



Attorneys and Counselors at Law

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## Veterans Benefits

### Veterans Aid and Attendance Benefit

Veterans and widow(er)s of veterans may be entitled to financial assistance from the VA to help pay for the cost of home health care, assisted living care, and nursing home care. [Check out this video.](#)

If you are a veteran or the widow(er) of a veteran, please be sure to let your attorney know so she can determine whether you might be eligible for this additional benefit.

### VA Improved Pension

The VA Improved Pension provides financial assistance to qualified veterans and their surviving spouses. This pension is a benefit that veterans earn due to their service to our country, but few have ever heard about it. The VA Improved Pension was established to provide financial assistance to veterans and their spouses, allowing them to live out their lives in dignity and afford basic necessities.

This benefit is not dependent on service related injuries. It helps cover the cost of qualified unreimbursed medical expenses, including in-home care and assisted living facility care.

### Basic Criteria to Qualify:

- Veteran must have served at least 1 day during a qualified war period, see qualifying list below\*
- Veteran must have served at least 90 days of active duty
- Veteran received a better than dishonorable discharge
- Claimant (Veteran or Surviving Spouse) age 65 or older or permanently or totally disabled
- Claimant (if not the Veteran) is a surviving spouse of a qualified veteran and did not remarry
- Claimant needs assistance with daily living requirements
- Claimant meets certain net worth requirements.
- VA Pension Amounts for Veterans and Surviving Spouses Who Qualify
- The VA pension can significantly improve the quality of life for veterans and their surviving spouses.



**Current Maximum VA Pension Amounts (Effective January 1, 2018):**

**Single Qualified Veteran:**

Basic Improved Pension \$1,097/month Pension  
with Housebound \$1,341/month Pension with  
Aid and Attendance \$1,830/month

**Qualified Veteran with Spouse:**

Basic Improved Pension \$1,437/month Pension  
with Housebound \$1,681/month Pension with  
Aid and Attendance \$2,169/month

**Surviving Spouse (Death Pension):**

Basic Improved Pension \$736/month  
Pension with Housebound \$899/month Pension  
with Aid and Attendance \$1,176/month

**Advantages of Working with a VA Accredited Attorney**

There are many advantages to working with an elder law attorney who is accredited by the VA. These attorneys are qualified in many ways where financial professionals are not. An elder law and accredited VA planning attorney takes a comprehensive approach, ensuring the client is protected. They are trained in managing the complexities associated with qualifying for the VA Improved Pension, while protecting clients from financial hardships in other areas. For example, some opportunities available in VA Pension planning may cause hardships if the client later applies for Medicaid. An experienced elder law attorney who is accredited by the VA will be able to advise the client regarding these potential hardships.



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**An Accredited VA Planning Attorney**

- Is legally obligated to act in the best interest of the client
- Must be knowledgeable of current IRS rules and regulations and how IRAs can be problem assets
- Must be knowledgeable of trust laws
- Must be knowledgeable of income, estate and gift tax implications for transferring assets
- Can prepare real estate documents
- Can prepare a Medicaid compliant caregiver agreement
- Does not look to make commission on sales of products to veterans; but looks for long-term clients that they can assist throughout their lives

**\*War Periods for Non-Service Connected Pension**

**WWI:**

04-06-1917 through 11-11-1918, inclusive, if in Russia, ending date is 04-01-1920.

**WWII:**

12-07-1941 through 12-31-1946, inclusive, if in Service on 12-31-1946 with continuous service before 07-26-1947 (Acceptable as War Time).

Merchant Marines 12-07-1941 through 08-15-1945

**Korean:**

06-27-1950 through 01-31-1955, inclusive

**Vietnam:**

02-28-1961 through 05-07-1975, inclusive for veterans who served in Vietnam during that period

08-06-1964 through 05-07-1975, inclusive for all others

*NOTE: Two periods for Vietnam*

**Persian Gulf:**

08-2-1990 through - (date to be determined) Unknown at this time, since the war on terrorism is considered a continuation of the Persian Gulf War.