



# VETERANS BENEFITS for RESIDENTS OF Senior Living Communities

This educational presentation is sponsored by:

**Paste contact information for your facility here**

Facility name  
Contact name  
Address  
Phone  
Fax  
Email

Please contact the sponsor above if you have any questions or require assistance.



# Veterans Benefits for Residents of Senior Living Communities

You can generate additional monthly cash income through little-known veterans benefits that hardly anyone in the community, including many veterans benefits experts, know much about.

All Rights Reserved  
September 2020

Courtesy of:  
NCPC

"Images used under license from Shutterstock.com"

Wick/Shutterstock.com – 681245995  
Serato/Shutterstock.com - 471286376  
GWImages/Shutterstock.com - 35488063  
Coman/Shutterstock.com - 32615116  
Alain/Shutterstock.com - 25245289  
Shutterstock.com - 1329239513  
Wang/Shutterstock.com - 210238942  
Pavel L/Shutterstock.com - 111601877  
Frontpage/Shutterstock.com - 27472960

Testi/Shutterstock.com - 13210939  
Moryc/Shutterstock.com - 19041202  
Habich/Shutterstock.com - 143991868  
Kalinovskiy/Shutterstock.com - 411927058  
Berger/Shutterstock.com - 8472568  
Young/Shutterstock.com - 3472312  
Monkey Business Images/Shutterstock.com - 17774830  
Shutterstock/Shutterstock.com - 17078467

AVAVA/Shutterstock.com - 33084598  
Kneschke/Shutterstock.com - 170076593  
Baldwin/Shutterstock.com - 35324551  
Young/Shutterstock.com - 11567857  
Young/Shutterstock.com - 31929877  
AZ Images/Shutterstock.com - 32977916  
Raths/Shutterstock.com - 35854810  
ESB Professional/ Shutterstock.com - 21821524  
Zurijeta/ Shutterstock.com - 35701012

Kzenon/ Shutterstock.com - 30414163  
Pressmaster/ Shutterstock.com - 155587316  
Monkey Business Images/ Shutterstock.com - 121065022  
Davis/Shutterstock.com - 78097312  
Wierink/Shutterstock.com - 32299528  
Monkey Business Images/Shutterstock.com - 12668

# Veterans Benefits for Residents of Senior Living Communities

Welcome to this special educational encounter entitled ***“Veterans Benefits for Residents of Senior Living Communities.”*** My name is Thomas Day and I have been asked to explain to aging seniors and their family members and other supporters, how various veterans benefits apply to their particular current living situation. The purpose of this educational presentation is to help aging seniors, and their supporters find additional funds from the government to help pay for being a resident in a senior living community. Over this time that we are going to be together, I will give you some important insights. I will introduce you to a number of valuable veterans benefits that hardly anyone, including many veterans benefits experts in the community, knows much about. The disability benefits will provide you additional monthly income. The health care benefits will save you significant out-of-pocket costs for medical care and prescription drugs. Of particular interest are certain benefits that would only be available to individuals who are receiving elder care services at home, or care services in a senior living community or in a nursing home.

Let me tell you a little bit about me. I have been working with seniors and their supporters for over 30 years. I have a great deal of knowledge and experience about the issues facing aging seniors. I am also an educator and writer and have produced 5 popular textbooks on long-

term care issues and veterans benefits. Also, I along with my staff, provide training materials for becoming licensed with the Department of Veterans Affairs. This licensing is called “accreditation.” In addition we provide continuing education for individuals who are currently accredited with the Department of Veterans Affairs. I talk with people every day on the phone or through email about veterans issues and entitlement to veterans benefits. I am also myself a disabled veteran from the Vietnam war era.

Please note that if you have any questions on any of the information in this presentation, I will give you instructions at the end on where to direct those questions. You have this workbook, containing all of the slides that I will present here. The slides are loaded with much detail. The workbook allows you review on your own everything that is discussed. Also, you may have the option of pausing this video presentation and reviewing a particular slide to review the detail.



# **VETERANS BENEFITS FOR RESIDENTS OF SENIOR LIVING COMMUNITIES**



# Aging Seniors Who Are Veterans or Their Surviving Spouses

Based on VA statistics and US census statistics, at least 20% of all seniors in this country are veterans or their surviving spouses and might be eligible for monetary or healthcare benefits from the Department of Veterans Affairs. Put differently, 1 out of 5 seniors could be eligible for veterans or survivor benefits.

So who is considered a veteran for purposes of veterans benefits? You see here that a veteran is an individual who served on active duty in the Army, Navy, Air Force, Marines or Coast Guard and who was released from service with other than a dishonorable discharge. This is a very simple definition and the issue of what constitutes other than a dishonorable discharge is often a challenging one. In some cases, discharges that were other than dishonorable are still considered dishonorable for veterans benefits. Also, there are two other uniformed services whose discharged members are also considered veterans. These are individuals who served full-time duty as commissioned officers of the Public Health Service and individuals who served full-time duty as commissioned officers of Coast and Geodetic, Environmental Science Services Administration currently known as the National Oceanic and Atmospheric Administration. There is also a list of various individuals such as cadets, World War II merchant Marines, certain full-time employees of the

Reserves and so forth are also eligible for veterans benefits.

Former members of the National Guard or the Military Reserves are NOT eligible for any of the benefits that I am going to discuss. But there are exceptions. Members of the Guard or Reserve who were called up to active duty by the President of the United States, such as those who served in the Gulf War, are considered veterans as long as they fulfilled their tour of duty. In addition, **Disability Compensation** benefits which I will discuss a little further are available to members of the Guard or the Reserve who incurred an injury or illness while they were undergoing active duty for training or inactive duty for training. Remember that for all of the slides in this presentation, you have this workbook to refer to and review the detailed information about various veterans benefits. If you're viewing option for this video allows you to pause the presentation, you also have that option for review.



# Aging Seniors Who Are Veterans or Their Surviving Spouses



## Who Is Considered a Veteran?

- A veteran is an individual who served on active duty in the Army, Navy, Air Force, Marines or Coast Guard and who was released from service with other than a dishonorable discharge.
- National Guard and Reserve are also considered veterans if they were called up to active duty by the government and served their required tour of duty and were released with other than a dishonorable discharge.

