

## *“Are You Eligible for a Little Known VA Pension?”*



Thank you for requesting information about a benefit that could provide you and your family up to \$2,054 each and every month.

We learned that so many deserving Veterans are unaware of this important pension and, even if they do learn about it, they find it difficult to navigate the “system.”

For those reasons, I’ve determined that not one of you suffer financially needlessly when you could be getting medical bills paid, arrange for in home care, or are able to help pay the astronomical costs of nursing home care. You earned it. You should have it. You served our country when we needed you; now our country needs to be there when you need us.

Give us a call and let us help you. Don’t take “No!” for an answer until know you’ve gotten the RIGHT answer! Sometimes, a veteran may accept the initial determination and walk away even when the veteran really is eligible. You have to know what to ask and how to ask.

That’s where I can help. Please let me.

Warmest regards,

A handwritten signature in blue ink, appearing to read 'Gerry Kane', written in a cursive style.

Gerry Kane, Attorney at Law



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## “If I Had Only Known!”



If you are one of the Veterans who **lost about \$25,000 in income last year** because of the inability of the Veteran’s Administration to make clear, easy to find information available to you, then, you can understand why it’s so important to make sure that NOW that you DO know, you navigate the system properly.

You see, it’s an unfortunate fact that the Veteran’s Administration is being managed at the clerical level – the level that answers your calls and handles your letters – are woefully under qualified many times to answer your questions correctly. As a matter of fact, a report in 2005 revealed that the VA itself admitted that, when a veteran called for information, *they received wrong information more times than they received the right information!*

There are many reasons you can find on the Internet as to why that might be. But when you are in need of assistance, it doesn’t matter to you why. The important thing is that you get the right information so that you can begin receiving the pension you deserve. ***That’s up to \$2054 per month.***

### **What would you be able to do with an extra \$2,054 each month?**

- Pay your medical bills
- Allow for necessary in home care
- Pay for assisted living
- Arrange for nursing home care
- And more...

I’ll give you an example of what frequently happens when a veteran calls and asks about disability...

Suppose you are infirmed due to debilitating arthritis causing 100% disability and requiring constant care and at times, you've needed nursing home care. So, you call the VA to ask ability disability benefits. They are transferred to a department that handles *disability benefits*. When the VA Benefits claim administrator hears your information... that you are disabled and in need of assistance ... you answer their question that it is not a service related disability. You are immediately told you're not eligible.

Disability compensation is paid for service related injury or illness. A pension is what you ask for when you are in need of assistance when it's NOT service related.

So, as you can see, one use of the wrong term can steer you in a direction that can be a long and frustrating process at the end of which you are denied your pension that you do actually deserve and are entitled to.

## *First Things First*

If you have been receiving or have received compensation from the VA for an injury sustained during your time in service, then, you may already be aware of the benefits available to you and your family.

However, if you were never injured during war or during your military service, you may still be eligible for a little known benefit called “**Veterans Aid & Attendance Benefit**” (VA A&A). Further, **this benefit may also be available to your spouse or a veteran’s surviving spouse.**

**If you spent one full day of service during time of war, you may be eligible. And it isn’t required that the time was spent on foreign or domestic soil where war was taking place.**

It’s estimated that 1/3 of Veterans can qualify for up to \$2,054 per month additional pension. Unfortunately, it’s also estimated that less than 5% of potentially eligible veterans are getting this money.

**To put it in perspective, in today’s market, in order to receive this kind of monthly return, you’d need to have about one million dollars in a bank CD.**

My first advice to you is to remove your preconceived ideas about your chances of being eligible. As I said earlier and can’t stress enough:

Don’t take “NO!” for an answer and make sure you have had qualified assistance to help you navigate the system to ensure that you get the right answers!

**Learn what you need to know and take action! Call me today and let me help!**

### ***Congress Designated Time of War***

**Mexican Border War: May 9, 1916, through April 5, 1917. The veteran must have served for one day or more in Mexico, on the borders thereof, or in the waters adjacent thereto.**

**World War I: April 6, 1917, through November 11, 1918, extended to April 1, 1920, for those who served in the Soviet Union. Service after November 11, 1918, through July 2, 1921, qualifies for benefits purposes if active duty was performed for any period during the basic World War I period.**

**World War II: December 7, 1941, through December 31, 1946, extended to July 25, 1947, where continuous with active duty on or before December 31, 1946.**

