



Shady Oaks

Assisted Living w/Strong Nursing



Phone: 860-583-1526 (Ask for Tyson)

www.shadyoaksassistedliving.com

How to Apply for VA Pensions

70%+ of men over age 80 are veterans. A similar percent of women are veteran spouses or widows. Many of them do not know about their VA benefits. This blog post describes how to apply for two VA programs: the “Aid and Attendance Pension” and “Survivor’s Pension.” These pensions are helpful for making assisted living care and home care more affordable, but the rules and applications are complicated. This blog post shares my best understanding of them.

To begin, we might ask, “How much would each pension pay?” Annual pension benefits equal the difference between your “countable income” and “annual pension limit.”

1. Estimate your “countable income.” The VA defines this as family “income from most sources as well as from any eligible dependents. It generally includes earnings, disability and retirement payments, interest and dividend payments from annuities, and net income from farming or a business. Some expenses, such as unreimbursed medical expenses, may reduce your countable income.” The monthly rental rate at Shady Oaks Assisted Living is fully deductible. Most resident veterans, spouses, and widows have zero “countable income.”

2. Find your pension limit. As of 2016, the annual pension limit for a single veteran is \$21,531 and for a survivor is \$13,836. The pension limit for a married veteran is \$25,525.

3. Calculate how much your countable income is below the pension limit. The VA pays this difference, and it does so in 12 equal tax-free monthly payments. Pay arrives on the first of each month to cover the preceding month, so it arrives 1 May for April’s benefits. For single veterans, monthly payments are up to \$1,794. For surviving spouses, payments are up to \$1,153. For married veterans, Aid and Attendance pension payments are up to \$2,127.

To be eligible for the “Aid and Attendance” Pension, veterans must meet these standards:

1. Age: The veteran must be 65 or older.
2. Discharge: The veteran’s discharge had a characterization better than “Dishonorable.”
3. Active Duty: The veteran must have served for 90 consecutive active duty days.
4. Wartime: The veteran served one day anywhere in the world during one of these times:
 - World War II --- 7 December 1941 to 31 December 1946
 - Korea --- 27 June 1950 to 31 January 1955
 - Vietnam --- 5 August 1964* to 7 May 1975
 - *Service in Vietnam from 28 February 1961 to 5 August 1964 also qualifies.
 - Gulf War --- 2 August 1990 to TBD*
 - *Gulf War veterans must have served on active duty for over 2 years.
5. Health Need: The veteran needs help with two or more activities of daily living, including:
 - Bathing, Dressing, Meal Preparation, Medications, Housekeeping, Transportation;
 - Or, the veteran has a diagnosis of dementia or Alzheimer’s;
 - Or, the veteran is legally blind.

6. Financial Need: The veteran has under \$80,000 in assets (excluding home, car, gifts to others, and funds in an irrevocable trust). The VA counts assets held by veterans and spouses as jointly held. However, the VA counts assets as evenly divided among non-spousal signatories. So, the VA counts \$160,000 held by a veteran with his son as equaling \$80,000 for the veteran.

7. Documentation: The veteran needs his or her discharge paperwork.

To be eligible for the “Survivor’s Pension”, widowed spouses must meet these standards:

1. Marriage: The deceased spouse’s service would have qualified for Aid and Attendance.
2. Widower: The widow was married to the veteran when the veteran passed away. Some exceptions exist for divorces caused by spousal abuse.
3. Health Need: The survivor needs help with two or more activities of daily living, including:
Bathing, Dressing, Meal Preparation, Medications, Housekeeping, Transportation;
Or, the survivor has a diagnosis of dementia or Alzheimer’s;
Or, the survivor is legally blind.
4. Financial Need: The survivor has less than \$80,000 in assets (excluding home, car, funds gifted to others, and funds placed in an irrevocable trust). The VA counts spousal assets as jointly held. However, the VA evenly divides assets among non-spousal account signatories.
5. Documentation: The survivor needs certificates of veteran’s discharge, marriage, and death.

