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VETERANS BENEFITS OVERVIEW ...

Wartime veterans and their spouses may be eligible to receive Department of Veterans Affairs Aid and Attendance benefits from the Veterans Administration (VA.)* The Aid and Attendance (A&A) benefit can be used to pay for assisted living or nursing home care should a veteran or a veteran's spouse need either.

Tom McCulloch is an accredited attorney for the preparation, presentation and prosecution of claims for veterans benefits before the Department of Veterans Affairs. We advise and counsel veterans or their surviving spouses regarding veterans' administration benefits.

Veterans Affairs Aid and Attendance Benefits:

In general (and subject to change,) A&A Benefits pay the following: **Single Veteran** - \$19,736 a year; \$1,664 per month; **Veteran Married to a Veteran** - \$30,480 a year; \$2,540 a month; **Married Veteran** - \$23,396 a year; \$1,949 a month; **Widowed Spouse of a Veteran** - \$12,681 a year; \$1,056 a month.

Who Qualifies for the Aid and Attendance Benefit?

There are three components to the Aid and Attendance VA benefit: military service, need and income requirements.

- **Military Service:** In order to be eligible to receive A&A benefits, a veteran must have served at least 90 days of active duty and at least one day during a period of war. If a veteran was dishonorably discharged, he or she is not eligible. To date, eligible periods of war include World War I, World War II, the war in Korea, Vietnam and the Gulf Wars. Even if a veteran did not serve in a war zone but meets the requirements listed above, he or she is still eligible to receive A&A benefits.
- **Need:** In order to receive A&A Veterans benefits, a person must be in need of medical assistance on a regular basis. This applies to people who live in nursing homes, need assistance with personal grooming, are blind or suffer from physical or mental conditions that leave them incapacitated.
- **Income Requirements:** In providing A&A benefits, the Veterans Administration evaluates a person's income, assets and recurring medical costs. The cost of medical care, nursing home care or assisted living expenses are deducted from a veteran's - or a veteran's spouse's - income. When the maximum benefit payment exceeds the net income of an eligible person, he or she meets the income requirement for A&A benefits.

Veterans Administration Benefits and Estate Planning

The VA does not impose penalties on veterans or their spouses who reallocate assets in order to qualify for A&A benefits. How VA benefits work in conjunction with different kinds of trusts or annuities can be a complicated matter that needs the assistance and advice of an attorney. Additionally, while the VA may not penalize someone for transferring assets, Medicaid will if the transfer does not meet Medicaid's five-year look back penalty. As your attorneys, we can review these issues with you and discuss the options available to you and your spouse.

There are many kinds of veterans' benefits. Understanding how to qualify for them and how to integrate them into your estate plan is important for you and your spouse's future financial security.

For more info: www.houstonelderlawyer.com or 713.961.1099

*General guidelines as provided by the Department of Veteran Affairs. See va.gov.

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