

VETERAN'S  
AID & ATTENDANCE  
BENEFITS

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2012

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## **Veteran's Aid & Attendance Benefits**

**Introduction:** The Veteran's Administration has a tax-free monthly pension benefit available to a war time veteran and their spouse to help pay for care in the home, at an assisted living facility or in a nursing home. The monthly benefits can be quite substantial. The following is the maximum monthly benefit allowed in 2012:

Veteran	\$1,703
Veteran w/ spouse	\$2,019
Surviving spouse	\$1,094
Well veteran/ill spouse	\$1,337

### **Qualifications for Non-Service Connected Aid & Attendance**

- Veteran must have served at least ninety (90) days on active duty; one (1) day of which had to have been during a designated war time period.
- Veteran must have had any discharge other than Dishonorable Discharge.
- A physician must declare the claimant as housebound and/or in need of assistance from another individual, which may include services offered by home health care, assisted living or nursing home care (see medical requirements below).

- The claimant must meet income requirements and asset requirements. (Our office can show you whether you can qualify under these criteria. If you do not qualify today we can show you what you need to do to qualify tomorrow.)
- Widowed spouse must have been married to the veteran at the time of the veteran's death.
- Widowed spouse must have been living with the veteran at the time of the veteran's death unless the separation was due to medical or military reasons.
- The veteran or the widow must sign an application and provide supporting documentation to the Veteran's Administration. (Last year our office submitted over 100 applications successfully for our clients!)

### **WAR TIME PERIODS**

<b><u>WWII:</u></b>	December 7, 1941 – December 31, 1946
<b><u>Korean War:</u></b>	June 27, 1950 – January 31, 1955
<b><u>Vietnam Era:</u></b>	August 6, 1964 – May 7, 1975 (if serving anywhere)
	February 28, 1961 – May 7, 1975 (if serving in Vietnam)
<b><u>Persian Gulf:</u></b>	August 2, 1990 – present

**Improved Pension with Aid & Attendance**  
**Medical Requirements**

Pension benefits with an Aid & Attendance supplement are available to a veteran or widow(er) of a veteran who at the time of the application:

1. Claimant is blind; OR
2. Claimant is living in a nursing home; OR
3. Claimant is unable to:
  - (a) dress/undress or keep self clean and responsible;
  - (b) unable to attend to the wants of nature;
  - (c) has a physical or mental incapacity that requires assistance on a regular basis to protect claimant from daily environmental hazards; OR
4. Claimant is unable to drive and considered home bound.

**2012 Maximum Pension Rates for Aid & Attendance**

Single Veteran	\$1,703/Month	\$20,436/Year
Married Veteran	\$2,019/Month	\$24,288/Year
Widowed Spouse	\$1,094/Month	\$13,128/Year
Healthy Veteran/ Ill Spouse	\$1,337/Month	\$16,044/Year

Once awarded Aid & Attendance, a veteran may obtain free medications, medical equipment, incontinence supplies, glasses and hearing aides from the VA Hospital/Clinic via U. S. Mail without going to the VA. These benefits will continue

for the rest of the claimant's life as long as they remain eligible.

### **Accreditation by the VA**

As of June 23, 2008, the VA began REQUIRING that ANYONE who assists a veteran or family member with the preparation, presentation and prosecution of a claim for benefits to be accredited by and through the VA BEFORE they can legally provide assistance. Thus, to protect yourself while going through the VA process, make sure you are using an accredited person. To check if a person is accredited, you can go to: <http://www.va.gov/ogc/apps/accreditation/index.html> and type their name for confirmation.

(A one time agent – usually a family member – does not need to be accredited.)

### **Fees for Assistance**

There is no fee for the application assistance and follow through with the VA. A fee may be charged for the planning process to structure assets in a way that is permissible under the Veteran's Administration rules.

### **VA Benefits Planning**

There are rules in the federal law that allow certain planning to be completed so the veteran or his widow get below the net asset limit for assets or income to qualify for this pension benefit earned by the veteran for serving our country during war time. Only a VA accredited attorney is qualified to

explain your options today and how those options will impact your family in the future. A veteran's service officer is NOT permitted to tell you how to qualify.

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There are financial services people out there who claim they are helping veterans when their only goal is to sell annuities. Annuities work in some cases but not all cases. If you speak to a financial services person ask them 2 questions to see if they truly are qualified:

1. Do they work with a VA accredited attorney to consider all planning options?
2. How will the planning they suggest impact them if Medicaid assistance is necessary in the future?

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**Key Point:** Make sure your financial professional is working with a VA accredited attorney.

### **Look Back Period**

Currently the VA rules do not have a look back period for transferring assets but there is a movement in Washington to create a one year or two year look back period. If you are a

qualified veteran or widow of a qualified veteran seek assistance now before Congress makes it harder to qualify for this benefit.

### **Next Step**

Call our office for a completely free consultation to see if you can qualify for this important pension benefit earned by our veteran's war time service.

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