



Virginia Department of Veterans Services



Department of Veterans Affairs Benefits & Programs for Aging and Disabled Veterans and their Spouses

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Overview

- **Goals:**
 - Governing Authority & Situational Awareness
 - Service Connected Disability Benefits
 - Pension Benefits
 - Increase Rates Based on Housebound or Aid & Attendance
 - Survivors Benefits
 - VA Health Care Benefits
 - Home Loans
 - Burial Benefits
 - Virginia Specific Benefits
 - Veteran Care Centers
 - Veteran Cemeteries
 - Tax Exemptions for Disabled Veterans



Governing Authority

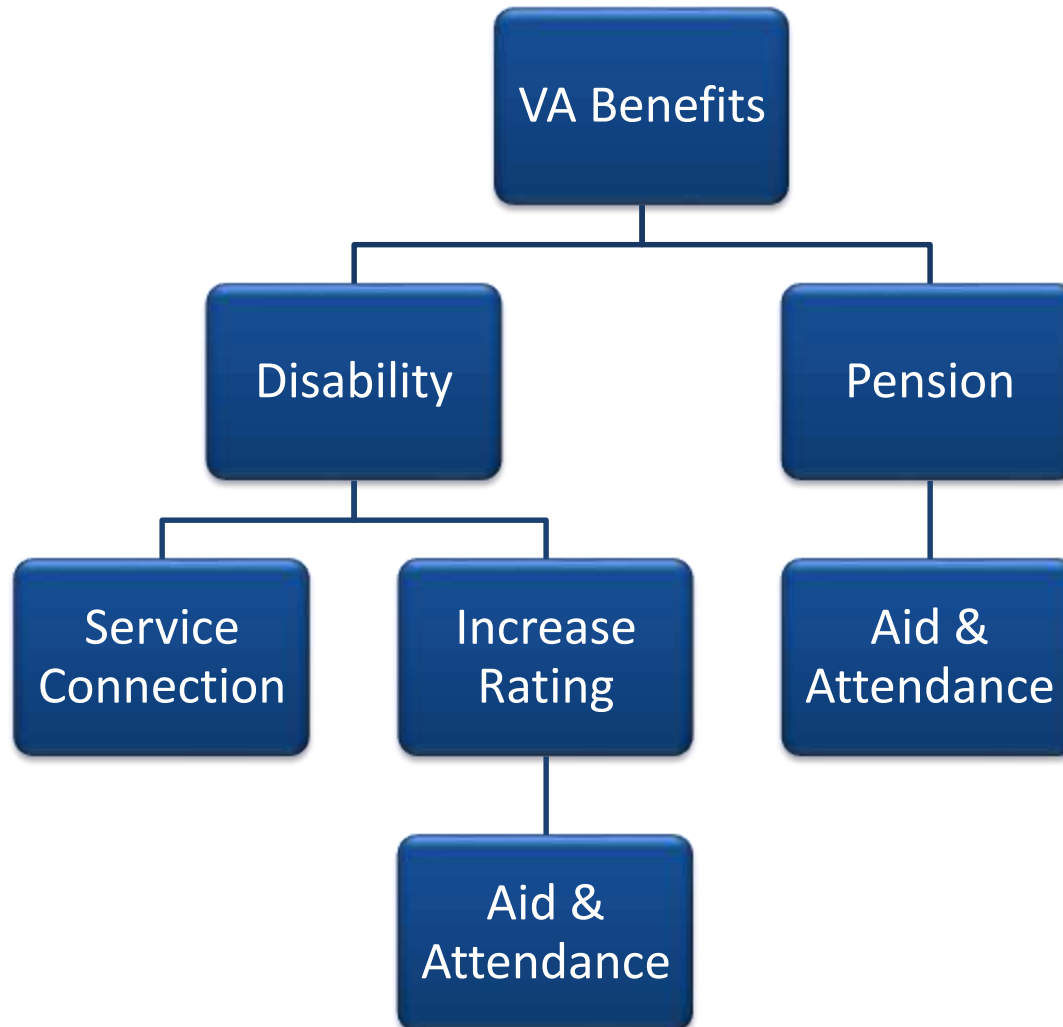
Title 38 US Code & CFR

Pensions, Bonuses, and Veterans Relief

Title	Volume	Chapter	Browse Parts	Regulatory Entity
Title 38 Pensions, Bonuses, and Veterans' Relief	1	I	0-17	DEPARTMENT OF VETERANS AFFAIRS
	2		18-199	
			II	200-299