**Korean Conflict: June 27, 1950, through January 31, 1955.**

**Vietnam Era: August 5, 1964, through May 7, 1975. However, February 28, 1961, through May 7, 1975, for a veteran who served in the Republic of Vietnam during that period.**

**Persian Gulf War: August 2, 1990, through a date to be prescribed by Presidential proclamation.**

**Congress has not enacted legislation that would make the periods covering the 1983-1984 Lebanon crisis or the invasions of Grenada and Panama wartime.**

# *VA Pension Qualification Requirements*

In order to determine eligibility for the VA A&A, you need to qualify in three different areas:



1. Income
2. Assets / Savings
3. Healthcare Costs

## **The Veteran must:**

- Have served at least one day on active duty during a war period.
- Have served 90 days consecutive active duty (24 months if service was after 1980) - or 90 days of active service during war periods.
- Have received a discharge that was better than dishonorable.
- Be over 65 years of age or 100% disabled.

## **The Widow must:**

- Have been married to the veteran at the time of the veteran's death.
- Have been married to the veteran for at least 12 months, unless they had a child.
- Cannot have divorced the veteran (there are very limited exceptions).
- Cannot have remarried (there are some exceptions).



## Income:

Allowable income, **after authorized deductions**, may not exceed the maximum pension provided for each veteran's specific circumstances.

The income after subtracting the un-reimbursed medical expenses of the veteran or the widow must be less than the maximum pension for that Veteran's classification; un-reimbursed medical expenses includes Medicare premiums and co-pays.

All of the income of the veteran and any dependent living with the veteran must be counted. All of the veteran's family (spouse and dependent child) income from all sources must be counted.



## Assets:

The total amount of "countable assets" is limited to the amount that is reasonably expected to be utilized within the veteran or widow's lifetime.

There is no government regulation or rule that provides a specific limitation on the exact amount of "countable assets."

# *Pension Levels*

There are three levels of VA Pension benefits:

- 1. Basic Pension Benefits**
- 2. Housebound Pension Benefits**
- 3. Aid and Attendance Pension Benefits**

There are medical needs requirements the Veteran must meet to qualify for Housebound pension benefits or Aid and Attendance pension benefits. The veteran must be over age 65 or, if under 65, 100% disabled to qualify for any benefit.

## **Basic Pension:**

- Is the lowest payment level among the various VA pension benefits.
- There are no medical need requirements to qualify for basic VA pension benefits.

## **Pension with Housebound:**

- Higher pension benefits than Basic, but less than Aid and Attendance amounts.
- Claimant must be housebound.
- Is unable to drive an automobile.
- Is unable to leave home without assistance from another person.
- There is no requirement that the veteran be totally disabled or have a disability rating.

## **Pension with Aid and Attendance:**

- Highest pension amount provided for veterans who are not disabled as a result of a service connected injury or disease.
- Requires that the veteran need the aid and attendance of another person to complete at least three of their activities of daily living (ADLs) (eating, dressing, toileting, bathing, mobility).
- Aid and Attendance benefit amount is based on the veteran's health and medical condition.

## *VA Pension Amount Table For 2013*

<b>Veteran with One Dependent</b>	<b>Monthly</b>	<b>Annual</b>	<b>5 Year Total</b>
Basic Improved Pension	\$1,360	\$16,324	\$81,620
Housebound	\$1,591	\$19,093	\$95,465
Aid and Attendance	\$2,054	\$24,652	\$123,260
Each additional dependent child	\$177	\$2,129	\$10,645

<b>Single Veteran</b>			
Basic Improved Pension	\$1,038	\$12,465	\$62,325
Housebound	\$1,269	\$15,233	\$76,165
Aid and Attendance	\$1,732	\$20,795	\$103,975
Each additional dependent child	\$177	\$2,129	\$10,645

<b>Widow</b>			
Basic Improved Pension	\$696	\$8,358	\$41,795
Housebound	\$851	\$10,217	\$51,085
Aid and Attendance	\$1,113	\$13,362	\$66,810
Each additional dependent child	\$177	\$2,129	\$10,645

<b>Two Veterans Married to Each Other</b>			
Both Housebound	\$1,821	\$21,859	\$109,300
One A&A, one Independent	\$2,054	\$24,641	\$123,260
One A&A, One Housebound	\$2,285	\$27,422	\$137,110
Both Aid and Attendance	\$2,748	\$32,984	\$164,920

<b>Widowed Spouse Receiving Service Connected Compensation:</b>			
DIC	1,215	14,580	72,900
Housebound	1,403	16,290	81,450
Aid and Attendance	1,563	18,199	90,995