

LEGAL EASE



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Disabled vets can get Aid and Attendance from VA

Many veterans are unaware of a benefit available to them through the Department of Veterans Affairs. The Veterans Administration is attempting to correct this by reaching out to inform wartime veterans, and the surviving spouses of deceased wartime vets, about a special monthly benefit called Aid and Attendance.

Aid and Attendance is not a new program, but is apparently under-used due to lack of knowledge that the program exists. Most people are aware that veterans who are injured are sometimes entitled to benefits, and, in some cases, a monthly pension is available. However, Aid and Attendance benefits are designed for a particular portion of the population, even if the elderly veteran and his or her surviving spouse has an income which exceeds the congressionally mandated legal limit for a VA pension.

There are criteria to be met in order to qualify for this benefit. The veteran must have served at least 90 days of active military service, one day of which was during a period of war, and must have been honorably discharged. For wartime veterans who entered active duty on or after September 8, 1980 (October 16, 1981 for officers), the requirement is to have completed at least 24 continuous months of military service, or, conversely, for the entire period for which they were ordered to active duty. Additionally, the veteran must be incapable of self-support, and need regular personal assistance. This would include the inability to feed oneself, to dress or undress without assistance, or to take care of one's bodily needs without assistance. Also included are those persons who are bedridden, or who need help adjusting special prosthetic or orthopedic devices, or who have a mental or physical condition that requires regular assistance to protect them from hazards in their daily environment.

Those persons who require in-home care, adult day care, or who live in nursing homes or assisted living facilities are the prime candidates for this benefit. Eligibility, beyond all of the above requirements, is determined by adjusting the total household income by unreimbursed medical expenses. If the remaining amount of the claimant's income falls below the annual income threshold for the Aid and Attendance benefit, VA pays the difference between the claimant's income and the Aid and Attendance threshold. There is also an asset limitation which enters the calculation. The Aid and Attendance income threshold for a veteran without dependents is now \$18,234 per year. This threshold increases to \$21,615 if the veteran has one dependent, and by \$1,866 for each additional dependent. The annual threshold for a surviving spouse is \$11,715. This increases to \$13,976 for one dependent, and by \$1,866 for each additional dependent.

Additional information, as well as assistance in applying for the benefit, can be obtained by calling 1-800-827-1000. Applications can be submitted online at <http://vabenefits.vba.va.gov/vonapp/main.asp>. More information, including the December 19, 2006 press release, is available on the internet at www.va.gov, or from any local service organization.