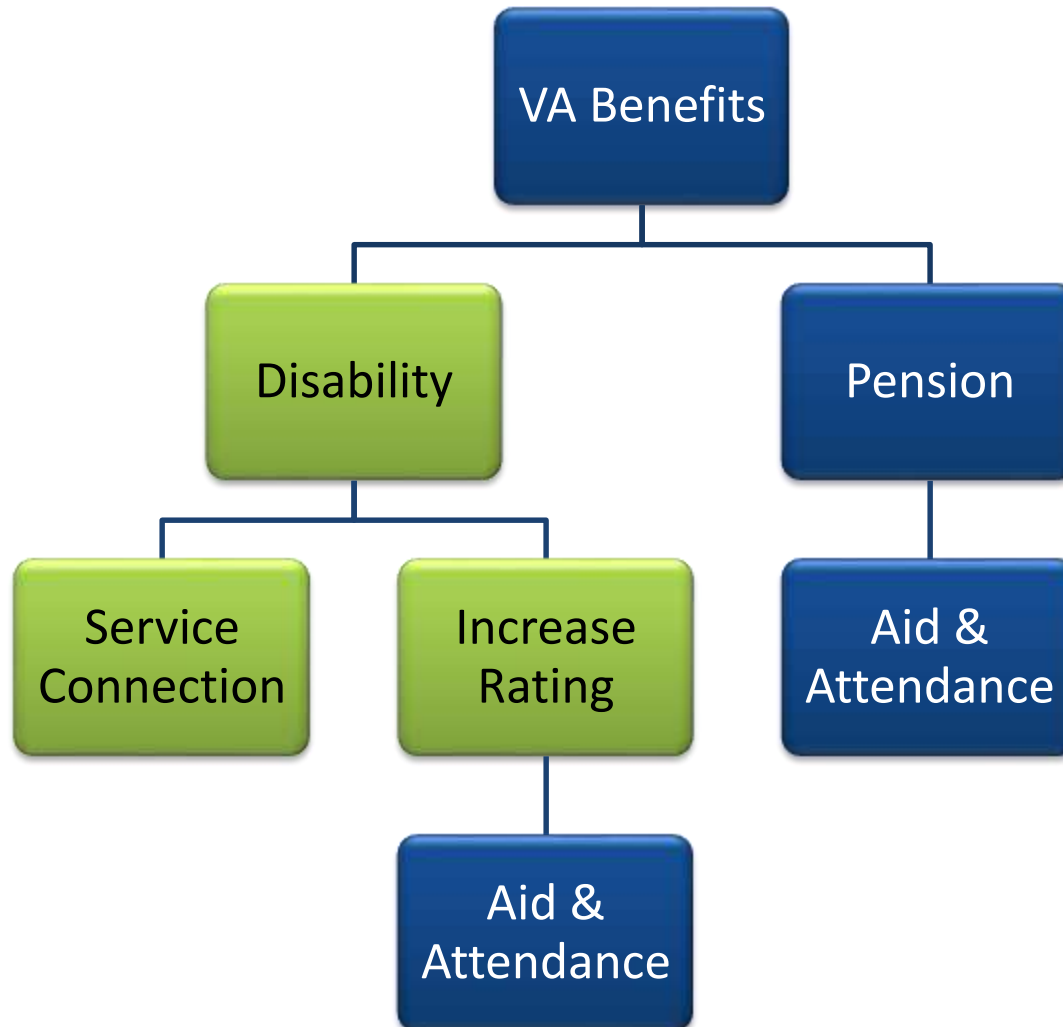


Situational Awareness





Situational Awareness





Disability Compensation Benefits

- **Purpose**
 - VA Disability Compensation Benefits is designed to compensate a veteran for diminished work capacity as a result of a disability incurred in military service
- **Eligibility**
 - Must be a Veteran
 - Active Duty military service with a DD-214
 - Injury incurred during active/inactive duty for training for Reserve and National Guard
- **Requirements**
 - **Service Connected Disability Claims**
 - Disability compensation is a benefit for current disabilities that are related to an in-service injury, illness, or hazardous exposure.
 - Disability compensation can open doors to additional benefits, such as healthcare. **Other**
 - No time limits to file a claim after service



Disability Compensation Benefits

- **Requirements**
 - **Ratings**
 - Each “service connected disability” is rated based on the rating schedule found in 38 CFR Part 4.
 - Ratings are assigned based on the schedule between 0-100%.
 - Ratings (and thus, monthly compensation) can be increased if service connected conditions worsened. Age is not a consideration in the worsening of the disability.
- **Payments**
 - Tax-free, monthly compensation is then assigned based on the combined rating. This amount is paid for the duration of veteran’s life.



