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Secret Dollars: "Hidden" VA Benefit for Long-Term Care Revealed



Lesson 1: Who Else Wants a Monthly Check From the VA?

You may be eligible for a monthly check from the VA... in many cases \$1000 or \$1500 per month or more for services you (or your spouse) performed for our country many years (even decades) ago.

What follows in this email is a lot of legalese. And it's important. In fact, some of my clients want to go through it line by line. I understand that and am happy to provide the information to you.

But maybe you're like so many of my other clients who don't want to know all the details. They just want to know if they've got any benefits coming from the VA due to their, or their spouse's, service. If that's you... if you want the bottom line... if you want to find out if it's likely you're eligible for a monthly check from the VA (I say likely eligible because of course the VA makes the final decision), then the quickest way to find out is to call my office at (847) 221-0154.

Then, after a short conversation with one of my staff members, we'll be able to give you an understanding of what benefits may, or may not, be available through the VA.

For many of my clients, guiding them through the VA maze has helped them become eligible for \$1000 to \$1500 per month, or more, tax free!

What's more, there's no charge for the phone call and absolutely no obligation on your part.

If there are things we can help you with to get you qualified, we'll let you know. And if there's nothing to do... no steps to take... we'll let you know that too.

Wouldn't it be nice to have a trusted guide... someone who has been on this path many times before, shine a light and show you where to go and what pitfalls to avoid? That's what we do for our clients as we take them towards VA benefit eligibility.

If you'd like to jump right to the end and discover if you're eligible for a VA benefit, call me at (847) 221-0154. Or, if you'd prefer, email me at AFerraro@robbinsdimonte.com and ask me to follow up with you. That way, if you "Need Answers Now" you've got a place to turn to. And I'm happy to help you right away if you'd like.

In the meantime, here is the information I promised you:

So you want to know about the veteran's benefits maze? Here's the "instant gratification" portion. I know it's daunting! This is exactly why at my firm we call it a "maze"... because this is what we wade through to get the benefits that the veteran you love has earned. Take a quick look now, but don't worry we're going to walk you through all of this legalese in Plain Old English during our course... and there may well be a very big payoff for you and your loved ones by the time we finish going through the VA maze.

Benefits Chart (2015 figures)

Service Pension Rates (The veteran is alive):

Category - Service Pension
Maximum Annual Pension Rate - \$12,868
Monthly MAPR - \$1,072
With one dependent:
Maximum Annual Pension Rate - \$16,851
Monthly MAPR - \$1,404

Category - Housebound
Maximum Annual Pension Rate - \$15,725
Monthly MAPR - \$1,310
With one dependent:
Maximum Annual Pension Rate - \$19,710
Monthly MAPR - \$1,642

Category - Aid & Attendance
Maximum Annual Pension Rate - \$21,466

Monthly MAPR - \$1,788
With one dependent:
Maximum Annual Pension Rate - \$25,448
Monthly MAPR - \$2,120

For each additional dependent child:
Maximum Annual Pension Rate - \$2,198
Monthly MAPR - \$183 additional

Death Pension Rates (The veteran is NOT alive):

Category - Death Pension
Maximum Annual Pension Rate - \$8,630
Monthly MAPR - \$719
With one dependent child:
Maximum Annual Pension Rate - \$11,296
Monthly MAPR - \$926

Category - Housebound
Maximum Annual Pension Rate - \$10,548
Monthly MAPR - \$879
With one dependent child:
Maximum Annual Pension Rate - \$13,209
Monthly MAPR - \$1,100

Category - Aid & Attendance
Maximum Annual Pension Rate - \$13,794
Monthly MAPR - \$1,149
With one dependent child:
Maximum Annual Pension Rate - \$16,456
Monthly MAPR - \$1,371

For each additional dependent child:
Maximum Annual Pension Rate - \$2,198
Monthly MAPR - \$183 additional
VA "Aid & Attendance" Basics in a Flash

The Critical Calculation:

Gross Income (minus) Exclusions = IVAP

Medicaid Lookback: 5 years VA
Lookback: NONE

The Demanded Difference:

MAPR > IVAP

CFR Chapter 38: INCOME

Section 3.271(a): Payments of any kind from any source shall be counted as income during the 12 month annualization period in which received unless specifically excluded under Sec. 3.272.