## Putting Things in Perspective

There are currently about 18.8 million living veterans and about 48% of them are 65 and older. Comparing these senior veterans including their surviving spouses, to the total population of American seniors means about 20% of all seniors, age 65 and over, are veterans or surviving spouses of veterans. Veterans and their survivors also have resources available that other seniors do not have. We will discuss these resources in this presentation.



## 12 Little-Known Veterans Benefits for Residents of Senior Living Communities

You see here a list of 12 unique opportunities for veterans benefits. In this presentation, I am going to go into detail on every one of these 12 unique benefits claims opportunities. You may get limited assistance applying for any one of these 12 little-known benefits, but for the most part very few veterans claims representatives will help you with all of them. Additionally, most of you watching this presentation are likely not aware yourselves of all 12 of these little-known benefits for senior veterans or their surviving spouses.

Because I am an expert on veterans claims and train others on how to obtain these benefits, I know about all of these little-known opportunities and what is necessary to make application for them. You may have dealt in the past with someone who provides assistance with veterans claims or you may be directed to someone who may provide this assistance. As a general rule, these people providing assistance focus entirely on only 2 of the disability income claims on this list – the so-called “Aid and Attendance Benefit.” (***Veterans Pension*** and ***Survivors Pension*** are commonly misnamed the “Aid and Attendance Benefit.”) These people rarely provide assistance for the entire range of monthly cash payment options from the Department of Veterans Affairs that are available to senior veterans or their spouses beyond the

Aid and Attendance Benefit. The so-called Aid and Attendance Benefit only represents 8% of all veterans benefits beneficiaries. You may be missing 92% of the other monthly cash in your pocket benefit opportunities that you might be entitled to.

I and my staff have experience with submitting applications for all of the benefits you see here. We are more than willing to help you with any one or more of these benefit options. Refer to your workbook or if you can pause the video to study this slide, please do so.



## 12 Little-known Veterans Benefits for Residents of Senior Living Communities

Percentages of the total number of veteran and survivor beneficiaries receiving the particular benefit listed below as of the most recent statistics from VA. This list includes all four VA disability benefits which total 100% of claims.

1. Extra Monthly Income for Hearing Loss (60% of all beneficiaries)
2. Veterans Pension (**4.6%**) with Aid and Attendance Allowances (lesser %)
3. Survivors Pension (**3.4%**) with Aid and Attendance Allowances (lesser %)
4. Survivors Monthly Death Benefit (DIC) (**7.3%**) with Aid and Attendance or Housebound Allowances (lesser %)
5. Increased Rating for Disability Compensation (**84.7 % on Disability Compensation**)
6. Agent Orange Claims (roughly 2.2 million living veterans could be eligible)
7. Aid and Attendance or Housebound Allowances with Disability Compensation (% not known)
8. Aid and Attendance Allowances for the Living Spouse of a Rated Veteran (% not known)
9. Veterans Health Care (about 48% of all veterans)
10. Free Hearing Aids, Hearing Aid Batteries and Eyeglasses for Life
11. VA Prescription Drugs Starting at Only \$5.00 a Month or Free
12. Veterans Burial Benefits

Unfortunately practitioners or organizations who claim to understand and assist with veterans benefits typically only focus on assisting with 2 of the benefits on this list – only 8% of all disability beneficiaries – and typically ignore the possibility for additional benefits from the remaining 10 benefits; representing the other 92% of beneficiaries.

## The Veterans Disability Benefit Known As the “Aid and Attendance Benefit” Officially Does Not Exist

The so-called Aid and Attendance Benefit does not officially exist. If you go to the VA website at [www.VA.gov](http://www.VA.gov) you will not find any such offering. The actual name of this benefit is “ **Veterans Pension**” or “ **Survivors Pension**” depending on the status of the applicant. The term “aid and attendance” does exist in the regulations, but it refers to a special medical rating that is issued by trained adjudicators in the VA Regional Offices called Rating Veteran Service Representatives or RVSRs. These designated individuals rely on medical information submitted by applicants in order to issue these aid and attendance ratings or additionally housebound ratings. The ratings in turn allow for 16 additional monthly cash allowances that are tacked on to any one of 4 disability benefits available to veterans or their survivors.

As I have already mentioned, many practitioners and organizations that assist with veterans benefits, generally display a lack of understanding how aid and attendance and housebound ratings and cash allowances apply to other veterans disability benefits beyond the **Pension Benefit**. These people who assist with the aid and attendance benefit are often baffled when confronted with the knowledge that an aid and attendance or

housebound rating generates additional allowances with a number of other disability benefits. This misunderstanding is a direct result of calling the **Pension Benefit** the aid and attendance benefit. Misnaming **Pension** the aid and attendance benefit has sowed confusion in the community with potential and existing veterans benefits claimants as well as confusing those individuals or organizations who actually assist with applications for this benefit.



# The Veterans Disability Benefit Known As the “Aid and Attendance Benefit” Officially Does Not Exist

- There is no disability benefit on VA’s official website ([www.VA.gov](http://www.VA.gov)) called the “Aid and Attendance Benefit.” It is a substitute name for the actual benefit called “Pension.”
- So what does “aid and attendance” actually refer to?
- The need for the Aid and attendance from another person or being considered housebound are special disability ratings determined from medical evidence.
- Disability ratings are determined by adjudicators in a VA Regional Office called Rating Veteran Service Representatives (RVSRs).
- Using the term “aid and attendance” as a substitute name for the non-service-connected disability benefits “Veterans Pension” or “Survivors Pension” has led to unnecessary confusion for potential applicants.
- Many practitioners and organizations that claim to understand veterans benefits, generally display a lack of knowledge about veterans benefits other than the Pension Benefit. This also includes a lack of understanding how aid and attendance ratings and allowances apply to other veterans disability benefits.