How can eligible veterans and surviving spouses apply? They should follow these five steps:

1. Collect Your Documents:
 - A. Find the veteran’s discharge paperwork. This paperwork will show the character of the veteran’s discharge and help prove the timing of the veteran’s service.
 - B. For surviving spouses, find your marriage certificate and veteran’s death certificate. If the veteran was married to other spouses, then the survivor also needs information about this.
 - C. Gather statements about the veteran or survivor’s income, assets, and banking accounts.
2. Visit Your Doctor: Have a physician complete a form 21-2680 for the applying veteran or surviving spouse. This physician does not need to be your primary care physician. Note that if the doctor answers question #10 with a diagnosis of dementia, Alzheimer’s, or memory loss, and answers question #27 with a “no”, monthly payments may begin on time, but the VA will need to coordinate with a responsible person to receive back-pay. This process may delay back-pay by 3-4 months. Note that the VA recognizes conservatorships but not Powers of Attorney.
3. Complete Your Application:
 - A. Contact Your Veteran Service Officer (VSO): For Connecticut’s 5th Congressional District, where Shady Oaks is located, Connecticut employs Jason Coppola full-time to help veterans and survivors apply for benefits. His number is 1-203-805-6340, and his e-mail is Jason.coppola@ct.gov. He has helped hundreds of people. Jason is also an Afghanistan veteran.
 - B. Meet with Your Veteran Service Officer: Jason or another VSO will meet with you and help you complete your application form (21-527EZ for veterans) and (21-534EZ for widows). Please bring essential documents and banking information (including account and routing #s). At Shady Oaks, we welcome families to meet with Jason in our office. This takes about an hour.
4. Obtain Statement From Your Care Provider: You or your VSO will then work with your care provider (Shady Oaks) to complete a statement about your medical expenses and services.
5. Submit Application and Await Results: Jason or another VSO will submit your application. The VA has approved about 90% of the applications Jason has submitted. The VA’s standard review takes up to 8 months. For veterans and spouses over 90 years old or those with terminal illnesses, members of Congress can expedite reviews, so they instead take up to 3 months. Jason

has a Congressional point of contact who can help with this. The key is to submit a timely and complete application. Upon approval, the VA back-pays beneficiaries to their date of application and then begins monthly payments after this. Note again that benefit payments may face extra delays of 3-4 months if veterans or survivors have diagnoses of dementia, Alzheimer's, or memory loss and if they cannot manage their own financial affairs. In these cases, the VA must coordinate with a responsible person. As another note, for veterans and survivors who are not yet below \$80,000 in assets, it is best to complete your application in advance, so you can submit your application as soon as you become financially qualified. This will maximize your benefit.

Here are several helpful frequently asked questions:

1. *What if I cannot find the documents I need?* State and town agencies may have copies of discharges, marriage certificates, and death certificates. For example, if the veteran joined the service from Connecticut and returned home to Connecticut, then the genealogy section for the State of Connecticut library in Hartford will likely have a copy of the discharge. Funeral homes may also have records. They may have them on file, if veterans qualified for a military funeral. Finally, the VA has a "duty to assist" and will check its records if key documents are missing.
2. *What if the veteran or spouse moves assets into a son or daughter's name? Is there a look back period for transfers?* The VA does not yet have a look back period for financial eligibility.
3. *What if the VA rejects my application?* The VA permits veterans and survivors to revise and resubmit incomplete applications. A VSO can help ensure your application is complete.
4. *What if selling a house increases a veteran or spouse's assets back over \$80,000?* Veterans and surviving spouses must report such disqualifying asset changes to the VA. In this case, the VA will likely discontinue the pension until the person's assets go back under \$80,000.
5. *What if my diagnosis changes?* The VA does not require diagnosis updates.
6. *What if the pension began by covering home care, and the veteran or spouse is now moving into an assisted living home?* The pensions are fully transferrable. The VA does not require updated care provider statements. However, switch-overs to Medicaid require updated papers.
7. *What if the veteran or survivor begins receiving Medicaid?* If the veteran or survivor is on Medicaid at a nursing home when back-pay arrives, it goes to the nursing home. The pensions then pay up to \$90 a month to those who receive Medicaid benefits. For these reasons, these pensions are best for people in assisted living communities and for those who hire home care.
8. *What if the veteran or surviving spouse passes away before the pension begins?* If the veteran or surviving spouse has a spouse or children, the VA sends accrued benefits to them. The VA only pays accrued benefits up to the amount of the veteran or spouse's funeral bill. For example, if there are \$10,000 in accrued benefits, and the burial bill is \$8,000, then the children will only receive \$8,000 shared between them. In such a case, the spouse or child who signs the deceased veteran or spouse's funeral bill must also be the one to sign the VA application for accrued benefits. The VA requires that the spouse or child file this application for accrued benefits within one year of the veteran or surviving spouse's death. Note that these accrued benefits can only go to children, not to grandchildren or to persons of any other relation. If the veteran or spouse died without a living spouse or children, the VA does not pay accrued benefits.

Learn More

VA toll-free help number: 1-877-294-6380 (open Monday-Friday 8am-5pm EST)

Connecticut Veteran Service Officer (5th Congressional District):

Jason Coppola: phone: 1-203-805-6340, fax: 203-805-6341, e-mail: Jason.Coppola@ct.gov