

Aid & attendance for veterans: changes on the horizon

By *Linda T. Cammuso*

Aid and Attendance is a program of the Veterans Administration (VA) that provides benefits for veterans and surviving spouses who require regular help from a caretaker to assist with eating, bathing, dressing and undressing, medications and personal care. Blind individuals, patients who are in a nursing home because of mental or physical incapacities or those who need care in assisted living facilities are also included.



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It is a fact that many veterans qualify for, but never take advantage of, this little known

benefit offered by the VA. The Aid and Attendance benefit is part of an Improved Pension benefit program that offers benefits to veterans and to their widows. Veterans who qualify are eligible for up to \$1,732 per month, while a surviving spouse is eligible for up to \$1,113 per month. Veterans with a living spouse are eligible to receive up to \$2,054 per month. The Improved Pension benefit program is not a new program. Actually, it has been available for over 60 years — sitting idle — while millions of veterans and their survivors have missed out.

Veterans need not be disabled from a service-related injury to receive benefits. However, the road to qualifying for Aid and Attendance benefits is very complex and VA rules sometimes change based on the availability of resources. Some reasons why veterans should use the services of a qualified professional to help them through

the application process include:

- The rules for VA benefits and Medicaid/MassHealth eligibility often conflict — it is critical to ensure that qualifying for Aids and Attendance does not jeopardize your future eligibility for Medicaid/MassHealth.

- VA rules continue to be revised — most importantly a three-year look back period on gifting/transfers of assets for veterans and their spouses who apply for the benefit has been proposed and could be passed in the near future. The look back proposal covers any asset transfers, including transfers to an annuity or trust. The Medicaid rules have enforced a similar look back rule for several decades — currently it is a five-year period.

Undoubtedly the benefits received from the Aid and Attendance program can provide significant financial help to meet long-term care costs and improve the quality of care for veterans and spouses. However,

applicants should approach the application process cautiously.

While many veterans' services organizations assist veterans in filling out applications for VA benefits, they are not able to provide legal advice. Because of the legal and financial complexities involved in qualifying for veterans benefits, veterans should consult an attorney who is skilled in estate planning, elder law and Medicaid planning.

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