---

**“Pension”**



# There Are 16 Different Aid and Attendance and Housebound Allowances Available with 4 Different Veterans Disability Benefits

Here is the list of the 16 different aid and attendance and housebound allowances that are available with ratings for aid and attendance or housebound. These are the most current monthly cash amounts. You can refer to your workbook for further review or if your viewing mode allows you to pause the video, please do so to review the slide. You notice here that the first 2 benefits with their allowances on the list are for **Veterans Pension** with ratings and **Survivors Pension** with ratings (the so-called Aid and Attendance Benefit). Please note the extra monthly income for a rating for aid and attendance with **Veterans Pension** and the rating for housebound with **Veterans Pension**. Note the lesser amount that is available for these ratings for aid and attendance or housebound with **Survivors Pension**. Even though survivors of veterans could be other than a surviving spouse such as a child, applications are almost always for a surviving spouse who is usually a widow. These first two disability benefits are collectively known as the **"Aid and Attendance Benefit."**

Of particular interest is the third cash payment option. This benefit is available for surviving spouses who are receiving monthly death benefit payments due to the death of the veteran to whom they were married. This is called **DIC** or **Dependency and Indemnity Compensation**. It is available as a result of individuals who died while on active duty or

who as veterans were receiving certain benefits prior to death. Unfortunately, most surviving spouses of veterans are directed to the so-called Aid and Attendance Benefit as the primary means of receiving additional income due to the need for care services in a senior living community. **DIC** is ignored. Yet if you refer to the previous slide, listing all 12 little-known benefits, you will notice that only 3.4% of all recipients of veterans disability benefits are surviving spouses – mostly widows – who are receiving **Survivors Pension**. On the other hand, 7.3% of all recipients of veterans disability benefits are receiving **DIC**. This is more than double the number receiving **Survivors Pension**.

To put this in perspective, suppose that in a senior care community there are 100 residents. At least 20% of them could be eligible for veterans benefits. Let's assume that perhaps 10% of them – mostly widows – or 10 residents are eligible for **Survivors Pension**. Based on statistical analysis we would expect about 9 residents to be receiving **DIC** which is a larger monthly cash payment than **Survivors Pension**. Yet it is unlikely that any of those 9 residents receiving **DIC** are aware that they could receive an additional monthly cash benefit based on the need for aid and attendance or being housebound. Their new monthly income will be significantly more income than that which they would receive from widows Pension.



## There Are 16 Different Aid and Attendance and Housebound Allowances Available with 4 Different Veterans Disability Benefits

### **Veterans Pension Special Rating Allowances**

allowance with rating for aid and attendance – \$765 a month (up to \$2,266 a month total)

allowance with rating for housebound – \$251 a month (up to \$1,755 a month total)

### **Survivors Pension Special Rating Allowances**

allowance with rating for aid and attendance – \$460 a month (up to \$1,228 a month total)

allowance with rating for housebound – \$171 a month (up to \$939 a month total)

### **Surviving Spouse Monthly Death Benefit Payment (DIC) Special Rating Allowances**

allowance with rating for aid and attendance – \$332 a month (up to \$1,956.71 a month total)

allowance with rating for housebound – \$155.53 a month (up to \$1,780.24 a month total)

### **Veteran Receiving Compensation with Living Spouse Needing Aid and Attendance**

aid and attendance monthly allowances for the following Compensation ratings: 30% – \$48; 40% – \$63; 50% – \$80; 60% – \$96; 70% – \$111; 80% – \$127; 90% – \$143; 100% – \$158.82

### **Veteran Receiving Compensation Being Paid at a 100% Disability Rating**

allowance with rating for aid and attendance – \$758.86 a month (up to \$4,038.08 a mo. total)

allowance with rating for housebound – \$370.61 a month (up to \$3,649.83 a month total)

## Extra Monthly Income for Hearing Loss

Over the years, when meeting with groups of senior veterans, attendees have been asked a simple question.

“How many of you have hearing loss?”

Usually most of them will raise their hands. Then they are asked

“How many of you believe your hearing loss is due to your military service?”

Probably about 60% or 70% of them will raise their hands.

Hearing loss due to service is very prevalent with older veterans. This is because the noise damage that causes this hearing loss often takes many years to significantly affect hearing. In the beginning the damage usually is not that noticeable. Noise induced hearing loss is also often accompanied by tinnitus which is a persistent ringing or rushing or high-pitched whining sound that only the individual can hear in his or her head. You see here that 60% of all veterans, who are receiving disability benefits, are receiving a benefit for hearing loss or tinnitus. That's a huge opportunity for you veterans who are not already receiving this benefit.

Hearing loss by itself is often difficult to generate even a 10% disability rating for which you see here the current monthly amount. However, tinnitus which usually accompanies noise induced hearing loss, always produces a 10% rating if the application is done properly.

Our people have done a large number of applications for hearing loss over the years and we know how to best generate this benefit. The applicant needs to demonstrate a military assignment that subjected that person to excessive noise or sudden pressure changes. This might include duty on a flight line, or a flight deck, or in the belly of a ship, gunnery, combat, exposure to explosive impacts, being a member of a tank crew, being in a motor pool or being assigned as a mechanic and so on. Even though the additional monthly income is not that much at a 10% rating, sometimes we can get higher ratings and larger income if the hearing loss is profound enough.

Perhaps the biggest advantage of a hearing loss claim is that the claimant is now eligible for free health care through the Department of Veterans Affairs which also includes free hearing aids and free batteries for the rest of that person's life. I will discuss this additional benefit further on.



## Extra Monthly Income for Hearing Loss



- Tinnitus and hearing loss are the #1 and #2 most commonly awarded conditions for VA disability – **these claimants represent 60% of all beneficiaries receiving veterans disability benefits.**
- Extra monthly income starting at **\$142.29** a month for a 10% disability rating and up to **\$3,106.04** a month for a 100% disability rating
- To get a claim approved, the veteran has to currently have a hearing loss and/or tinnitus and prove he or she had a service assignment which resulted in exposure to loud noise or sudden air pressure changes.
- Such assignments could include duty with: the flight line, the flight deck, the belly of a ship, gunnery, combat, exposure to explosive impacts, a tank crew, a motor pool, mechanical repair and so on.
- Being awarded a hearing loss benefit not only results in extra monthly income but the ability to get free VA healthcare as well as free hearing aids and free batteries through VA healthcare

# Veterans Pension with Aid and Attendance Allowances

**Veterans Pension** with aid and attendance allowances is what is commonly called the Aid and Attendance Benefit. I have discussed this misnomer previously. This is the benefit that is typically offered to living veterans who are receiving long-term care services or who have dementia or other cognitive disabilities. You see here the current monthly benefit rates as well as the additional allowances for the rating for aid and attendance which is triggered by the long term care services.

This benefit – unlike most other veterans benefits – is means tested. Means testing requires an asset test and an income test. If household assets are above the current limit that you see here, entitlement is denied. Likewise if the household income is above any of the applicable 2 basic benefit amounts you see here or the 2 total amounts with ratings that you see here, the benefit is also denied.

