



Veteran's Benefits

Aid & Attendance

Many seniors are unaware of Veteran's benefits available to pay for long-term care at home, in a nursing facility or a personal care home. This program, called Veteran's Aid & Attendance, can provide valuable benefits to wartime Veterans and their widow(er)s if you know what types of benefits are available and how to access them.

At Marshall, Parker & Weber, our VA-accredited attorneys understand the rules governing Veteran's Aid & Attendance. We also understand the intricate differences between long-term care and Veterans planning so we can develop a plan to ensure our clients receive the Aid and Attendance benefits they deserve, but prevent them from becoming ineligible for Medical Assistance.

What is Aid & Attendance?

The Aid & Attendance Benefit (Pension) is available to veterans who require assistance in eating, dressing, bathing and other activities of daily living. It is also available to the widow or widower of a veteran who needs such assistance.

The benefit can be used to pay for home care and assisted living costs as well as care received in a skilled nursing facility.

Who is Eligible for Aid & Attendance?

To be eligible, the veteran must have served one day during "wartime" and been discharged honorably. Service in combat is NOT required.

A service connected disability is NOT required. In addition, the applicant must meet a

Medical Needs Test, an Income Test, and an Asset Test.

What is the Monthly Benefit?

The amount of the benefit depends on the veteran's situation. It can be up to \$2,120 per month (in 2015).

What is the Income Test?

The income of the veteran or surviving spouse cannot exceed an amount established by the VA. This income amount varies with the situation of the applicant. As an example, a veteran and spouse with no medical rating cannot have a combined income of more than \$2,120 a month or \$25,440 a year for Aid and Attendance benefits.

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However, income is reduced by unreimbursed medical expenses. This means that veterans with household income of \$3,000 or \$6,000 a month may still be able to qualify for benefits if they have significant medical expenses.

Unreimbursed medical expenses can include the cost of Personal Home Care, Medicare Part B Premiums and other medical care.

What is the Asset Test?

As a general rule, your household's cash-equivalent assets cannot exceed \$80,000. However, there is no specific test in the regulations. Veteran Service Representatives in the regional office are required to file paperwork justifying their decision if they allow assets greater than \$80,000. Thus, this amount has become a traditional ceiling.

The value of a personal residence, personal property and automobiles kept for personal use are exempted from the asset test.

I Have More Assets than Allowed. Is There Anything I Can Do?

You may be able to gift assets away or purchase a special kind of annuity. But, you must be very cautious in your planning.

It is recommended that you consult with an experienced elder law firm, like Marshall, Parker & Weber, before making any gifts or taking other action.

Giving away assets or purchasing an annuity can make you ineligible for other important government programs, such as Medicaid, that can help pay for long term care costs.

Where Can I Find Help?

Each county in Pennsylvania is authorized to have a County Director of Veteran Affairs (CDVA). These CDVAs provide advocacy to veterans, service members and veteran families to assist them in any veteran program or benefit.

Also, many Veteran Service Organizations in Pennsylvania provide Veteran Service Officer Representatives who prepare, present and prosecute claims for benefits upon behalf of veterans and family members within the Department of Veteran's Affairs.

An elder law attorney who has experience helping veterans and their families can help discuss possible benefits and ways to qualify. Your elder law attorney can also help you plan for the future and obtain Medicaid or other public benefits to which you may be entitled.

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