, the VA should work with you to determine if any of your mental health needs are related to your service. If they are, VA should work with you to get a [Characterization of Discharge](#) (COD) so you can continue to get treatment through the VA. If your condition is service-connected, you may also qualify for benefits under Chapter 17. You can apply for [service-connected disability](#) to start the process of getting treatment for these conditions.

Some VA supervisors are also able to grant extensions of the ninety-day treatment time. If the VA is not able to continue your treatment after ninety days, they should help you find treatment with another doctor or therapist before they stop treating you.

If you receive emergency mental health services from the VA and they do not start the COD process or assist you to get treatment outside of the VA, please reach out for help. If you are in Connecticut, contact the Connecticut Veterans Legal Center at 203-479-0375. If you are outside of Connecticut, visit Stateside Legal to find local resources that may be able to help: <https://www.statesidelegal.org/stateside-map>.

Who can get VA mental healthcare under the Honor Our Commitment Act?

With an OTH discharge, you can get mental healthcare at the VA without a time limit if you (1) were on active duty for more than 100 days and served in a combat role or (2) experienced sexual assault or sexual harassment while serving.

What do I do if I think I can get care under the Honor Our Commitment Act but the VA turns me away?

If you have an OTH discharge and you are told that you are not eligible for either of the services listed above, feel free to share this document with the VA staff member trying to turn you away. For an example of other language that you can use to make your case, see the example below for veterans who are survivors of military sexual trauma.

“I am a military sexual trauma (MST) survivor. Due to the lack of supportive services while in the military, I received an Other Than Honorable (OTH) discharge. It is my understanding that the VA will conduct or is conducting a Character of Discharge Determination to determine my general eligibility for healthcare.

While that review is pending, I am seeking mental health treatment from VA for conditions relating to MST. It is my understanding that in the VA system, I am not listed as an MST survivor, only listed as potentially Dishonorable for VA Purposes and therefore not eligible for services.

Under the Honor Our Commitment Act, I am entitled to free mental health treatment, indefinitely, due to my status as a military sexual trauma survivor.”

If you present this information to the VA and they still turn you away, please reach out for help. If you are in Connecticut, contact the Connecticut Veterans Legal Center at 203-479-0375. If you are outside of Connecticut, visit Stateside Legal to find local resources that may be able to help: <https://www.statesidelegal.org/stateside-map>.