There is a special provision in the regulations that allows VA to reduce the household income to meet the applicable income from one of the 4 incomes you see listed under the first four checkmarks. This is done by subtracting from the current gross household income the out-of-pocket costs of long term care services and under certain conditions also subtracting the cost of room and board for a senior care community.

Our group has done countless **Veterans Pension** applications over the years and we are good at it. You can refer to your slide workbook to see the details or if the presentation mode allows you to pause the video here please do so to see the slide in more detail.

**Additional information on Veterans Pension eligibility not included in the narration:**

*Eligibility requirements for Veterans Pension – a living veteran – requires active duty service for at least 90 consecutive days, with at least one of those days during a period of war AND an honorable discharge or a discharge classified as other than dishonorable. Service in combat is not required. Had the veteran been discharged before 90 days of service because of a disability incurred or aggravated in service or had a service-connected disability at the time of discharge that would have justified a discharge for disability and he or she is still eligible. For veterans of the Gulf War, the service requirement is 24 months or completion of the requirement for active duty service, whichever comes first. Eligibility for Survivors Pension – certain survivors of a veteran – requires the same wartime service for the deceased veteran.*

*Here is a condensed Period of War chart for Pension benefit purposes from 38 CFR § 3.2:*

Period of War	Beginning and Ending Dates
World War 2	December 7, 1941 through December 31, 1946
Korean Conflict	June 27, 1950 through January 31, 1955
Vietnam Era	August 5, 1964 through May 7, 1975; for veterans who served "in country" before August 5, 1964, February 28, 1961 through May 7, 1975
Gulf War	August 2, 1990 through a date to be set by law or Presidential Proclamation



# Veterans Pension with Aid and Attendance Allowances

- ✓ Basic benefit without a spouse – **\$1,146** (also the income limit)
- ✓ Basic benefit with a spouse – **\$1,500** (also the income limit)
- ✓ Allowance with aid and attendance rating – **\$765** a month (up to **\$2,266**, also the limit)
- ✓ Allowance with housebound rating – **\$254** a month (up to **\$1,755**, also income limit)
- ✓ Represent **4.6%** of all beneficiaries receiving VA benefits with or without allowances
- ✓ Pension is a tax-free monthly monetary award for senior veterans who served during a period of war (World War II, Korea and Vietnam)
- ✓ Veteran must be totally disabled or age 65 or older
- ✓ This is a means tested benefit – requires meeting an income test (**4 Incomes above**)
- ✓ This is a means tested benefit – requires meeting an asset test (**\$129,094**)
- ✓ The income test can be met through an income reduction by paying out-of-pocket for care services such as home care, assisted living and nursing homes



# Survivors Pension with Aid and Attendance Allowances

**Survivors Pension** with aid and attendance allowances is what is erroneously called The Aid and Attendance Benefit. I have discussed this misnomer previously. This is the benefit that is typically offered to surviving spouses – usually widows – of veterans who are receiving long-term care services or who have dementia or other cognitive disabilities. You see here the current monthly benefit rates as well as the additional allowances for the rating for aid and attendance which is triggered by the long term care services. This benefit – unlike most veterans benefits – is means tested. There is an asset test and an income test. If household assets are above the current limit that you see here, entitlement is denied. . Likewise if the household income is above the applicable basic benefit amount you see here or the 2 larger total amounts with ratings that you see here, the benefit is also denied.

There is a special provision in the regulations that allows VA to reduce the household income to meet the applicable application income from one of the 3 incomes you see listed next to the first 3 checkmarks. This is done by subtracting from the current gross household income, the out-of-pocket costs of long term care and under certain conditions also subtracting the cost of room and board for a senior care community.

Our group has done countless veterans pension applications over the years and we are good at it. You can refer to your slide workbook to see the details or if the presentation mode allows you to pause the video please do so to see the slide in more detail.

**Additional information on *Survivors Pension* eligibility not included in the narration:**

The single surviving spouse can be any age and does not have to be permanently and totally disabled prior to age 65. The veteran, who died, did not have to be totally disabled if death occurred before age 65. The veteran who died does have to qualify based on at least 90

days active duty service as well as serving during a period of war. Since 1980, the requirement for active duty service is at least 24 months or fulfillment of an active duty call up if less than 24 months.

## **Marriage Requirements for a Surviving Spouse Claimant**

Application should not be made unless it is certain that the surviving spouse meets the rules as a surviving spouse. All of these following conditions must apply, or the surviving spouse is not eligible. Also see 38 CFR § 3.50 and 38 CFR § 3.205

1. The surviving spouse must have met the conditions to be married under VA rules. Generally, this means a marriage lasting at least one year or a child was born as a result of the marriage regardless of the length of time married. Under certain conditions, VA will also accept common-law marriages or marriages where the couple held themselves out to be married and can prove that was their intent. The surviving spouse must have lived continuously with the veteran while they were married unless they were separated due to the fault of the veteran. Evidence regarding such a separation will be required.
2. The surviving spouse must have been married to the veteran when the veteran died.
3. The surviving spouse cannot have remarried after the veteran's death even if the surviving spouse is currently single. There is one exception to this rule. If the surviving spouse remarried after the veteran's death and that marriage was terminated either through death or divorce prior to November 1 of 1990, and the surviving spouse has since remained single, that person is eligible. See 38 CFR § 3.55
4. If the surviving spouse was married more than once and the most recent marriage was to a veteran who served during a period of war and that marriage ended in the death of the veteran, and the surviving spouse did not remarry, the surviving spouse is eligible for Survivors Pension based on this second marriage.



