



EDWARDS
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C O U N S E L O R S A T L A W

The Nuts and Bolts of Veterans Benefits

Who qualifies as a veteran, and how much are the benefits worth?

The Veteran's Pension and Survivor's Pension programs offer benefits to veterans, or their surviving spouse, to help ease the financial burden of paying for nursing homes, assisted living facilities and even in-home care. You do not have to be in a veterans facility to receive these benefits. As long as the veteran served 90 days, with only one day of service occurring during wartime, you may qualify for these benefits earned in service to your country.

Qualified War Periods*

WWII

Dec. 7, 1941 - Dec. 31, 1946

If in service on 12/31/46 with continuous service before 7/26/47, this is acceptable as war time

Korean War

June 27, 1950 - Jan. 31, 1955, Inclusive

Vietnam War

"Feet on the ground" in Vietnam from Feb. 28, 1961 - Aug. 5, 1964

Starting Aug. 6, 1964 - May 7, 1975 you did not have to physically be "in country" to qualify

Persian Gulf War

Aug. 2, 1990 - date to be determined by Congress

*Must have been active duty for at least 90 days, with one day of service during wartime.

Benefit Amounts for 2018 Based on Family Status

	Maximum Monthly	Maximum Annually
VETERAN WITH SPOUSE OR DEPENDENT		
Aid and Attendance	\$2,169	\$26,036
SINGLE VETERAN		
Aid and Attendance	\$1,830	\$21,962
WIDOW OF A VETERAN		
Aid and Attendance	\$1,176	\$14,113

Edwards Group LLC is one of the only law firms in Central Illinois to be accredited by the VA to help veterans apply for benefits. Did you know that 72% of veterans who could qualify for assistance miss out on the benefits they earned in service to their country? Don't miss out. Give us a call today to schedule a FREE phone assessment at 217-726-9200.

A Little Known Way to Pay for Care as You Age

Submitted by Edwards Group LLC, Estate Planning & Elder Law

Many people are surprised to find out they qualify for aging Veterans' benefits. The VA benefit, often called "Aid and Attendance," can be used by a Veteran or surviving spouse to help with in-home care, assisted living, or even a nursing home. According to the VA, 72 percent of those eligible don't end up using the benefits they earned in service to their country!

What You Need to Know

In order to qualify, you (or your spouse) need to have served at least 90 days active duty, with at least 1 day during these wartime periods:

- WWII: December 7, 1941 – December 31, 1946
- Korea: June 27, 1950 – January 31, 1955
- Vietnam: August 5, 1964 (or February 28, 1961 for those "in country") – May 7, 1975
- Service during wartime is enough to make you eligible, even without a service related disability, military retirement, or service in combat.

VA Benefits FAQs

Q: Do I need an attorney to apply for benefits? I was told I could apply on my own with the VA.

A: You do not have to have an attorney help you plan for VA benefits. However, many families try on their own and then are denied or are stuck in bureaucracy for up to two years. An elder law attorney accredited with the VA can help families plan ahead BEFORE applying so you can get the maximum benefit as quickly as possible.

Q: I was told that it is illegal for an attorney to charge for preparing a VA application. So, how can an attorney help?

A: It is true that the application must be done free of charge. However, BEFORE you apply, sometimes legal planning is needed to help you qualify. This is where the attorney comes in, helping you consider asset limits, income limits, cost of care, and medical documentation to make sure you qualify for the maximum amount.

Q: Do VA benefits cover in-home care?

A: This is one of the greatest things about VA benefits! It can help pay for in-home care – even care provided by a family member other than the spouse. Many people think they can't afford it, and are overjoyed to hear how they can qualify for help at home.

Q: Don't I have too many assets to qualify for aid and attendance benefits?

A: There are asset limits, but many planning options available. Through legal planning, such as a Veterans Asset Protection Trust, you can rearrange your finances in order to qualify.



Q: What are the pitfalls of applying for VA benefits?

A: Sometimes people rearrange their finances to qualify for VA benefits, but later they need more care and find out they've messed up chances for Medicaid qualification. An experienced elder law attorney can help think ahead to keep your plan flexible if you need more care or Medicaid later.

Q: Isn't it overwhelming to go through the application process?

A: It can be. Some families apply on their own and get denied. Others get caught in the endless bureaucracy. Other families intend to apply, but the process is so daunting that they never proceed, losing months or years of benefits. By working with an accredited VA and elder law attorney, you can plan ahead, make sure you get the benefits quickly, and avoid a lot of stress.

There is a lot to keep in mind when applying for VA benefits and paying for long-term care. *Experienced elder law attorneys work with families every day, who are facing the challenges of aging, to find solutions that will ease the strain and bring financial and emotional relief.*

If you need to speak to someone right away about your current situation, feel free to call or email Edwards Group LLC. Our client coordinator, Tarina, will be happy to help you by phone at 217-726-9200 or email at Tarina@EdwardsGroupLLC.com.

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