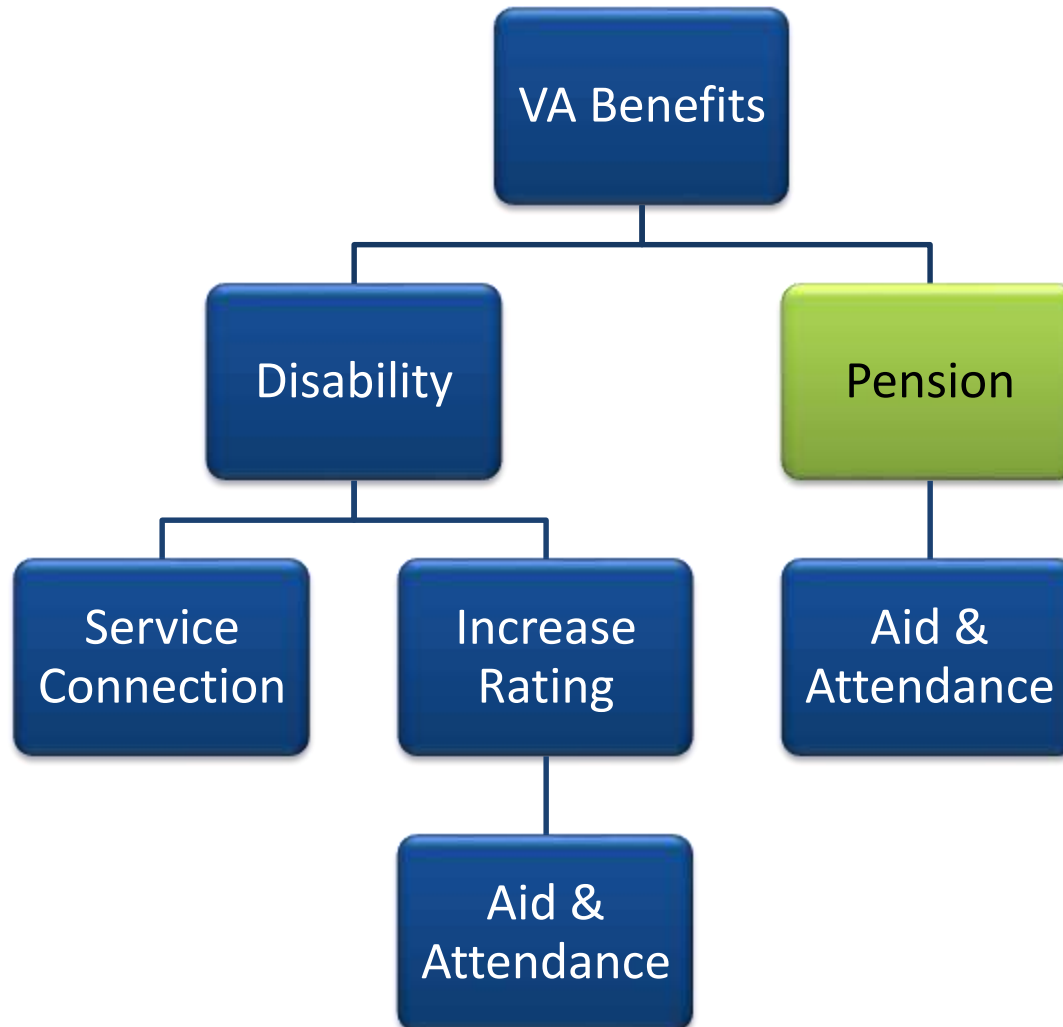
Compensation Benefits Rate Tables

70% - 100% Without Children

Dependent Status	70%	80%	90%	100%
Veteran Alone	\$1,365.48	\$1,587.25	\$1,783.68	\$2,973.86
Veteran with Spouse Only	\$1,481.48	\$1,719.25	\$1,932.68	\$3,139.67
Veteran with Spouse and One Parent	\$1,574.48	\$1,825.25	\$2,051.68	\$3,272.73
Veteran with Spouse and Two Parents	\$1,667.48	\$1,931.25	\$2,170.68	\$3,405.79
Veteran with One Parent	\$1,458.48	\$1,693.25	\$1,902.68	\$3,106.92
Veteran with Two Parents	\$1,551.48	\$1,799.25	\$2,021.68	\$3,239.98
Additional for A/A spouse (see footnote b)	\$106.00	\$122.00	\$137.00	\$152.06