CFR Chapter 38: NET WORTH

Section 3.274(a): Pension shall be denied or discontinued when the corpus of the estate of the veteran, and of the veteran's spouse, are such that under all the circumstances, including consideration of the annual income of the veteran, the veteran's spouse, and the veteran's children, it is reasonable that some part of the corpus of such estates be consumed for the veteran's maintenance.

Section 3.275(b): The terms corpus of estate and net worth mean the market value, less mortgages or other encumbrances, of all real and personal property owned by the claimant, except the claimant's dwelling (single family unit), including a reasonable lot area, and personal effects suitable to and consistent with the claimant's reasonable mode of life.

Section 3.275(d): In determining whether some part of the claimant's estate (or combined estates under § 3.274 (a) and (e)) should be consumed for the claimant's maintenance, consideration will be given to the amount of the claimant's income together with the following: Whether the property can be readily converted into cash at no substantial sacrifice; life expectancy; number of dependents who meet the definition of member of the family (the definition contained in § 3.250(b)(2) is applicable to the improved pension program); potential rate of depletion, including unusual medical expenses under the principles outlined in § 3.272(g) for the claimant and the claimant's dependents.

CFR Chapter 38: GIFTING

Section 3.276(b): For pension purposes, a gift of property made by an individual to a relative residing in the same household shall not be recognized as reducing the corpus of the grantor's estate. A sale of property to such a relative shall not be recognized as reducing the corpus of the seller's estate if the purchase price, or other consideration for the sale, is so low as to be tantamount to a gift. A gift of property to someone other than a relative residing in the grantor's household will not be recognized as reducing the corpus of the grantor's estate unless it is clear that the grantor has relinquished all rights of ownership, including the right of control of the property.

And as an added bonus, at the end of the course, we're going to give you the claim forms to fill out you can do them yourself at home or come on in to talk to us about your options.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 2: Advice To Anyone Who Loves A Senior – From Someone Who Loves Seniors!

You must feel like I did. Someone you love desperately needs help! That was how I got started in the VA benefits maze... Someone I cared for was a living widow of a wartime veteran and she needed help to pay for long term care expenses. I had heard that there was some type of veteran's benefit available, but I didn't know exactly what it was or how to get it. To make matters worse, I should've known about VA benefits after all, I am a fulltime lawyer who works with seniors, helping them with estate planning, disability issues, and Medicaid assistance a type of law practice called "elder law."

The truth is, I had actually looked into the VA's Aid & Attendance benefit, but I had been frustrated at the time and energy that it would take me to become professionally able to use the skill. Quite frankly, I needed to pay attention to the work I already knew how to do to help my clients.

Then one day all that changed and I had a rude awakening! Read on to learn how.

By the time I got the call that someone I knew and cared about needed veteran's benefits to pay for care, I had gone to several different legal education classes about those VA benefits, and I still didn't know how to get that pension.

Unfortunately, that wasn't good enough. I'm an elder law attorney, and I needed to find the answers to help out my friends. I did eventually "pay the price" in time, money, and effort to learn the little known VA rules for nursing home benefits for the over65 wartime veteran and/or veteran's survivor spouse. Now I can help you and your family to understand when and where that VA benefit is available to help with long term medical care expenses.

As an elder law attorney, most of my clients are between 65 and 101. They are the honest, hardworking people who fought in our wars, worked in our factories, and sent their kids to college. They live on two Social Security checks and a very modest pension. They are frugal people who paid off their homes and cars, and they live without debt. Most of them were living well and happy until the wrecking ball of dementia or long term physical disability struck them. Now, the healthy spouse and the caregiving children are scrambling to find out how to pay the monthly \$5,000 to \$8,000 nursing home bill. They are panicked, lost, and alone.

That is where the elder law attorney comes into the picture. It is our job to help our clients and client families to get the best financial savings, best health care, and best protection for the client and other healthy family members. Families call us because they are worried that unless they find some long term care help, they will soon be out of money and when you're out of money, you're out of options!

