

# Veterans Benefits

## *Pension with Aid and Attendance*

*I need veterans benefits to help pay for care now or in the future.*

### **What is the VA Pension with Aid and Attendance?**

The VA Pension with Aid and Attendance (A&A) is a tax-free benefit of over \$27,000 annually for married veterans and over \$13,000 for a surviving spouse. The benefit pays for basic medical and care expenses. Receiving the VA Pension with A&A can make a tremendous difference in whether or not you are able to receive needed long-term care. It can also help your family by preventing all of your assets from being spent on your long-term care needs.

### **Who qualifies for the Pension with A&A?**

To qualify, veterans must meet strict qualifications for wartime military service, financial need, and medical need. Qualifying factors include the veteran's period of active duty during wartime, type of military discharge, marital status, monthly income, total assets, and need for caregiving or safety and supervision. These factors must be supported by compelling documentation in the application.

### **What if I have too many assets to qualify?**

Many veterans and surviving spouses with real financial need struggle to meet the financial qualifications or have trouble gathering and presenting the necessary documentation to support their valid claim. Even if your assets and income currently disqualify you for this VA benefit, there may be financial planning strategies, including irrevocable trusts, which will allow you to become qualified. Planning early with assistance from an accredited VA attorney will allow you to get the maximum value out of these strategies and make the most out of the benefit which you or your veteran spouse have earned.

### **Will I be able to keep my home?**

Qualifying for the VA Service Pension does not require you to give up your family home. The VA exempts your home with up to two acres of land. Talk to an accredited VA attorney to learn about other types of assets which are excluded from your total asset calculation for purposes of VA qualification. You may think you have too many assets to qualify when in reality you may not.



[www.elderlawetn.com](http://www.elderlawetn.com) |     

903 N. Hall of Fame Drive, Knoxville, TN 37917 | (865) 951-2410

1907 N. Roan Street, Suite 406, Johnson City, TN 37601 | (423) 301-6551

## How do I apply for the Pension with A&A?

You may contact your local VA office or an accredited VA attorney to help you get started. Be aware that like most public benefits programs, the VA Pension with A&A requires rigorous documentation and a difficult application process. This is not the best time to handle matters without reliable advice.

## I don't need the Pension with A&A now, but I may apply in the future. What should I do?

You may also benefit from talking to a qualified and experienced VA attorney about financial planning strategies that can help you to qualify for the VA Service Pension while protecting your assets for your loved ones. Gift-giving and other transfers of assets may create complications in qualifying for benefits. If you believe that you will want to apply for benefits within the next several years, now is the time to seek help from a professional who can help you take the right steps forward.

## Official Wartime Service Periods

<b>Mexican Border War</b>	May 9, 1916 – April 5, 1917
<b>World War I</b>	April 6, 1917 – November 11, 1918 or April 6, 1917 – April 1, 1920 ( <i>if veteran served in Russia</i> )
<b>World War II</b>	December 7, 1941 – December 31, 1946
<b>Korean Conflict</b>	June 27, 1950 – January 31, 1955
<b>Vietnam Conflict</b>	August 5, 1964 – May 7, 1975; or February 28, 1961 – May 7, 1975 ( <i>if veteran served in Vietnam</i> )
<b>Persian Gulf War</b>	August 2, 1990 – yet undetermined date

## We Can Help

Elder Law of East Tennessee has three VA-accredited attorneys. We can help you to avoid pitfalls that would risk your benefits or delay the time when you could start receiving them. And for our Life Care Planning clients, we also hold your hand through the application process, giving you the best chance of qualifying for benefits at the earliest possible date.