

THE SKETCHLEY LAW FIRM, P. A.

Providing Compassionate Support & Guidance Through Elder Law & Guardianship

MORE VETERAN'S BENEFITS: AID & ATTENDANCE

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Without question, one of the most underutilized federal benefits for a veteran and the widow(er) is Aid & Attendance, which is part of the pension program of the VA discussed last month. It is a monthly benefit paid in addition to monthly pension. It can provide money for assisted living and home health care. A recent study by the VA suggests that only 1/4 of eligible seniors participate in the program. To be eligible for this benefit, the veteran must qualify for a pension.

Service Requirements

The veteran must be discharged from service under conditions other than dishonorable and served at least 90 days of active military service 1 day of which was during a war time period.

Financial Requirements

Countable family income must be below a limit set annually. The maximum pension for a married veteran is currently \$1,843 per month. The maximum monthly pension for the widow(er) without dependents is \$1,063. Fortunately, certain items can be deducted from income, such as unreimbursed medical expenses, which include the costs of the skilled nursing facility, assisted living facility, or in-home aid. Insurance premiums can also be excluded.

The VA also takes into account the net worth of the applicant. While the VA has discretion in deciding the limit, \$80,000 is used as the benchmark. Generally, the older a person is, the fewer assets they can have.

Disability Requirements

To be eligible for a pension, a veteran must be 65 or older, or permanently and totally disabled. For aid and attendance, the veteran must require the aid of another person to activities of daily living, or protecting himself/herself from the hazards of his/her daily environment, OR, bedridden, in that his/her disability or disabilities requires that he/she remain in bed apart from any prescribed course of convalescence or treatment, OR, the veteran is in a nursing home due to mental or physical incapacity, OR, the veteran is blind, or so nearly blind as to have certain corrected visual acuity.

How to apply

The veteran can apply for Aid and Attendance by writing to the VA regional office. Copies of any evidence, preferably a report from an attending physician validating the need for Aid and Attendance, should be included. The report should be in sufficient detail to determine whether there is disease or injury producing physical or mental impairment, loss of coordination, or conditions affecting activities of daily living. In addition, it must be determined whether the claimant is confined to the home or immediate premises. The report should also indicate how well the individual gets around, where the individual goes, and what he/she is able to do during a typical day.

If you would like to arrange for one of our attorneys to speak to your group or organization about this topic, please contact Tracy Rouse at (850) 894-0152. Past newsletters can be found at www.sketchleylaw.com.



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