Situational Awareness



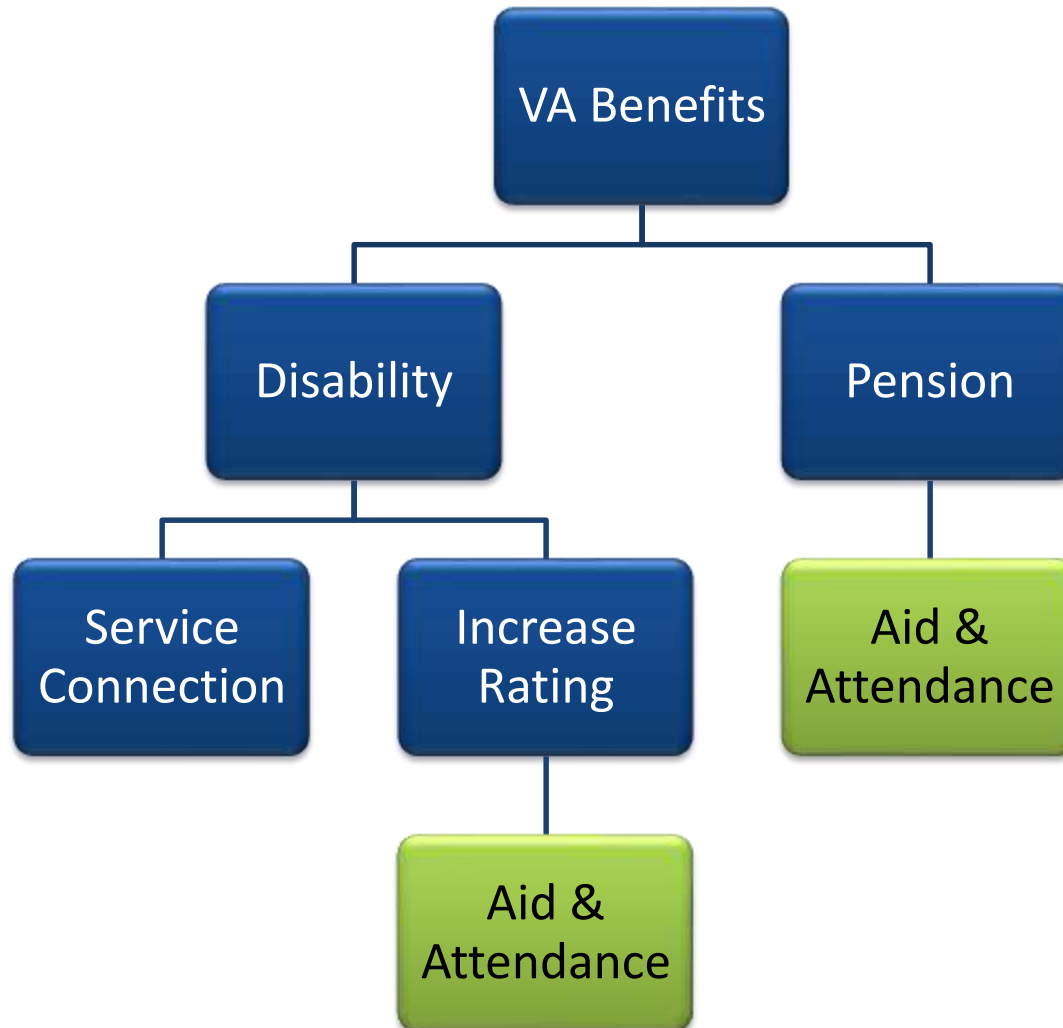


Pension

- **Benefit**
 - Improved Pension is a needs-based benefit paid to a wartime Veteran and his/her survivor(s) who meet certain age or non-service connected disability requirements
- **Eligibility**
 - Deemed permanently disabled, or over the age of 65;
 - Served on active duty at least 1 day during a period of war (defined by VA) with a cumulative service of at least 90 days;
 - If active duty was after September 7, 1980, veteran must have served 24 consecutive months on active duty.
 - Discharge status other than dishonorable.
- **Requirements**
 - As Pension is a needs-based program, veteran's household income must fall below the Maximum Annual Pension Rate;
 - Veteran Alone: \$13,166 ; Veteran + Spouse: \$17,241
 - Unreimbursed medical expenses can be subtracted from the veteran's income.
 - Veterans should recertify expenses annual to adjust pension rates.



Situational Awareness





Housebound & Aid and Attendance Rates

Special Monthly Compensation

- Refers to a Veteran in receipt of COMPENSATION benefits
 - Two Basic Categories:
 - Housebound Status;
 - Aid and Attendance.
- Establishes entitlement to a higher compensation rate above the rating schedule allowances for severely disabled Veterans with service connected disabilities.

Special Monthly Pension

- Refers to a Veteran in receipt of PENSION benefits.
 - Two Basic Categories:
 - Housebound;
 - Aid and Attendance.
- Represents a higher level of care necessary to take care of and protect the Veteran's health - thus the MAPR is elevated if the Veteran is in receipt of these benefits.

Housebound Status and Aid and Attendance require that basic eligibility to either Disability Compensation or Pension be established first!



Housebound Status

Housebound Status - DISABILITY COMPENSATION

- Veteran has a disability rated at 100% (or been rated as total disability due to individual unemployability), AND a disability rated at 60%;
 - The second disability rated at 60% must be related to a separate body system from the 100% disability

Housebound Status - PENSION:

- Veteran has a disability (not related to service) which would be rated at 100% under the applicable rating code, AND the Veteran is substantially confined to his/her home; OR
- Veteran has a disability which would be rated at 100%, AND a second disability which would be rated at least 60%; OR
- Veteran age 65 or older, AND the Veteran is substantially confined to his/her home OR have a disability which would be rated at 60%