My firm's job is to safeguard our client and our client's family, so that they may never be out of money, and never out of options. We are their trustworthy guide through the minefield of health care, insurance, taxes, finances, Medicare, Medicaid, veteran's benefits, family dynamics, and end of life issues.

It is a high stakes game, and I learned long ago there is one law for the unrepresented person, and a seemingly totally different law for the empowered person who is represented by a capable advocate. My firm is that capable advocate for the scores of families we see every year!

Well, the end of my story is a happy one. We did get my friend a widow's pension of \$1,149 per month to help her pay for her \$4,000 per month assisted living fees. That way, she was able to afford several more months of private pay nursing home care and the dignity that comes with it.

Your next lesson will begin to give you the "nuts and bolts" of the VA benefit for the over65 wartime veteran or survivor spouse who is medically and financially needy.

But if you don't want to wait... if you want to find out now if you're likely to be eligible for a VA benefit of \$1000 to \$2000 per month, tax free... call my office at (847) 221-0154.

P.S. – Oops, one more thing. You have some homework: if you don't already know, find out the household income of your ill loved one, and an estimate of their ongoing medical expenses for the next twelve months.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 3: How To Get Help Without Paying A Dime

As you read in the last email, originally when I was asked if I knew anything about these veteran's benefits, I had to tell my friends that I knew nothing... And worse than that, I didn't know any other lawyers who did know about the veteran's benefits that would help my loved one.

Part of the reason so little is known about these benefits is that our Congress has erected a wall around VA benefits. The only folks who are legally authorized to provide information to veterans about benefits are:

- 1 Federal Veterans Administration employees and employees of state Departments of Veteran's Affairs;
- 2 Authorized representatives of Veterans Service Organizations like the VFW and American Legion, among others; and
- 3 Attorneys licensed to practice law in the veteran's state and accredited by the VA.

Right! We lawyers are authorized to provide veteran's benefit information. But federal law prohibits a lawyer from charging a fee to actually assist a veteran in helping them understand the VA claim for benefits we are supposed to work for free! The reason that Congress doesn't allow lawyers to charge a veteran to help with a VA benefit claim form is based on the idea that:

There are plenty of capable and trained VA employees available to help vets fill out VA claim forms for free; There are plenty of capable and trained volunteers available at the various Veteran's Service Organizations to help fill out VA claim forms; and Veterans should be protected from attorneys who would overcharge them by doing something

so [supposedly] simple as completing and submitting a VA claim form. Now, if you have not already tried to get help from either the Veterans Administration or a Veteran's Service Organization, then I highly recommend that you try to do that immediately. Those folks truly do want to help you. Unfortunately, because of the limited staff and hours in the day that they have, many of you have already tried to find help, but still need more. That's part of the reason why I have created these letters for you. There's just simply not enough help to go around.

In my next lesson I'm going to tell you about some dangerous pitfalls you may experience when dealing with any of these benefits and more importantly, how to avoid them!

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 4: Blind Trust Can Run You Into a Wall

In the last lesson we talked about who can help you fill out your VA benefit forms. But all is not sunny down each of these roads! Here's a word of warning about what to look for when working with various organizations or professionals.

The sad fact is, since it's illegal to charge a veteran a fee for filing a claim for them, there are few attorneys who know anything about these benefits. Veterans Service Organizations (VSOs) do truly want to help, but they are often hardpressed to have sufficient resources to aid multiple generations of veterans, so it can be difficult for a veteran or his/her surviving spouse to get all the help they need to file a claim. There is only so much they can do.

The only other common source of information regarding this benefit generally comes from annuity salespeople who often offer to consult with veterans and their families for free. This "free offer" is based on the strategy of counseling the veteran to meet the asset and income limitations of the benefit by buying an annuity and giving away their assets to their children. The offer is that the annuity sales organization will assist the veteran in filing for the VA benefit claim. They also promise to provide any necessary estate planning work at no charge. In reality, the annuity salesperson is being compensated by the annuity company for selling a financial product to the veteran. While an annuity may be an excellent financial decision for your loved one, it may also be a poor one, depending on your family's facts and circumstances. All I'm saying is this: You should seek independent advice before making a decision to purchase an annuity and/or transfer assets. You should plan your estate using the resources that are right for you, instead of a one size fits all annuity... because trust me, one size does NOT fit all!

