

Honoring our Veterans with Aid and Attendance Benefits

By: Casey W. Pope, Esq.

I am thankful for those who have served our nation in the armed forces. Service to our nation runs deep in my family, as both of my grandfathers, my uncle, cousin, and many other family members are veterans. We pay special tribute to them this month with the observance of Veterans Day, and with the coming holiday, I am reminded of the debt that our society owes to the men and women who have sacrificed to protect our freedom.

At the very least, our veterans deserve the best health care and long term care programs that we can provide. One way that we are able to do this is through the benefits offered to veterans and their families through the Department of Veterans Affairs.

While most of us are familiar with the VA pension and disability benefits, I would like to focus this month on a less well-known benefit – the Aid and Attendance Benefit. The Aid and Attendance Benefit provides a monthly pension to veterans or their spouses to assist with in-home health care or long-term care expenses. It can provide up to \$1,949 per month in income which can be used to offset other medical expenses or supplement other income sources.

Although the veteran is not required to have suffered a service-connected disability to receive aid and attendance, there are several other requirements. First, the veteran must have served at least 90 consecutive days in active duty in the military, with at least one day served during certain periods of wartime. Further, the veteran must not have had a dishonorable discharge.

Second, the veteran or his spouse must either be over age 65 or totally and permanently disabled. Again, the disability does not have to be service connected, but it cannot have been caused by the willful misconduct of the veteran. A resident of a long-term care facility is considered disabled for the purposes of the aid and attendance benefit.

Third, the veteran or his spouse must have a regular need for assistance by a caregiver or be housebound. The benefit recipient is considered in need of aid and attendance if he or she resides in a nursing home, is blind, or resides in the home and needs daily assistance with one or more daily activities, such as bathing, dressing, feeding and the like.

There are also asset and income qualifications which must be satisfied. With regard to income, the total household income of the veteran and spouse, less unreimbursed medical expenses, must be less than the monthly aid and attendance benefit amount that would be received. Because certain medical expenses are not considered in the income calculation, a veteran or his spouse could have a relatively large monthly income and still qualify for the benefit. There is also an asset qualification test. While there is no strict asset limitation set out in the laws, as a general rule of thumb, married applicants with more than \$80,000 in assets or single applicants with more than \$40,000 are typically ineligible. The applicant's residence and other illiquid assets are generally excluded from the asset calculation.

Again, the Aid and Attendance benefit is available both to veterans, their spouses, and their widows. This little known benefit can provide tremendous support to a person in need of

assistance. If you are interested in learning more about this benefit for yourself or a loved one, you can contact the local Veterans Affairs office or an attorney who practices in elder law. It is just one more way that we can honor and protect those who fought to protect us.

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