

VA AID and ATTENDANCE BENEFITS

Frequently Asked Questions – revised June 2012*

There is a little-known benefit available to veterans and their surviving spouses called Aid and Attendance. It is a form of pension that is sent monthly to the veteran and can be used toward care in the home, an assisted-living community, board-and-care home, or skilled nursing.

Q. What is VA Aid and Attendance?

A: The Veterans Administration (VA) Aid and Attendance pension benefit may be available to wartime veterans who need in-home care or who live in nursing-homes, assisted-living facilities, or residential care homes such as board and care or group homes.

Q. How does a veteran qualify for these benefits, from a health-related standpoint?

A: The basic health criteria for the Aid and Attendance benefit are long-term care oriented criteria: the inability to feed oneself, to dress and undress without assistance, or to take care of one's own bodily needs. People who are bedridden or need help to adjust special prosthetic or orthopedic devices may also be eligible, as well as those who have a physical or mental injury or illness that requires regular assistance to protect them from hazards or dangers in their daily environment.

Q. Does a veteran have to have served during a period of war to qualify for the benefit?

A: The veteran must have served at least 90 days of active military service, one day of which was during a period of war, and be discharged under conditions other than dishonorable. Wartime veterans who entered active duty on or after September 8, 1980, (October 16, 1981, for officers) must have completed at least 24 continuous months of military service or the period for which they were ordered to active duty.

Q: What if the veteran has too much income?

A: Many elderly veterans whose incomes are above the congressionally-mandated limit for a VA pension may still be eligible for the special monthly Aid and Attendance benefit, if they have high medical and/or long-term-care expenses

Q: Does the veteran need to be in a special military hospital or care home?

A: No. The Aid and Attendance program provides money directly to the eligible veteran or surviving spouse as reimbursement for care expenses incurred by paying any in-home caregiver, assisted-living community, residential-care home or nursing home.

Q: How does the VA determine payment?

A: If all requirements are met, VA determines eligibility for the Aid and Attendance benefit by adjusting for un-reimbursed medical expenses from the veteran's or surviving spouse's total household income. If the remaining income amount falls below the annual income threshold for the Aid and Attendance benefit, VA pays the difference between the claimant's household income and the Aid and Attendance threshold.

Q: Do I need to be in a care facility to qualify for the benefit?

A: You need to be paying out of pocket for your care before you can apply for the Aid and Attendance pension.

Q: Can you help me find an assisted living, in-home care, or a nursing home?

A: Yes, absolutely. We have many relationships with individual facilities that we've developed over our 25 years of assisting our clients.

Q: What if I already receive money from the VA?

A: You may be entitled to additional Aid and Attendance allowance but it will depend upon what type of benefits you are receiving from the VA. We can help you determine how the VA will handle your request/application.

Q: I cannot locate the discharge papers?

A: You can request military records from www.archives.gov. This is a free service from the National Archives and Records Administration, and yes many records were destroyed in a fire in 1970. But at a minimum we need the ***Date of Entry, Date of Separation*** and ***Branch of Service*** and we can be successful.

Q: We can't locate the marriage certificate or my father's death certificate?

A: You can visit the Department of Vital Statistics in the county where the marriage or death occurred or go to <http://vitalrec.com/>

Q: How quickly will I receive a check?

A: The VA takes approximately 3-6 months to make the decision. However, the VA does pay retroactively from the date of application. An application must be turned in by the third week of the month *prior* to which the Veteran and/or Surviving Spouse is applying. For example, if you are applying for June benefits the application must be turned in no later than the third week of May and the VA will start the payment date as of June 1st. A check should be mailed 10-15 days after the award letter is received.

Q: What is an un-reimbursed medical expense?

A: Recurring out-of-pocket expenses that are related to the care of the Veteran or Surviving Spouse. Examples: cost of assisted living, cost of in-home care, and cost of skilled nursing. Medi-care premiums, Medi-care supplements, Diabetic supplies, and Incontinence supplies.

Q: What is the maximum amount of liquid assets allowed?

A: The Guidelines *do not* state an absolute amount. It depends on Life Expectancy and how rapidly assets are being used. The VA will apply their Life Expectancy Table for Net Worth Determination to see if the applicant has excess liquid assets.

Q: Did the Surviving Spouse need to be married to the Veteran at the time of the Veteran's death?

A: Yes, if the spouse divorced the veteran she/he would not be eligible for the pension.

Q: What if the Surviving Spouse remarries?

A: If the Surviving Spouse remarries after the death of the Veteran, he/she is not qualified unless the second spouse is also a Veteran and she/he was married to the second Veteran for at least one year before the Veteran's death.

Q: I am the Power Of Attorney for the Veteran/Surviving Spouse can I sign the application?

A: The VA does not recognize POA's in this process. The only other person that can sign an application for the applicant is a court appointed Conservator.

Q: What if the Veteran or Surviving Spouse cannot sign the application?

A: If the Veteran or the Surviving Spouse cannot sign the application a poor signature will be accepted or the applicant must make an "X" and have it witnessed by two people with their addresses.

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