

VA Online Letter #3:
The Nuts and Bolts Guide to Veterans Benefits
VA pensions are not “pensions”
(at least not the way most people think of a pension)
Revised December 20, 2007

We have already introduced you to the VA view of the two major categories of veterans benefits: disability compensation and non-service-connected pension. For the rest of these letters, we will focus on the non-service-connected pension—so take a last look at the two worlds of veterans benefits:

Table 1: Disability Compensation

VETERAN

- Must have a disability caused by, or worsened by, military duty
- The amount of money paid to the veteran is not based on need/income/net worth of the veteran

SPOUSE/DEPENDENTS

- Eligible for Dependency and Indemnity Compensation (DIC)

Table 2: Non-Service-Connected Pension

VETERAN

- Must be permanently and totally disabled, or 65 or older
- Disability does not have to be related to military duty
- Pension is needs-based—must meet income and net worth requirements; or
- If the veteran has too much income or too many assets, he/she will not qualify for the pension
- A higher pension is awarded if the veteran is housebound
- An even higher pension if the veteran is in need of regular aid and attendance

SPOUSE/DEPENDENTS

- Eligible for Death Pension
- A higher pension is awarded if the veteran is housebound
- An even higher pension if the veteran is in need of regular aid and attendance

Now we are going to look at some of the requirements for eligibility for a non-service-connected pension for a wartime veteran who needs long-term care.

Who is eligible for the non-service-connected pension:

- Honorably discharged veterans, surviving spouses, or children of any military, naval, or air service. Also includes certain other special groups such as:
 - Women's Army Auxiliary Corps (WAAC)
 - Merchant Marines from WWII
 - U.S. civilians of the American Field Service
 - Plus 30 more!
- Served in active duty 90 consecutive days, one of which was during a period of war
- ***At least 65 years old OR Permanently and Totally Disabled***

"Permanently and Totally Disabled" is defined as:

- Receiving long-term nursing home care; or
- Receiving Social Security disability benefits; or
- Unemployable as a result of disability reasonably certain to continue throughout the life of the person.
- Disability is NOT required to have been caused by injury during the veteran's wartime service (non-service-connected).

Other requirements:

This is a needs-based program with income and asset tests.

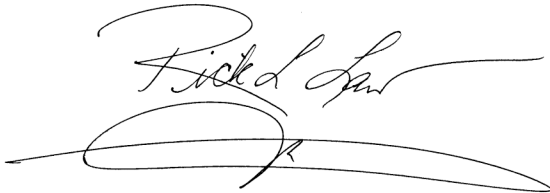
- Income limitation
 - Gross income MINUS certain expenses
 - Unreimbursed medical expenses of veteran and his/her household
 - Certain educational expenses
 - After reducing gross income by the above expenses, net income must be lower than \$11,181 to \$22,113, depending on your circumstances
- Net worth limitation
 - In addition to your house, car, life insurance, burial policies, and annuities in payout status, you can generally have up to \$80,000 in assets, including CDs, stocks, bonds, etc.
 - If your net worth is higher, consult with a qualified elder law attorney for appropriate tax analysis to see if transferring some of your assets may qualify you

Your homework for today is to review the various requirements that I have shown you in this letter and begin to ask yourself:

1. Where can I find Mom or Dad's discharge papers?
2. Did my loved one actually serve in the wartime period of either WWII, Korea, or Vietnam?
3. Did my loved one receive an honorable discharge?
4. Can I prove that my loved one is over 65 or permanently and totally disabled?
5. Do I know what 12 months of unreimbursed medical expenses will be (or have been)?
6. Do I know my loved one's household income?
7. Do I know (roughly) my loved one's dollar amount of investments?

Stay tuned, because tomorrow, we will reveal the 2007 benefits (MAPR) available for each category of qualified recipients.

Chat with you tomorrow,

A handwritten signature in black ink, appearing to read "Rick Law", with a large, sweeping flourish underneath.

Elder law attorney serving seniors and those who love them

After reading this information, we strongly recommend that you contact an elder law attorney such as those at Law ElderLaw to determine if you qualify. An elder law attorney can assist you and your family by explaining many difficult-to-understand things about long-term care. Qualification for a VA benefit is only one of several concerns that must be considered. As you struggle to provide dignified long-term care for a wartime veteran and/or surviving spouse, we can help you understand the options. We are your advocates, and we want to help you stretch your hard-earned dollars further. VA benefits are only one part of the puzzle. We will hold your hand and guide you every step of the way as we consider all of your family's resources and needs.

Contact Us:

<http://www.lawelderlaw.com/contact-va-benefits.htm>

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