## Survivors Pension with Aid and Attendance Allowances

- ✓ Basic benefit without a spouse – **\$768** (also the income limit)
- ✓ Allowance with aid and attendance rating – **\$160** a month (up to **\$1,228** also limit)
- ✓ Allowance with housebound rating – **\$171** a month (up to **\$939** also the income limit)
- ✓ Represent **3.4%** of all beneficiaries receiving VA benefits with or without allowances
- ✓ Pension is a tax-free, monthly monetary award for survivors of senior veterans who served during a period of war (World War II, Korea and Vietnam)
- ✓ Surviving spouse **NEITHER** has to be totally disabled or age 65 or older
- ✓ This is a means tested benefit – requires meeting an income test (3 **Incomes** above)
- ✓ This is a means tested benefit – requires meeting an asset test (**\$129,094**)
- ✓ The income test can be met through an income reduction by paying out-of-pocket for care services such as home care, assisted living and nursing homes



# Survivors Monthly Death Benefit (DIC) with Aid and Attendance or Housebound Allowances

I have already mentioned this special monthly death benefit. Let's look at it in more detail. This benefit, called **DIC**, or more properly **Dependency and Indemnity Compensation**, is a monthly death benefit amount paid to the surviving spouse of a veteran who died as a result of a service-connected condition or a result of VA medical malpractice mistreatment or who died while on active duty in the service. Even though there are more than twice the number of **DIC** recipients as **Surviving Spouse Aid and Attendance Recipients (Survivors Pension)**, the claims representatives who help with the so-called Aid and Attendance Benefit are mostly unaware of **DIC**. It is important to understand that **DIC is not means tested** as is the **Pension Aid and Attendance Benefit**. This means that VA could care less whether the person receiving **DIC** monthly payments has \$1 million in assets or no assets. VA could also care less whether the recipient makes \$100,000 a year or has no income at all. It's all the same to the Department of Veterans Affairs.

The monthly amount as you can see here is larger than the Aid and Attendance Benefit and in the case where the veteran was continuously 100% disabled for eight years prior to death, the benefit is significantly larger. But that's not all. You will notice from the slide that there is a significant monthly benefit increase which could total around \$2,000 a month due to an allowance with a rating for aid and attendance. For any **DIC** beneficiary who also needs care services such as home care, care services in assisted living or in a nursing home, this extra allowance is a significant contribution to income. If you need help getting this additional aid and attendance allowance, you will receive instructions at the end on how to obtain assistance. Notice here that there are some additional rules for entitlement to **DIC**. In particular the benefit is automatic and the death of the veteran did not need to be service-connected if the veteran was rated service-connected at 100% for a certain number of years.

Now I'm going to talk about an aspect of **DIC** that is becoming increasingly prevalent as a source for benefits applications. We are seeing more and more cases of entitlement to **DIC** where the veteran died as a result of exposure to herbicides in Vietnam, commonly called agent orange exposure. With these cases the veteran was never service-connected for that condition and the surviving spouse has no clue that he or she might be eligible for a monthly death benefit payment which is significantly more money than the so-called Aid and Attendance Benefit. (Survivors Pension) Let's look at an example of what could be a very common occurrence. In this example the veteran served boots-on-the ground in Vietnam and later in life developed type II diabetes which led to various complications that eventually resulted in death. But, the death certificate has to reflect a cause of death related to Agent Orange exposure which in this case the cause of death on the certificate should be type II diabetes. In this example diabetes was not listed as a cause of death.

There is a solution to this dilemma of matching an actual cause of death to that listed on a death certificate. If it can be shown from medical records that the diabetes did lead to the condition that caused the death which is listed as kidney failure and a stroke, then the surviving spouse has a good chance of getting a substantial monthly payment due to the death of the veteran for the rest of the survivor's life. We are seeing more and more of these cases, because Vietnam veterans are now age-wise in their 70s. These presumptive conditions for Agent Orange exposure are starting to show up and in many cases do cause death. I will talk about the common conditions for agent orange exposure further on in this presentation. But for many senior veterans, development of these conditions is fairly common such as heart disease, type II diabetes, certain cancers, Parkinson's disease and so on. If you suspect you might be entitled to **DIC** because of an agent orange related death, I will give you instructions on how to obtain assistance at the end of this presentation.



## Survivors Monthly Death Benefit (DIC) with Aid and Attendance or Housebound Allowances



*Represent 7.2% of all VA disability beneficiaries. Dependency and Indemnity Compensation or DIC for short is a monthly monetary death benefit available to a surviving spouse of a deceased veteran under any one of the following circumstances:*

- veteran died on active duty, active duty for training or inactive duty training,
- Veteran's death after service resulted from an injury or disease incurred in the service (also posthumous claims for agent orange conditions),
- veteran received improper treatment from VA healthcare or work rehabilitation services,
- veteran was 100% disabled for 10 or more years,
- veteran was 100% for 10 years or more and 100% disabled for 8 or more years continuously prior to death,

**DIC pays the following amounts for 2020 – Unlike Pension, DIC is NOT means tested**

- Basic monthly benefit – **\$1,340.14** a month
- Basic monthly benefit – deceased veteran was 8 yrs continuously disabled – **\$1,624.71** a month
- Allowance with rating for aid and attendance – **\$332** a month (up to **\$1,956.71** a month total)
- Allowance with rating for housebound – **\$155.53** a month (up to **\$1,780.24** a month total)

# Increased Rating for Veterans Receiving Disability Compensation

I have already discussed 3 of the 4 disability income benefits from the Department of Veterans Affairs. The first is **Veterans Pension** with aid and attendance or housebound allowances and the second is **Survivors or Widows Pension** with aid and attendance or housebound allowances. These 2 benefits are erroneously called the Aid and Attendance Benefit. The third monetary disability benefit which I have discussed is called **DIC** or **Dependency and Indemnity Compensation**. The fourth disability income benefit called **Disability Compensation** constitutes about 85% of all recipients who are receiving one of the 4 disability income benefits.

**Disability Compensation** or **Compensation** for short does not have an income test or an asset test. **Compensation** is awarded to a veteran who incurred an illness or injury in service and which has resulted in a chronic disabling condition after discharge. Many claimants receiving **Compensation** have musculoskeletal disabilities due to military service. But many also suffer from PTSD or anxiety or certain cancers or other disabling conditions or diseases due to exposure to environmental hazards in service. The most prevalent **Compensation** claim is for hearing loss or tinnitus which I have already discussed and which represents 60% of all claimants. **Compensation** is a partial disability benefit and veterans receiving it have been given ratings based on their disability that start at 0% disability and go up in 10% disability increments up to 100% disability.

As they grow older, many senior veterans who are receiving monthly payments for **Compensation**, often experience a worsening of the condition for which they are receiving the

benefit. They can apply for an increase in rating called an **Application for Increase** which could result in more monthly income. In addition, conditions for which the veteran is receiving **Compensation** may also have caused other disabling diseases or conditions that are not directly related to the veteran's time in service. For example the veteran may be receiving **Compensation** for a foot injury in service rated at 30%. This foot injury over time has caused an improper gait which in turn has led to deterioration of the opposite knee and hip joints. These new conditions would not be considered part of the original injury incurred in service. However, these new conditions are still considered to be an indirect result of the injury in service due to what VA calls **Secondary Disability**. **Secondary Disability** is also a reason for receiving **Compensation**. In my example, the veteran can make an application for these secondary disabilities and in my example the veteran could increase his rating from 30% to perhaps 50% or 90% or even 100%.

