

## **BENEFITS PROVIDED BY COAST GUARD ORDERS**

Auxiliarists performing authorized activities for which they are qualified are considered to be assigned to duty and covered by Coast Guard Orders, except for purely social activities. Auxiliarists involved in the Operations Program must receive Coast Guard Patrol Orders prior to the movement of any vessel or aircraft for Auxiliary or Coast Guard activities. All other authorized activities performed by qualified Auxiliarists should be scheduled with the appropriate unit elected or staff officer or be assigned to duty by the Coast Guard, to be considered under Coast Guard Non-Reimbursable Orders. The Assignment to Duty covers activities performed in support of various Auxiliary and Coast Guard Programs, including elected and appointed Auxiliary officers' duties. In some cases, Auxiliarists may be given reimbursable Travel orders by the Coast Guard.

In order to facilitate any claim and be considered assigned to duty while en route to or from authorized activities, you must schedule these activities with an appropriate unit officer. Incidents involving gross negligence or willful misconduct may result in the loss of benefits provided by Coast Guard orders. In addition, the assignment to duty investigation, which follows any incident, must determine that the Auxiliarist's activities were within the scope of the assigned duties, and that the incident occurred while in the performance of those duties.

In the event of any accident or incident while assigned to duty or under Coast Guard orders, notification of the facts and circumstances must be made to the Director of Auxiliary and the Coast Guard order issuing authority as soon as possible, without using the chain of command. In addition, you must also notify your District Commodore and District Legal Officer as soon as possible, without using the chain of command.

If you are injured while assigned to duty, you will be eligible for the same medical, dental and hospitalization benefits as provided to regular Coast Guard personnel. In the event you are disabled, you will be eligible to receive a maximum monthly disability payment, the equivalent of a GS-9 rating (presently \$1,736.80). The amount of the payment will be determined by the extent of your disability and the number of persons who are financially dependent upon you.

In the event of death, your dependents will be eligible for a maximum monthly allotment equivalent to that of a GS-9 (presently \$1,736.80), determined by your eligibility for social security benefits and the number and relationship of persons dependent upon you for financial support. There is also an \$800.00 maximum burial allotment.

The Coast Guard will generally assume responsibility for payment of hospital, medical and dental bills incurred for immediate or emergency care while assigned to duty, if not covered by your own medical insurance. However, in the event of death, disability or long-term hospital or medical care, the line of duty investigation must determine that there was a causal connection between your assigned duty and the cause of your disability or death. This is extremely important in the event you have a pre-existing medical problem, such as a heart condition. Unless your assigned activities caused or further worsened your condition you will not be eligible for benefits. The mere occurrence of a medical condition or death on duty does not give rise to coverage, there must be a medically negative influence from the assigned duties.

If an Auxiliary facility or equipment necessary for the performance of the mission is lost or damaged, a claim is to be filed with the Coast Guard for reimbursement for the damage or loss. Your Director of Auxiliary will assist you in preparation of the claim forms. Motor vehicles are not covered unless they are involved in towing a trailered operational vessel under orders while en route to or from patrol, or if the motor vehicle is used while under orders as a mobile radio unit.

If you are involved in an accident or incident which causes death, injury or damage to third persons, you must obtain all the necessary information, including names and addresses of witnesses and photographs if possible, and report the incident immediately to the Director of Auxiliary and Coast Guard order issuing authority, as well as to your District Commodore and District Legal officer, without using the chain of command. You may not be covered for third party claims made against you while en route to assigned duties. Coverage is subject to a case-by-case analysis of the facts and circumstances.

In the event a claim is made against you, the Coast Guard will investigate the incident and if it is determined that the incident occurred in the line of duty and in accordance with the scope of your assignment to duty, the Coast Guard will recommend to the Department of Justice that they certify that you were acting within the scope of your employment as an agent of the Federal government. Once this certification is made, you will be provided with representation by the local U.S. Attorney's Office and be entitled to the benefits of the Suits in Admiralty Act, and/or the Federal Tort Claims Act which require that any claim or suit must be against the United States of America and not against the individuals who were acting on behalf of the government.

**REMEMBER, WHEN ANY ACCIDENT OR INCIDENT OCCURS, REGARDLESS OF HOW SMALL IT MAY SEEM AT THE TIME, REPORT IT.**

**USCG Auxiliary Legal Department**