

JOHNSON, GASINK & BAXTER, LLP

TWO THINGS CERTAIN®

August, 2011

VETERANS AID & ATTENDANCE BENEFITS

By Daniel C. Gasink

'**Aid and Attendance**' benefits (A&A) provide funds to help veterans pay for in-home care. Unlike standard pensions offered to military retirees, this little-known program offers financial assistance to **any qualified veteran**.

What is Aid and Attendance?

The Veterans Administration offers A&A to a veteran who is dependent on another for two or more of his or her Activities of Daily Living (ADLs). ADLs include dressing, bathing, grooming, toileting and feeding. A smaller benefit is available to veterans who are housebound, and a smaller benefit still is available to any disabled veteran. The VA has offered these 'Improved Pension' or 'Service Pension' benefits for over a hundred years. Benefits are also available to widows of veterans.

Who Can Benefit?

There are three main criteria: service, disability, and means.

- a) **Service.** A veteran must have served at least 90 days during a period of war and not have been dishonorably discharged.
- b) **Disability.** A Veteran must be disabled, though the VA considers 'old age' a disability and defines such as over 65 years of age.
- c) **Means.** A&A benefits those with limited income and resources.

How Do I Qualify (Myself Or A Relative)

A veteran must **file the proper forms with the VA**. Sometimes a veteran needs advice on how to arrange their assets in order to qualify. **A lawyer can provide advice** on how title assets, make gifts, create trusts, and other strategies **to maximize a veteran's benefit**.

I Want More Information

To learn more about Veteran's Aid and Attendance benefits, **call our office at 757 220 9800** to schedule a meeting with a lawyer to learn more and find out if A&A benefits might help you or someone in your family.

Helpful Links:

Recent article in the Washington Post:

http://www.washingtonpost.com/national/health/more-veterans-and-spouses-could-gain-from-aid-and-attendance-pension-benefit/2010/11/08/AF7wmB1D_story.html

See the VA website for helpful information:

<http://www.vba.va.gov/bln/21/pension/>



Johnson, Gasink, Baxter, LLP.

1138 Professional Drive
Williamsburg, VA 23185
(757) 220-9800
(804) 824-9690

GENERAL DISCLAIMER:

This newsletter is intended to be used for informational purposes only and should not be construed as personal legal advice. Transmission of this information is not intended to create, and receipt does not constitute, an attorney-client relationship.



About the Author:

Dan Gasink is an experienced problem solver who helps individuals and businesses achieve and protect their goals of prosperity, stability and growth through appropriate planning. Dan takes great pride in making sure that his work for clients is always reliable, correct, and on time.

CIRCULAR 230 DISCLOSURE:

U.S. Treasury Department Regulations require that we advise you that unless otherwise expressly indicated, any federal tax advice contained herein is not intended or written to be used, and may not be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.