Finally, There is another possible application for older veterans. If it can be shown that a veteran on claim, due to the frailty of age or other conditions, cannot sustain any gainful employment, whether the veteran is retired or not and regardless of the veteran's age, an application can be made, and due to **Individual Unemployability**, the veteran will be paid at a 100% disability rating.

I note here an important rule. Please listen carefully. You cannot receive more than one disability income benefit at a time. You must choose which benefit pays the most and you are stuck with that particular benefit.





## Increased Rating for Disability Compensation – Compensation Represents 84.7% of All VA Disability Beneficiaries

- Disability Compensation is a tax-free benefit paid to a veteran for a service-connected disability that happened as a result of active duty, active duty for training, inactive duty training or injury from VA healthcare or work rehabilitation. - THIS IS NOT MEANS TESTED
- Monthly benefits start at a 10% disability rating of **\$142.29** a month with a spouse and step in 10% increments up to a 100% disability rating of **\$3,279.22** a month with a spouse
- Veterans already on claim for Disability Compensation can often make application for an increase in their disability rating due to secondary disability or worsening caused by old age
- Veterans already on claim may also be eligible for an application for Individual Unemployability based on their inability to maintain gainful employment even if they are retired and regardless of their age
- Veterans not on claim might be able to make new applications for such things as hearing loss which has already been discussed and PTSD that has manifested in later years
- VA does not care how much income a veteran on Disability Compensation has or how much in assets he or she has



# Agent Orange Claims

Approximately 2.2 million living veterans were stationed boots-on-the ground in Vietnam or were stationed on ships anchored offshore in Vietnam. These veterans are automatically entitled to a **Disability Compensation** benefit if they develop any one or more of the following conditions you see on this slide, after they were discharged from service. Some of these diseases or conditions, as you see here, might not be that prevalent. But many other of these conditions are very common for older veterans. For many senior veterans, one or more of these conditions usually show up in old age and would automatically generate a benefit. Note here such common diseases such as type II diabetes, prostate cancer, respiratory cancer, certain blood cancers, Parkinson's disease and ischemic heart disease – which means arteriosclerotic heart disease or blocked heart arteries. If any of you viewing this presentation have developed any of these conditions, our organization can help you with an application. Or more commonly, you probably are currently receiving a monthly benefit due to Agent Orange exposure, but your condition has become worse (allowing for an application for increase) or you have developed **Secondary Disabilities** due to your current condition.

You may not be aware that **Secondary Disabilities** due to Agent Orange could provide you a higher disability rating and more monthly income. I discussed **Secondary Disabilities** in a previous slide. We run across this situation with **Secondary Disability** very often with veterans who

come to us and who are already on claim for agent orange. Finally, you may also be eligible for **Individual Unemployability** which is paid at 100%.

As an example, just recently, we helped a veteran who had diabetes and who had developed prostate cancer that was in remission. He was also a Vietnam veteran. Getting a 20% rating for the diabetes is a slamdunk exercise. He received that rating easily. The prostate cancer resulted in a 0% rating as it was in remission and was no longer being treated. However when we do an application for **Disability Compensation**, we insist on reviewing the medical records. His medical records indicated that he had numerous **secondary disabilities** as a result of his original treatment for prostate cancer as well as secondary disabilities due to his diabetes. Any service officer from a veterans service organization could easily have helped this veteran with a claim resulting in a 20% disability rating. It's an easy application. However service officers hardly ever review the medical records. These people just don't do that. They don't get paid for it. As a result of the medical records review we did for this veteran, we were able to obtain a 90% rating him which was a significant increase in monthly income over what he he would have gotten at 20%. We are still waiting for his response to push him up to a 100% rating due to **Individual Unemployability** even though he is retired and is 76 years old. The difference between 90% and 100% is also a substantial amount and represents roughly an additional \$1,200 a month in more income.



## Agent Orange Claims

- Generally automatic benefits available to over 2.2 million living veterans who served boots on the ground in Vietnam or who were stationed on ships offshore from Vietnam.
- The following are the diseases recognized by VA as being presumptive for exposure to herbicides (Agent Orange) and which will usually result in an automatic award:
  - ✓ AL amyloidosis,
  - ✓ chloracne or other acneform disease similar to chloracne (within one year from discharge),
  - ✓ porphyria cutanea tarda (must have manifest within one year from discharge),
  - ✓ soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma or mesothelioma),
  - ✓ Hodgkin's disease,
  - ✓ multiple myeloma,
  - ✓ respiratory cancers (lung, bronchus, larynx, trachea),
  - ✓ non-Hodgkin's lymphoma,
  - ✓ prostate cancer,
  - ✓ acute and subacute peripheral neuropathy (must have manifest within one year of discharge),
  - ✓ diabetes mellitus (Type 2),
  - ✓ all chronic B-cell leukemias (including, but not limited to, hairy-cell leukemia and chronic lymphocytic leukemia),
  - ✓ Parkinson's disease, and
  - ✓ ischemic heart disease (arteriosclerotic heart disease – blocked heart arteries)
- Type 2 diabetes, cholesterol-blocked heart arteries, prostate cancer and Parkinson's disease are fairly common among aging senior veterans and typically show up in later years



## Aid and Attendance or Housebound Allowances with Disability Compensation

A 100% disability rating for **Disability Compensation** pays a significant amount of monthly income for a retired veteran – well over \$3,300 a month. Close to 20% of all veterans on claim are receiving **Disability Compensation** at the 100% rating. This is a significant number. This represents 1 in 5 of all veterans who are on claim. Many of these veterans are completely unaware that if they are receiving care services from private duty home care providers, care services in assisted living or are in a nursing home, they can receive another significant increase on top of their current 100% monthly payment if they become rated for aid and attendance or housebound.

You can take the time here to examine the slide in more detail in your workbook or if the presentation mode allows for pausing please pause it now. This extra income due to ratings for aid and attendance or housebound comes under a form of **Compensation** called **Special Monthly Compensation** or **SMC**. When you take the time to examine the slide you will notice that with **Special Monthly Compensation**, a veteran with a spouse can receive well over \$4,000 a month due to the need for aid and attendance or being housebound. If you suspect that you as a veteran might be entitled to this additional benefit, we will give you instructions at the end of this presentation on how to request that assistance.