And as we talked about in the first letter, many attorneys (even elder law attorneys!) do not know about the VA's benefits or how to get them. In addition, many attorneys may label themselves as elder law attorneys because they can prepare simple things such as wills but unless they are working with seniors on both Medicaid and VA benefits every day, they are most likely not versed in the complicated and ever changing maze of laws that surround the benefits that you or your loved one may need and often my clients need services much sooner than they think! This is dangerous territory. You need a trustworthy guide who has traveled this path before, and travels it on a regular basis!

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 5: Veteran's Service Eligible For Monthly Pension?

Shortly I'm going to give you information about some of the little known groups whose members may be eligible for VA benefits.

It's a long list and frankly, it may make your head spin.

Now before I go through all this, I wanted to let you know that, even if they find it interesting, many of my clients, about this time, decide they just want to know if it's likely they'll be eligible for a monthly check from the VA based on their, or their spouse's, service.

If that's you... if you want to know now... call my office at (847) 221-0154 and let's explore whether or not you're likely to qualify.

Meanwhile, in our last lesson, we talked about some pitfalls to avoid when getting help with your VA paperwork. But I'm sure you want to know: what if my mom or dad wasn't in the army or the navy? Who exactly is covered by these benefits, and who qualifies as a wartime veteran?

Well, if your loved one served in a lesser known area of the military, then take a look at the list below. In addition to active duty vets from the armed services, these little known groups also meet the active duty qualification for VA benefits.

If you or your loved one belong to any of these groups and received a discharge by the Secretary of Defense, your service meets the active duty service requirement for benefits:

- Recipients of the Medal of Honor
- Honorably discharged veterans, surviving spouses, or children of any military, naval or air service
- Women's Army Auxiliary Corps (WAACs)
- Merchant Marines from WWII (Ocean-going service)
- US civilians of the American Field Service
- Women Air Force Service Pilots (WASPs)
- WWI Signal Corps Female Telephone Operators Unit
- WWI Engineer Field Clerks
- Female clerical employees of the Quartermaster Corps serving with the American
- Expeditionary Forces in WWI
- Civilian employees of Pacific naval air bases who actively participated in defense of Wake Island during WWII
- Reconstruction aides and dietitians of WWI
- Male civilian ferry pilots
- Wake Island defenders from Guam
- Civilian personnel assigned to OSS secret intelligence
- Guam Combat Patrol
- Quartermaster Corps members of the Keswick crew on Corregidor during WWII
- U.S. civilians who participated in the defense of Bataan
- U.S. merchant seamen who served on block ships in support of Operation Mulberry in the WWII invasion of Normandy
- American merchant marines in oceangoing service during WWII
- Civilian Navy IFF radar technicians who served in combat areas of the Pacific during WWI
- U.S. civilians of the American Field Service who served overseas under U.S. armies and U.S. army groups in WWII
- U.S. civilian employees of American Airlines who served overseas in contract with the Air Transport Command between 12/14/41 and 8/14/45
- Civilian crewmen of certain U.S. Coast and Geodetic Survey vessels between 12/7/41 and 8/15/45
- Members of the American Volunteer Group (Flying Tigers) who served between 12/7/41 and 8/14/45
- U.S. civilian flight crew and aviation ground support of TWA who served overseas between 12/14/41 and 8/14/45
- U.S. civilian flight crew and aviation ground support of Consolidated Vultee Aircraft Corp. who served overseas between 12/14/41 and 8/14/45
- Honorably discharged members of the American Volunteer Guard, Eritrea Service Command, between 6/21/42 and 3/31/43
- U.S. civilian flight crew and aviation ground support of Northwest Airlines who served overseas between 12/14/41 and 8/14/45
- U.S. civilian female employees of the U.S. Army Nurse Corps who served in the defense of Bataan and Corregidor from 1/2/42 to 2/3/45
- U.S. civilian flight crew and aviation ground support of Braniff Airways who served overseas in the North Atlantic between 2/26/42 to 8/14/45
- Chamorro and Carolina former native police who received military training in the Donnal area of central Saipan and were placed under command of Lt. Casino of the 6th Provisional Military Police Battalion to accompany U.S. Marines on active, combat patrol from 8/19/45 to 9/2/45
- The operational Analysis Group of the Office of Scientific Research and Development, Office of Emergency Management, which served overseas with the U.S. Army Air Corps from 12/7/41 through 8/15/45