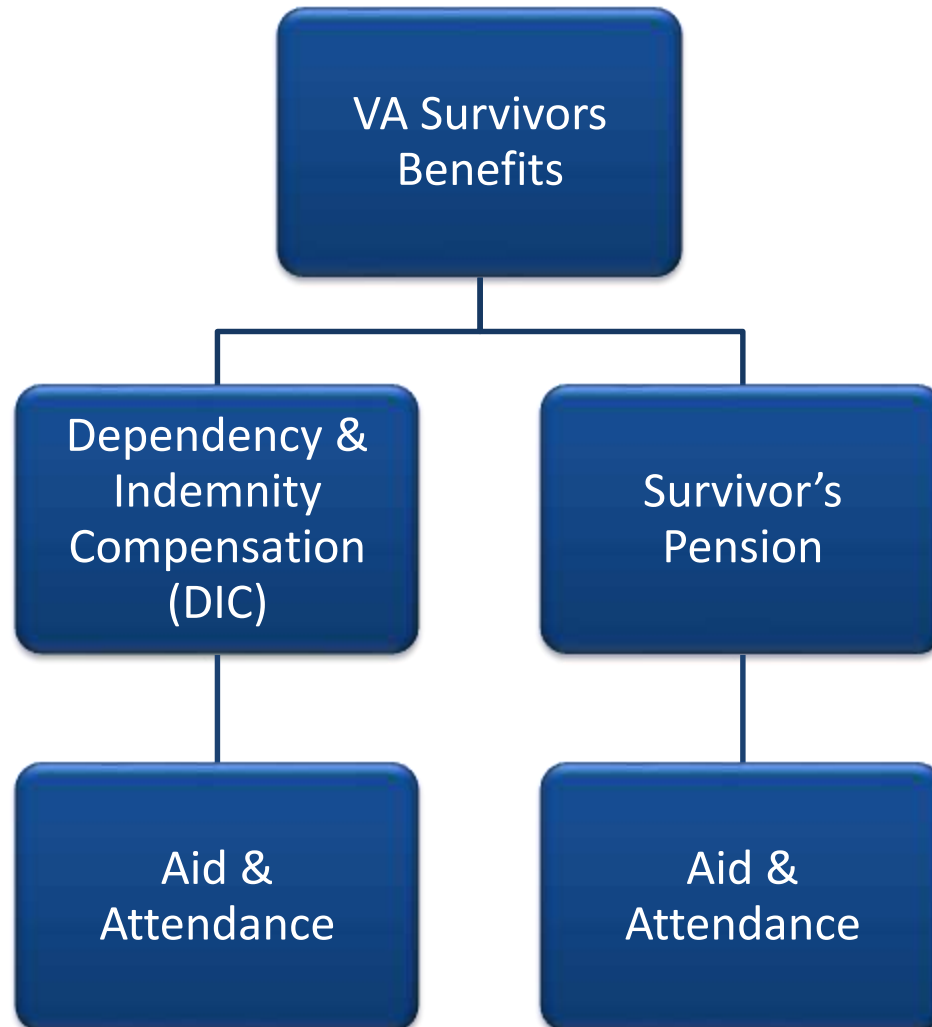
Aid and Attendance

Aid and Attendance:

- Veteran must demonstrate he/she is so helpless “as to require the regular aid and attendance of another person to perform the functions required by everyday living.”
 - Blind or nearly blind; OR
 - Nursing home care due to mental or physical incapacity; OR
 - Needs assistance with ADLs such as grooming and hygiene, attending to prosthetics/appliances, toileting, etc.; OR
 - Requires the assistance on a regular basis of another person to “protect the claimant from the hazards of his/her daily environment.”
- The veteran’s physician must complete a VA form that asserts the needs as above.
 - *However, VA typically construes nursing home care as requiring A&A*



Survivors Benefits





DIC

- **Eligibility**
 - Must be an eligible survivor:
 - Surviving Spouse: Married at least 1 year to the veteran;
 - A surviving spouse who remarries on or after December 16, 2003, and on or after attaining age 57, is entitled to continue to receive DIC
 - Surviving Child: Minor or deemed helpless prior to the age of 18.
- **Requirements**
 - Veteran must have passed due to a service connected disability; OR
 - Veteran passed after having held a 100% rating for at least 10 years.
- **Payments**
 - Tax-Free monthly benefit rate for the life of the survivor;
 - \$1,283.11 per month
 - Survivors can be compensated for eligible dependents;
 - Survivors can receive increase compensation if the survivor can be deemed housebound or in need of aid and attendance (under the same standard as the veteran).