### Additional information not part of the narration:

SMC schedule (S) – Housebound Rating, not rated 100%, but paid at 100% Disability

PLEASE NOTE THAT THE DISABILITY COMPENSATION CONDITION THAT ALLOWS THE APPLICANT TO BE 100% RATED MUST BE PARTLY RESPONSIBLE FOR OR BE A DIRECT REASON FOR WHICH THE VETERAN IS HOUSEBOUND. In the case where the veteran is receiving 100% because of IU, Individual Unemployability would not be the reason. It would be the underlying single condition that was rated 60% or more. Make absolutely sure that the medical report the doctor provides indicates the need for being housebound is a result of the service-connected condition for which the veteran is receiving Compensation. Without this important information, the claim will be denied.

SMC Schedule (L) – Aid and Attendance with a Rating at 100% Disability

PLEASE NOTE THAT THE DISABILITY COMPENSATION CONDITION OR THE RELATED SYMPTOMS DUE TO ONE CONDITION UNDER A COMBINED RATING THAT ALLOW THE APPLICANT TO BE RATED 100% MUST BE PARTLY RESPONSIBLE FOR OR BE A DIRECT REASON FOR WHICH THE VETERAN NEEDS AID AND ATTENDANCE. Make absolutely sure that the medical report the doctor provides indicates that the need for aid and attendance is a result of one or more of the related service-connected impairments for which the veteran is receiving Compensation. Without this important information, the claim will be denied.



## Aid and Attendance or Housebound Allowances with Disability Compensation

- Special Monthly Compensation (SMC) is available to a veteran who is 100% disabled under Disability Compensation.
- SMC pays higher monthly benefit amounts for veterans whose disabilities are severe enough not only to interfere with the ability to work but also affect the veteran's quality of life.
- There are two forms of SMC available to a veteran who needs the aid and attendance of another person or who is housebound— known as Schedule (L) (Aid and Attendance), an extra **\$758.86 a month (\$4,038.08 a month total with a spouse )** and Schedule (S) (Housebound), an extra **\$370.61 a month ) (\$3,649.83 a month total with a spouse).**



**Under SMC, the higher monthly cash amounts for aid and attendance or housebound are not dependent upon income, assets or medical expenses. THIS BENEFIT IS NOT MEANS TESTED.** The veteran need only provide evidence that he or she needs the aid and attendance of another person or is housebound. Veterans who are 100% disabled typically don't know anything about this additional monthly amount that they could receive if they are substantially confined at home or if they are receiving home care, assisted living care or nursing home care. However, it is important that the need for aid and attendance/housebound is a result of the disability for which the veteran is receiving benefits.

## Aid and Attendance Allowances for the Living Spouse of a Disabled Veteran

Aid and attendance allowances for the living spouse of a disabled veteran who is receiving **Disability Compensation** are perhaps the least known benefits for senior veterans. It is likely that most individuals who assist veterans with claims for benefits do not understand this benefit. If a veteran is at least 30% rated disabled, and his or her spouse is in need of the aid and attendance of another person, there is an additional allowance available to the veteran. The allowance goes up with each 10% increment increase in disability rating. This means there are 8 different allowances between 30% and 100%. It's not a lot of money, but for those who are entitled to this benefit, there is no reason not to apply. It's a simple application and our organization can help you with it.





## Aid and Attendance Allowances for the Living Spouse of a Disabled Veteran

THIS IS A SAMPLE

VERSION OF THIS

PRESENTATION

UNAUTHORIZED

USE IS PROHIBITED

- ✓ An additional monthly amount under Disability Compensation or SMC is available to a veteran who
- ✓ is at least 30% disabled and who has a spouse that needs the aid and attendance of another person.
- ✓ The veteran need only provide evidence that his or her spouse needs the aid and attendance of another person and **there is no income or asset test or need for out-of-pocket medical costs.**
- ✓ This benefit starts at **\$48.00** a month for a veteran who is 30% disabled and goes up to **\$158.82**
- ✓ a month for a veteran who is 100% disabled. There are 8 different allowances for each 10%
- ✓ increment of disability.
- ✓ It is not common knowledge that this additional allowance is available to a veteran
- ✓ because of the disability of his or her spouse

# Veterans Health Care

The Department of Veterans Affairs health care division is the largest single provider of comprehensive medical care in the United States. The **Veterans Health Administration** which is the division responsible for VA health care employs well over 350,000 employees and serves well over 9 million enrolled veterans. Enrollees represent about 48% of all living veterans.

There is a misconception among many veterans that any veteran can walk in the door of a VA medical facility and enroll in the system. This is not true. There are 12 different ways a veteran can gain entry into the system. Most of these are related to certain tours of duty or to being in receipt of disability benefits. VA does allow certain veterans with low income or who are catastrophically disabled into the system as well.

With the exception of those veterans who are in the system based on low income, all services are free except for prescription drugs. For veterans who are receiving long-term care services at home, a one-time grant of \$2,000 for those veterans rated for aid and attendance with **Pension** or who are on Medicaid is available from VA health care to modify the home for disability. For veterans who are receiving **Compensation** due to service-connected disabilities, VA health care will offer a one-time grant of \$6,800 to modify the home for disability.

VA health care also offers a wide range of long-term care services which could include care management as well as home care services for residents of assisted living. I will address the prescription drug benefits from VA health care as well as free hearing aids free hearing aid batteries and free eyeglasses further on in this presentation.

## Veterans Health Care

- VA healthcare is the largest single provider of comprehensive medical care in the United States and has been recognized by numerous surveys of VA patients as being one of the best providers. Approximately 48% of all veterans are enrolled in VA healthcare. The system is not available to all veterans and there are certain eligibility rules for entitlement.
- For many veterans in the system, health care is absolutely free, except for a certain class of veterans who are in the system as a result of an income test. These veterans have co-pays and deductibles. VA healthcare also offers one-time grants for disability-required home renovation of either \$2,000 or \$6,800 for veterans receiving Disability Compensation or Pension with the aid and attendance allowance.
- VA healthcare also offers free orthotics, free prosthetics and in some cases long term care services such as care management services, home care, assisted living-like senior living, nursing homes and more.
- VA healthcare also offers free hearing aids, free hearing aid batteries and free eyeglasses for certain veterans who qualify





## Free Hearing Aids, Hearing Aid Batteries and Eyeglasses

Free hearing aids, free hearing aid batteries and free eyeglasses are a definite benefit to being enrolled in VA health care. If for example you are currently receiving **Pension** or the so-called the aid and attendance benefit, you are eligible for VA health care and for these free services. Or more commonly, we help many veterans who are not currently receiving any disability benefits with hearing loss claims which as I have mentioned before are fairly common and represent 60% of all claimants who are receiving benefits. Once we get the 10% rating for hearing loss or tinnitus, the veteran now has access to free health care from the Department of Veterans Affairs as well as the benefit of low-cost prescription drugs. This free health care benefit includes free hearing aids, batteries and eyeglasses. Some veterans who received the Purple Heart due to combat may not know that they are also eligible for VA health care.