- Honorably discharged members of the Alaska Territorial Guard during WWII

Just remember your loved one must have served in active duty for 90 consecutive days, at least one day of which was during a period of war. However, this doesn't mean they had to have served overseas... they just had to serve, either at home or abroad, during the time frame.

Now that you know who's in the running, we'll show you the money!

Your homework today is to find out how much your loved one is paying out of pocket for medical expenses.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 6: Which Benefit Will You Get – 10% or 100% Of The Maximum?

In my last lesson, I gave you a list of who exactly is a "wartime veteran" according to the VA powers that be. And I'm sure you really want to know how these benefits divide up! What can your loved one receive if he or she has medical expenses due to long term care? This course is focused on benefits for veterans with Alzheimer's, Parkinson's, dementia, or a host of other diseases that can cause them to become homebound or need the constant care of another not for those wounded in battle.

Most people think of veteran's benefits as being only for servicemen and women who were wounded or disabled while serving in the armed forces. By and large, that is true. But we have learned that there are substantial benefits that may be available to wartime veterans who are now senior citizens and are facing the burden of long term care due to a host of diseases such as dementia, MS, Lou Gehrig's Disease, and many others.

The most important thing for you to know is that the maximum benefit available can provide significant help in paying for the long term care costs of veterans/surviving spouses who are homebound or in a care facility.

The wartime veteran has earned possible eligibility for this assistance simply by serving our country, even if their current disability is not connected to their military service. That's why this is NOT a handout or charity after all, our veterans served our country, risking their lives, and the least we can do is support them in their time of need.

Nonetheless, I have learned that claims examiners do sometimes view the benefits for veterans whose disability is connected to their service (disability compensation) to be similar to "worker's compensation," which is money that is paid to an employee who is injured on the job. For these service connected benefits, the VA has a system of rating an employee's disability as a percentage. For example, VA examiners may rate someone as low as 10% or as high as 100%. The injured serviceman/woman receives a check based on a rating, and NOT based on need.

Now, wartime veterans (and their surviving spouses) whose disabilities are not caused by their service become eligible for the Special Monthly Pension benefit when they are over 65 years of age; are permanently disabled and unable to work; are homebound; or need the regular aid and attendance of another whether at home, in assisted/supportive living, or in a nursing home. The program is based on actual financial need for assistance, so there are income and asset limitations.

Now, when you read the above paragraph and discover that you must be "permanently disabled" in order to qualify... you might be thinking that you felt a little "creaky" getting out of bed this morning, but you don't think you are permanently disabled.

It might surprise you to find out, however, that if you are at least 65 years old, the VA automatically presumes you meet the disability test. So fear not, qualification may, with the right advice, be easier than you'd think! So let's move on.

What we're going to look at in the next few lessons is the non service connected pension which may provide money to assist a needy wartime veteran or surviving spouse who now faces substantial medical costs due to Alzheimer's, Parkinson's, arthritis, multiple sclerosis, or some other "non service connected" disease. This is what we want to study together because it is, most likely, the situation that you and your loved one find yourselves in. In the next lesson, you and I will take a look at the specific dates for "periods of war," because they are much broader than most people think!

Your homework today is to find out if you already have (or still need to get) paperwork that proves your loved one is indeed over 65 years old, or that they are permanently disabled. This may require a doctor's visit or paperwork from their nursing home or assisted living facility stating that fact.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 7: Did You Serve During Wartime? The Answer Might Surprise You...

Timing is everything.

And in a moment I'll share with you the dates that qualify for wartime service... one of the keys to unlocking the VA Aid and Attendance benefit.