Pension

- **Eligibility**
 - Must be an eligible survivor:
- **Requirements**
 - Survivor must be able to fulfil the same eligibility requirements as the veteran. If the veteran was receiving pension prior to his/her death, the survivor will also establish basic eligibility;
- **Payments**
 - Tax-Free monthly benefit rate for the life of the survivor;
 - Survivor must fall under the Maximum Annual Pension Rate for survivors;
 - \$8,830.00
 - Survivors should recertify expenses annual to adjust pension rates
 - The MAPR will be elevated if survivors are deemed housebound or in need of aid and attendance (under the same standard as the veteran);
 - Survivors can be compensated for eligible dependents.



Ancillary Benefits

- VA Health Care
- VA Home Loans
- Burial Benefits
- Virginia Specific Benefits
 - Veteran Care Centers
 - Veteran Cemeteries
 - Real Estate Tax Exemption



VA Health Care Benefits

- **Benefits**
 - Free to reduced cost (co-pays may be applicable) for eligible Veterans to visit the VA Medical Centers and Community Based Outpatient Clinics
- **Eligibility**
 - Active duty service with a separation under any condition other than dishonorable
 - 24 Months Minimum Active Duty Requirement for those that entered after September 1980 (or completion of term of duty)
 - **Other Avenues of Eligibility** (*non-exhaustive list*)
 - Former POW
 - In receipt of Purple Heart or Medal of Honor
 - In receipt of disability compensation (10% or higher) or pension
 - Service in Vietnam from January 1962-May 1975
 - Service in Persian Gulf from August 1990-November 1998
 - Service at Camp Lejeune for 30 days between August 1953-December 1987
 - Income below the poverty level



VA Health Care Benefits

- **Treatment**
 - Available treatment is governed by the Priority Group;
 - https://www.va.gov/healthbenefits/resources/publications/hbco/hbco_enrollment_eligibility.asp
 - NOTE: Priority Group 4 eligibility is available for those veterans who qualify for aid and attendance or has been deemed catastrophically disabled.
- **Catastrophically Disabled Veterans**
 - Governed by VHA Directive 1630(1)
 - [https://www.va.gov/OPTOMETRY/docs/Catastrophically_Disabled_Veteran_Evaluation_Enrollment_and_Certain_Copayment_Exemptions_VHA_Directive_1630\(1\).pdf](https://www.va.gov/OPTOMETRY/docs/Catastrophically_Disabled_Veteran_Evaluation_Enrollment_and_Certain_Copayment_Exemptions_VHA_Directive_1630(1).pdf)
 - Typically follows the same requirements of aid and attendance; requires a level of care where the veteran needs assistance with most activities of daily living but the disability is not necessarily due to a service disabled condition, nor is the veteran entitled to pension.
 - The veteran must request an exam for determination through the VA Medical Center
 - Suggested point of contact: Patient Advocates Office or Social Work Office



VA Long Term Care Benefits

- **Extended Care and Skilled Nursing Facilities**
 - For eligible veterans, VA does contract for a certain number of beds in local SNFs.
 - To find a center near the veteran, visit:
<https://www.accesstoshep.va.gov/cnh>
 - Eligibility guidelines are based on the type of care being requested and what is medically necessary.
 - For more information:
https://www.va.gov/GERIATRICS/Guide/LongTermCare/Home_and_Community_Based_Services.asp

NOTE:

Almost all VA benefits are contingent on access to another principle VA benefit such as disability compensation, pension, or an assigned priority group through the VHA. It is highly recommended that basic eligibility to these principle benefits be established as soon as possible to avoid enrollment hurdles when the need is imminent.



