

Restoration of Honor Act Fact Sheet

- The Maryland Restoration of Honor Act authorizes the Maryland Department of Veterans and Military Families (DVMF) to consider restoring **State** Veterans Benefits to Veterans who have an other-than-honorable (OTH), a General (Under Honorable Conditions) (GUH), or Uncharacterized (UC) character of service due to Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), Military Sexual Trauma (MST), sexual orientation, gender identity or expression, or other criteria established in 38 C.F.R. § 3.12
- ***This does not change a Veteran's federal official character of discharge on their DD-214 or other discharge paperwork.*** This determination refers solely to a Veteran's character of discharge for the purposes of qualifying for specific Maryland benefits for Veterans and their families. ***Veterans should simultaneously apply for a federal VA discharge upgrade using this online tool.***
- DVMF field offices will assist Veterans in accessing their complete and unredacted Official Military Personnel File and, if applicable and required, their U.S. Department of Veterans' Affairs Rating Decision Notice for the conditions they are claiming led to their discharge.
- DVMF shall afford "liberal consideration," employing the standards described by the Hagel, Carson, and Kurta Memorandums issued by the United States Department of Defense, to all evidence provided by the Veteran. If the Veteran can demonstrate that PTSD, TBI, MST, sexual orientation, gender identity or gender expression was at least as likely as not the reason for the Veteran's OTH, GUH or UC discharge from military service, then DVMF will adjudicate the matter in the Veteran's favor.
- DVMF will strive to provide an initial decision within **90 days** of the receipt of the completed application.
- Once DVMF renders a decision, the Veteran will have **120 days** from the date on which the decision is issued to appeal the original decision. This de novo review will be conducted by DVMF's General Counsel. The appellate decision is final.
- If the Veteran receives a favorable determination and their service is considered honorable for the purpose of receiving Maryland State Veterans Benefits, DVMF will provide an award letter with a list of Maryland State Veterans benefits for which the Veteran is now eligible.
- If you would like assistance in preparing your application or gathering mandatory documents, you can schedule an appointment with our nearest DVMF field office at 800-446-4926, ext. 6450.

Application Packet

Mandatory Documents

- 1) Restoration of State Veterans Benefits Application
- 2) Complete unredacted Official Military Personnel File (Copy)
 - a) (DVMF Field Office can assist in applying for your OMPF documents).
 - b) Sending in a completed Standard Form 180 will not meet this requirement.
- 3) Personal statement (**signed**) describing precisely why your assigned character of service was unjust and why an upgrade to a higher character of service is appropriate.
- 4) If applicable, a VA Rating Decision Letter, from the United States Department of Veterans Affairs, verifying that you have a service-connected rating for your disability.

Mandatory for those demonstrating their less-than-honorable discharge was caused by a mental health condition (i.e. PTSD, TBI, MST) during service:

- 1) If symptoms of a disability incurred or aggravated during your military service (e.g., Post-Traumatic Stress Disorder, Traumatic Brain Injury, Military Sexual Trauma) caused you to act in a way that led directly to your less-than-honorable discharge, provide the following:
 - a) Evidence of the medical diagnosis of the disability (or disabilities) that led to these actions;
 - b) Evidence your disability originated or worsened during your military service;
 - c) Signed statement by the Veteran explaining how the diagnosed medical disability (or disabilities) led to the less-than-honorable discharge;
 - d) If VA service connected, a Department of Veterans' Affairs Rating Decision Letter identifying the condition and the reason for their decision to award service connection for your disability. A VA letter only stating your disability rating percentage will not suffice.

Optional

1. Supporting letters from individuals who can sincerely vouch for the Veteran's good conduct and character in the military.
2. Evidence of any medals, commendations, and decorations earned during your military service.
3. If DVMF did not receive enough information to adjudicate your application, we may request signed documents for the release of additional information.

Applications should be sent to the following address or email:

Maryland Department of Veterans and Military Families
ATTN: DVMF Discharge Review Board
16 Francis St., 4th Floor Annapolis, MD 21401

or Email: discharge.upgrade@maryland.gov

Restoration of State Veterans Benefits Application

Full Name: _____

Mailing Address: _____

Date of Birth: _____ Last 4 Digits of Social Security Number: _____

Branch of Service: Army Navy Air Force
 Marines Coast Guard Space Force

Dates of Service: Entry: _____ Discharge: _____

Discharge Status: Uncharacterized Service
 General Under Honorable Conditions
 Other Than Honorable Conditions

Reason for Restoration of State Veterans Benefits:

Post-Traumatic Stress Disorder (PTSD)

Traumatic Brain Injury (TBI)

Military Sexual Trauma (MST)

Sexual Orientation

Gender Identity or Expression

Email: _____ Phone Number: _____

Signature _____ Date: _____

If you need assistance in gathering the required documents, please contact your nearest DVMF field office prior to submitting your **complete** application package. Incomplete applications will not be considered.

Send completed package to:

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