But first, perhaps you've heard the old saying... What's the difference between salad and garbage? The answer is, of course, TIMING!

Submitting a VA application at the wrong time can turn your potential claim into garbage. But if you're worried about the timing of your VA application, don't fret. We've been down this road many times before. We know when it's the right time to apply.

If you'd like us to help you figure out if, and when, to apply, call my office at (847) 221-0154 and let us explore your potential benefits.

Or if you'd prefer just to read on, then let me remind you that in my last email, we looked at what defines a veteran as needing "Service Connected Compensation" versus a "Non Service Connected Pension." Today, let's make sure that your loved one qualifies for the correct dates of what the VA considers "wartime." Now remember, your loved one must have been honorably discharged, and must have served 90 consecutive days of active duty, including at least ONE DAY in one of the following date ranges:

Official Dates for Periods of War

World War II: December 7, 1941 to December 31, 1946

Korean War: June 27, 1950 to January 31, 1955

Vietnam War: August 5, 1964 to May 7, 1975 February 28,
1961 if served in Vietnam

Persian Gulf War: August 2, 1990 to [date not yet determined]

Your homework for today is to make sure you have your loved one's discharge papers. Do you know where to find them? Check the dates of both entering and leaving the service. Do those dates fall within the wartime dates listed above? In addition, does the discharge show that your loved one was honorably discharged? If you are not sure, contact a Veterans Service Organization, or give us a call. Make sure you're pulling out the paperwork for your homework during this course and placing it all together in a secure place. In the next lesson you're going to find out the exact dollar amount that the veteran you love can qualify for.

Of course, if you want to skip the homework and jump right to the finish line, call my office at (847) 221-0154 and we'll assist you in determining whether you are eligible for benefits... and how much they might be.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 8: VA Benefits For You? Get Answers Now

So far you've seen a series of reports that reveal how many veterans and their spouses are eligible for an income of \$1000 to \$2000 per month, tax free.

But I've found, over time, that a lot of my clients get impatient... they want to get right to the heart of the matter. They want to know if they are eligible.

If that's you, if you Need Answers Now, click on the link below for a special offer:

<http://www.wartimeveteran.com/RLAW/get-answers-now/index.html>

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 9: Show Me The Money... How Much Income Might The VA Pay You Each Month?

In the last lesson, we looked at the official dates for a period of war. What is all this hard work going to get you? It can be very worthwhile to go through the effort. Take a look at the table below to see what the veteran you love may receive to help out with long term health care costs:

Special Monthly Pension rates paid to veterans age 65 or older OR permanently and totally disabled

(If the veteran is still alive, use this information):

Situation - Permanently and totally disabled veteran
Maximum Monthly Check - \$1,072 (\$12,868 per year)

Situation - With one dependent spouse or child
Maximum Monthly Check - \$1,404 (\$16,851 per year)

Situation - Permanently and totally disabled and also housebound
Maximum Monthly Check - \$1,310 (\$15,725 per year)

Situation - With one dependent spouse or child
Maximum Monthly Check - \$1,642 (\$19,710 per year)

Situation - Permanently and totally disabled and in need of regular aid and attendance
Maximum Monthly Check - \$1,788 (\$21,466 per year)

Situation - With one dependent spouse or child
Maximum Monthly Check - \$2,120 (\$25,488 per year)

Increase for each additional dependent child
Maximum Monthly Check - \$183 additional (\$2,198 per year)

Stay the course, and you're going to learn how to get these substantial benefits for your loved one! Don't forget, I only learned about all of this because I was helping the widow of a veteran... In the next lesson we're going to cover the pension plan for veterans' widows and widowers.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 10: Do You Qualify For These VA Widow(er) Benefits?

Last time we looked at the chart for a living veteran and what exactly they can get if they qualify for this sizable benefit. Today we're going to look at the help the widow or widower of a veteran can be given when they qualify. In other words, what can a surviving spouse of a wartime veteran receive for long term medical expenses?

There's two routes to go here. One is you can continue to read and study through these emails. Many people like to gather lots of information before they move ahead. If that's you, stay tuned... I have lots more to share with you.