Virginia Care Centers

- **Virginia Care Centers**
 - **Eligibility**
 - Honorable discharge;
 - Medical need for skilled nursing facility;
 - Domiciled in Virginia.
 - **Benefit**
 - Excellent long-term care facilities with tailored care programs for the veteran such as rehabilitative care and memory care;
 - In some cases, VA may pay a substantial portion of the cost of the facility if the veteran is eligible for VA benefits.
 - For more information about eligibility and the facilities, visit:
<https://www.dvs.virginia.gov/veterans-care-centers/>



Home Loans

- **Benefits**
 - Home Loans for purchase or refinance of primary homes for yourself, spouse, or dependent children
 - Home Loans may be used to buy a home, build a home, improve a home, or buy a manufactured home/lot.
- **Eligibility**
 - For a Veteran, the minimum duty requirement depends on the length of time in service. Depending on the era of Veteran, the minimum requirement may be different.
 - Typically – for a Veteran who entered the service after 1980, must have served 24 continuous months or the full period for which the Veteran was called to active duty
 - See the VA Website for Additional Service Requirements:
http://www.benefits.va.gov/HOMELOANS/purchaseco_eligibility.asp
- **Obtain a Certificate of Eligibility**
 - Veterans must obtain the Certificate of Eligibility prior to working with a financial institution by completing the VA Form 26-1880



Real Estate Tax Exemption for Totally Disabled Veterans and Surviving Spouses

- **Real Estate Tax Exemption**
 - **Benefit:**
 - Veterans may be exempt from paying real estate taxes on their primary residence (and up to 1 acre of land).
 - **Eligibility**
 - Veterans must have a 100% disability compensation rating from the Department of Veterans Affairs;
 - Surviving Spouses may also qualify for the exemption if the Veteran died on or after January 1, 2011.
 - **Authority**
 - VA Code 58.1-3219.5 Exemption from Taxes on Property for Disabled Veterans;
 - Subject to approval by the county Commissioner of Revenue.



Burial Benefits

- **Burial Benefits**
 - **Benefit:**
 - One time payment for assistance with funeral expenses;
 - Service Connected Death: \$2,000
 - Non-Service Connected Death:
 - If hospitalized by VA at time of death: \$762
 - If not hospitalized by VA at time of death: \$300 + \$762 (if not buried in a national cemetery)
 - **Eligibility**
 - Claimant incurred unreimbursed funeral expenses;
 - Veteran has a discharge status other than dishonorable;
 - Veteran's death occurred in one of seven eligible situations;
 - Typically the scenarios require establishing some tie to a VA benefit.



Burial Benefits

- **Burial Benefits**
 - **US Flags**
 - <https://www.va.gov/opal/docs/nac/sdc/memo796-13-01.pdf>
 - **Headstones & Markers:**
 - <https://www.cem.va.gov/cem/hmm/index.asp>
 - **Presidential Memorial Certificates**
 - <https://www.cem.va.gov/pmc.asp>
 - **Military Funeral Honors**
 - https://www.cem.va.gov/cem/military_funeral_honors.asp



Burial in State and National Cemeteries

- **Benefit**
 - Typically a no-cost burial for Veterans;
 - Minor cost will be assessed for eligible family members.
- **Eligibility for National Cemeteries:**
 - Member of the U.S. armed forces who dies on active duty, who retire from military service or who is discharged under other than dishonorable conditions;
- **Additionally Eligibility for Virginia Cemeteries extends to:**
 - Veterans legal spouse [widow or widower] and unmarried minor children under the age of 21 or unmarried adult children who become permanently incapable of self-support because of physical or mental disability before the age of 21 may also be interred.

For more information:

National Cemeteries: https://www.cem.va.gov/cem/burial_benefits/index.asp

Virginia Cemeteries: <https://www.dvs.virginia.gov/cemeteries/cemetery-information/>



Burial in State and National Cemeteries

- **National Cemeteries**
 - Pre-Need Determination for Eligibility
 - Send a VA Form 40-10007 to the National Cemetery Scheduling Office
 - PO Box 510543, St. Louis, MO 63151
 - Fax: 1-855-840-8299
 - Time of Need
 - Call Funeral Service Provider
 - 1-800-535-1117
- **Virginia Cemeteries**
 - Pre-Need Determinations and Time of Need Determinations can be accessed from the specific cemeteries website at:
 - <https://www.dvs.virginia.gov/cemeteries/cemetery-information/>



How to Obtain a Copy of Veteran's DD-214

- National Personnel Records Center
 - <https://www.archives.gov/veterans/military-service-records>



Summary & Questions

- **Topics Covered Today:**
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