

Veterans Aid and Attendance Benefit

The U.S. Department of Veterans Affairs Veterans Improved Pension Benefit, also known as the Aid and Attendance Benefit, provides benefits for veterans and surviving spouses, who meet certain criteria in regards to their income and assets. If eligible, veterans or their surviving spouses may be able to receive financial assistance to help pay for care they require with their daily living activities such as dressing, undressing, bathing, eating, and other every day activities of life. Coverage includes individuals who, because of mental or physical incapacity, require such assistance either in their homes, in an assisted living facility, or in a nursing home. The applicant must have a current need for care and already be receiving care services at the time of application in order to receive the maximum benefit. It is a Federal program available to veterans and their widows in every state.

The benefit amount is determined by a formula between income and out of pocket medical cost of the individual. The current maximum benefits available are as follows: a veteran may be eligible for up to \$1,644 per month, while a surviving spouse is eligible for up to \$1056 per month, and a couple is eligible for up to \$1,949 per month. All benefits are tax free and may be combined with other benefits and programs. Individuals already receiving Medicaid services should carefully consider the costs and benefits of applying for this pension as it may impact their Medicaid status.

The basic requirements for eligibility are:

- a. The veteran must have served at least 90 days active duty;
- b. Served 1 day during a time of war and have been other than dishonorably discharged;
- c. For those who did not serve in active duty there may be exceptions;
- d. A widow must have been married to the veteran at the time of death; and
- e. A widow must be over age 65.

As a general rule, an applicant is allowed to keep approximately \$80,000 in countable assets. An individual's home and automobile and other non-countable assets are not included. There are no transfer penalties similar to many other community benefits for the disabled or elderly. The financial eligibility portion of this benefit is very complicated and often ambiguous. It is highly recommended that an individual consult an expert if they are unsure whether or not they would meet the financial eligibility guidelines.

Eligibility must be proven by filing the proper Veterans Application for Pension and supporting documents. If you need assistance with the application process your local senior services office may be able to direct you to a veteran's advocate or an elder law attorney who is experienced in VA benefits. Federal law prohibits attorneys and others from charging a fee to assist with this application. Because of this, many experts in this benefit will assist with the application only for clients who are also using or requesting assistance that is billable (for example: an attorney may complete this application for you for free as part of an estate planning package or a financial advisor may complete this application for you only if you will be hiring them to manage your financial affairs, etc.). You may apply at your local Veterans office, however it should be noted that many local offices are untrained on this benefit and some are even unaware of it. The Aid and Attendance application approval process may take anywhere from 4-6 months. If approved, benefits are paid retroactively to the month after the application was filed.

Please note: the Dept. of Veterans Affairs provides limited printed information on this benefit. We have attempted to consolidate information for you that is consistent between experts in this benefit and the information available from the VA but this document should only be used for informational purposes and we highly recommend individuals seek further information and clarification.