

Long Term Care Benefits Available to Surviving Spouses of Wartime Veterans

There are over 9 million surviving spouses of veterans currently living in the United States. Many of these surviving spouses are receiving long-term care or will need some type of long-term care in the near future, and there are funds available from the Veterans Administration ("VA") to help pay for that care. Unfortunately, many of those who are eligible have no idea that any benefits exist for them or that an attorney can help them become eligible.

Death Pension with Housebound Allowance. Available veterans or to surviving spouses of wartime veterans who are confined to their home for medical reasons. A surviving spouse can receive up to \$899 per month (with additional payments available if dependent children are present in the home).

Death Pension with Aid and Attendance. The highest monthly benefit is available when a surviving spouse requires the assistance of another person to perform activities of daily living, or is blind or nearly so, or is a patient in a nursing home. This benefit, often referred to simply as "Aid and Attendance" is the most widely-known and talked-about benefit as it offers the highest possible monthly payment. A surviving spouse can receive up to \$1223 per month (with additional payments available for dependent children).

Eligibility Requirements

Valid Marriage. The surviving spouse and the veteran must have been married for at least one year prior to the veteran's death.

Wartime service and discharge. The deceased veteran must have served 90 days of active duty with at least one day beginning or ending during a period of war. After September 1, 1980, the active duty requirement increases to 180 days. In addition, the veteran must have been discharged under circumstances other than dishonorable.

Disability. To qualify for any type of pension benefit, a surviving spouse must also be 65 or older or be permanent and totally disabled.

Is the Surviving Spouse Housebound? If a surviving spouse qualifies for regular death pension and is housebound, her maximum allowable income increases (as does the annual benefit amount). The VA defines housebound as being substantially confined to the home or immediate premises due to a disability that will likely remain throughout the claimant's lifetime.

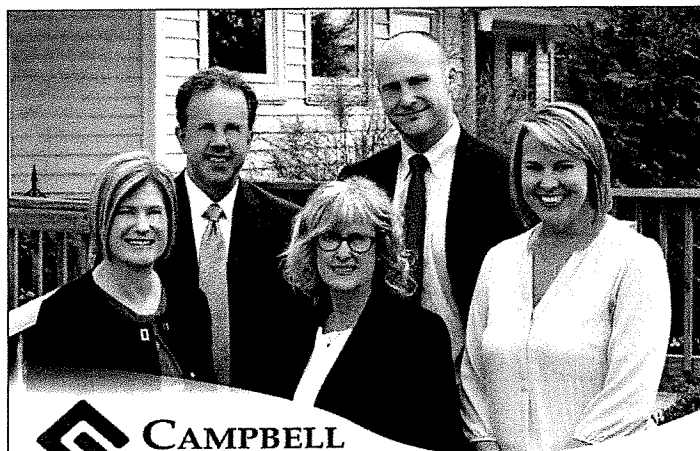
Does the Surviving Spouse Require the Aid and Attendance of Another? If a surviving spouse can show, through medical evidence provided by a primary care physician or facility, that he or she requires the aid and attendance of another person to perform

activities of daily living, that surviving spouse may qualify for an additional monthly death pension allowance commonly referred to as "aid and attendance."

Qualification As stated above, the VA looks at a surviving spouse's total net worth, life expectancy, and income and expenses to determine whether the spouse should qualify for special monthly pension.

The Application Process While the application process for special monthly pension can be agonizingly slow – some applications take over a year before the VA makes a decision – the benefit is retroactive to the month after application submission. Having the proper documentation in place at the time of application can cut the processing time in half.

Conclusion Time is of the essence for surviving spouses who may be eligible for benefits available through the Veterans Administration. Failing to apply as soon as possible after a veteran's death could result in the loss of monthly payments the surviving spouse would otherwise be eligible to receive. If you know of someone who may be eligible, please give us a call – we would be happy to help!



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