

Veterans Often Overlook Benefits

By Wesley E. Wright and Molly Dear Abshire, as published in the Houston Chronicle Senior Living Section on July 23, 2008.

Many seniors who have defended their country through military service are unaware of benefits that may be available to them from the Department of Veterans Affairs ("VA"). Nationally prominent attorney Andrew Hook, co-author of *Representing the Elderly or Disabled Client*, says, "We estimate that with professional planning assistance that between 25% and 30% of persons over the age of 65 can qualify for a VA pension. The VA pension program is not well known. There is a tremendous need for professionals to educate their clients and assist them in qualifying for benefits."

The VA offers a myriad of benefit programs to veterans living in their homes, as well as to those in nursing homes, and their dependants. A few of these programs are as follows:

Improved Pensions is a benefit available to elderly veterans and those with non-service-connected disabilities who have limited income. To qualify, the veteran must have 90 days of active military service, at least one day of which must have been during war time. (For veterans who entered active duty after September 7, 1980, the required period of service may be longer.) Countable monthly income for a single veteran must be less than \$931, or, if aid and attendance is required, less than \$1554. For a married veteran, countable monthly income must be less than \$1,220, or, if aid and attendance is required, less than \$1,842. In determining "countable" income, the VA deducts the individual's annual un-reimbursed medical expenses (including nursing home costs), provided those expenses exceed \$559 for single veterans (\$732 for a couple). For this reason, many veterans (or their spouses) in nursing homes qualify for VA improved pension benefits, whereas they would not qualify while living in their own homes.

Veterans without dependants who receive Medicaid benefits in a nursing home have their VA pensions capped at \$90 per month. This \$90 reduced VA improved pension benefit constitutes the veteran's monthly allowance for personal needs.

Aid and Attendance ("A&A") is an additional monthly benefit (over and above the pension amount) that is paid to veterans who:

- (1) Require the regular aid and attendance of another person in performing such activities of daily living as bathing, dressing, and feeding;
- (2) Are in a nursing home; or
- (3) Are blind or severely visually impaired.

Housebound ("HB") Allowances is also an additional monthly benefit that is payable to persons who qualify for VA pension. The individual must be 100 percent disabled and housebound.

The Medicaid program disregards as income VA A&A benefits, HB allowances, and payments for un-reimbursed medical expenses in determining eligibility and in calculating the applied income amount

(i.e., the amount of the individual's co-payment toward nursing home costs).

VA Compensation is a service-connected disability payment. That is, the veteran has an injury or illness that occurred while he/she was on active duty. The monthly payment for a single veteran ranges from \$117 to \$2,527, depending upon the severity of the disability. Married veterans may be entitled to more.

Dependency and Indemnity Compensation ("DIC") is a monthly benefit payable to eligible survivors of military personnel who died on active duty or whose death resulted from a service-connected injury or illness. This benefit may also be available to the survivors of certain veterans whose deaths were not service-connected but who nonetheless had service-connected disabilities. DIC benefits for surviving parents is income-based. The basic monthly payment for an eligible surviving spouse is \$1,067, plus an additional \$250 if the spouse has children under age 18.