## Free Hearing Aids, Batteries and Eyeglasses

Many veterans get into the healthcare system just to get these free benefits

The following veterans in the health care system can receive free hearing aids, free hearing aid batteries and free eyeglasses:

- ✓ in receipt of pension with a housebound or an aid and attendance rating
- ✓ at least 10% service-connected disabled (can be a result of a hearing loss claim)
- ✓ Purple Heart recipient or POW or any veteran who demonstrates certain profound medical deficiencies

For most veterans in VA healthcare, prescription drugs are available with minimal monthly co-pays for each prescription and for some in the system prescriptions are free



## VA Prescription Drugs

Enrollment in the VA health care system also gives the veteran access to many expensive prescription drugs which at the most might cost \$11.00 a month per prescription. The prescription drug program is a three-tiered co-pay program starting at \$5.00 a month for preferred generic drugs, \$8.00 dollars a month for non-preferred generic drugs and \$11.00 a month for name brand prescription medications.

For some enrollees in VA health care, prescription drugs are absolutely free. As an example I take a very expensive medication that even with my Medicare drug plan coverage would cost me over \$8,000 a year out-of-pocket. It would cost me \$24,000 out-of-pocket each year if I did not have Medicare drug coverage. I am also enrolled in VA health care and that drug is absolutely free to me.

Over the years I have talked with many veterans who know I help with applications for benefits and who tell me that they need to get into VA health care in order to get their very expensive prescription drugs at virtually little cost per month. I have to explain to them it is not that easy. First of all as we already know, not just any veteran can get into VA health care. Furthermore, using VA health care as a way to pay for expensive drugs being prescribed by doctors outside of the VA system is not

that easy of a process. Yes, VA will pay for prescriptions ordered by private-sector doctors. However, the person desiring this service must be enrolled in VA health care, must have a primary care physician with the system, must meet with that primary care physician on a regular basis and the primary care physician must provide a prescription for VA health care to pay for an outside drug being prescribed by a private sector doctor. In many cases, the VA doctor will not agree to have the system pay for outside prescriptions especially the very expensive ones that are on VA's formulary list as restricted use drugs.





## VA Prescription Drugs



For most veterans in VA healthcare, prescription drugs are available for a co-pay of \$5.00 or \$8.00 or \$11.00 a month per prescription and for some in the system prescriptions are free. A veteran desiring access to expensive prescription drugs through the VA health care system must be enrolled in VA healthcare. In addition that veteran must have a primary care doctor in the system and that primary care doctor must prescribe the medications even if the veteran is using a doctor outside of VA for those prescription drugs.

## Veterans Burial Benefits

VA does offer burial benefits depending on the status of the veteran when he or she died. Veterans who died as a result of a service-connected condition are given automatically, a one-time benefit of \$2,000 to help cover the cost of a funeral and burial. Veterans who died and were on claim for **Pension** or **Disability Compensation**, but the death was not due to the condition for which they were receiving benefits, are entitled to the lesser one-time payment that you see on this slide. This second one-time benefit increases every year with inflation. The first \$2,000 does not.

All deceased veterans and sometimes National Guard and Reserve members who die can receive free burial in a state VA cemetery and in certain Federal VA cemeteries. Burial in state or Federal VA cemeteries also includes the cost of opening and closing the grave. This burial plot if not used by the veteran can sometimes be used by a surviving spouse.

All veterans, regardless of whether they were receiving benefits are not, are eligible for the following: a grave marker or the equivalent monetary allowance for a grave marker, a flag for the coffin, a graveside honor guard and a recognition letter from the president of the United States.

## Veterans Burial Benefits

- Veterans who died in the service or after the service as a result of a service-connected condition generate a benefit of \$2,000 to reimburse any person for the cost of funeral and burial
- Veterans who died and were on claim for Pension or Disability Compensation or were qualified to receive these benefits can generate up to \$1,096 for reimbursement for burial and reimbursement for a burial plot



- All veterans and often National Guard and Reserve can receive free burial in State VA cemeteries and certain Federal VA cemeteries
- All veterans are eligible for a grave marker – or equivalent monetary allowance – a flag for the coffin, a graveside honor guard and a letter from the President of the United States



## Obtaining Help with the Benefits Discussed in This Presentation

If you need advice or assistance with veterans benefits applications, the sponsor of this presentation can direct you to the right people. In particular if you wish to use our organization for this assistance, let the sponsor know that this is what you want. We are part a non-profit organization that assists veterans with claims for all veterans benefits and this application process is entirely free of cost. You don't have to pay a dime for assistance with claims. There may be however, other costs for records reviews, claims document reviews, medical record reviews or medical opinions that would be necessary to complete an application for veterans benefits. These services are not provided by the non-profit organization we work with but by other entities who provide these services and they must be reimbursed for their time. Depending on the circumstances you may have to pay these extra charges or or you may not have to pay anything.

## Obtaining Help with the Benefits Discussed in This Presentation

If you need advice or assistance with veterans benefits applications, the sponsor of this presentation can direct you to the right people. In particular if you wish to use our organization for this assistance, let the sponsor know that this is what you want. We are part a nonprofit organization that assists veterans with claims for all veterans benefits and this application process is entirely free of cost. You won't have to pay a dime for assistance with benefits applications, but there may or may not be other reasonable charges.



## Thank You for Attending

Thank you for attending this presentation. I covered an awful lot of information and I appreciate that you hung in there with me. I hope it was rewarding for you and I hope that you have received some valuable bits of information that will help you increase your income or provide for additional benefits from the government.

DO NOT COPY



**THANK YOU FOR ATTENDING**