Others like to jump ahead. They say, I don't care how it all works... I just want to know if I'm likely to be eligible... and if so, how much of a monthly benefit might I qualify for?

If you're in the second group, if you'd like to get quick feedback on what benefits are available to you or your spouse for their service to our country, then call my office at (847) 221-0154 and my trained staff will take you through our "Is It Worth It?" conversation and help you discover whether you might already be eligible or whether there are steps you can take to quickly become eligible. Call us now to discover how you may be eligible for an extra \$1000 to \$2000 per month...

Or if you'd prefer to study further, then let's continue.

Before you learn about benefits for a surviving spouse of a veteran, I have something to tell you that may come as a shock, and it's going to seem like it negates all the hard work you've done so far. From the Veterans Administration point of view, they can truthfully tell you that there's no such thing as "VA Aid and Attendance Benefits." The reason for this is that they don't call it by that name. The public and the media refer to the benefits as either "Aid and Attendance," "widow's pension," or "widow's award." Unfortunately, many people have been denied an opportunity to file a claim because they did not know that the VA refers to these benefits as either a "Special Monthly Pension" or "Death Pension" or even a "Non Service Connected Pension." When you talk to the VA, you've got to speak the right language!

As for the benefit for a surviving spouse, the award is called a "Death Pension." It might seem a little harsh, but at the VA, they deal with death every day... In fact, 1,900 veterans die every day, and over 1,000 of them are World War II veterans. That means that every day is Memorial Day for the VA! Every Monday they start the day with a new backlog of death and funeral claims from Saturday and Sunday 3,800 deaths. No wonder they use this kind of language to describe the widow(er)'s award! The proper name for it is the "Death Pension for the Veteran's Surviving Spouse."

As the burden of communication is on the communicator, you need to use the proper terms when dealing with the VA learn to speak their language. If you do not know how to speak their language, then you need a 'translator.' As you already know, the only translators that can help you are:

Recognized Veterans Service Organizations, like the VFW or American Legion An accredited agent, such as an employee of the State A licensed attorney who is accredited by the VA

What you'll read next is the benefit your loved one may receive when you get all their paperwork sorted out. Take a look:

2015 Death Pension Rates Paid To Veteran's Surviving Spouse (use this information only when the wartime veteran has died)

Situation - Surviving spouse
Maximum Annual Pension Rate - \$8,630
Maximum Monthly Check - \$719

Situation - With one dependent child
Maximum Annual Pension Rate - \$11,296
Maximum Monthly Check - \$941

Situation - Surviving spouse is permanently housebound
Maximum Annual Pension Rate - \$10,548
Maximum Monthly Check - \$879

Situation - With one dependent child

Maximum Annual Pension Rate - \$3,209
Maximum Monthly Check - \$1,100

Situation - Surviving spouse is in need of "regular aid and attendance"
Maximum Annual Pension Rate - \$13,794
Maximum Monthly Check - \$1,149

Situation - With one dependent child
Maximum Annual Pension Rate - \$16,456
Maximum Monthly Check - \$1,371

Situation - For each additional dependent child
Maximum Annual Pension Rate - \$2,198
Maximum Monthly Check - \$183 additional

In the next lesson, we're going to take a look at the equation the VA uses to figure out whether or not your loved one has an income or assets that is too high for them to qualify for the benefit.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 11: The Key To Unlocking VA Benefits

In our last lesson together we looked at the benefit for a veteran's surviving spouse. Today you're going to learn what the VA considers "Unreimbursed Medical Expenses" that is, what you and your loved one are paying out of your pockets also referred to as "UME." This is a key factor to help you determine if a veteran may qualify for a pension! The formula the VA uses to calculate your real income is below:

Wartime Veteran & Spouse (if any) Gross household annual income Minus:
Unreimbursed medical expenses (UME) for one year Equals: Net income
for Veterans Benefits purposes

Don't worry too much about that today; we're going to go over it in detail in our next lesson. It's just to give you a frame of reference as to what the VA is looking at.

Now, what qualifies as Unreimbursed Medical Expenses? Well, first of all, your household annual income includes anything the veteran earns, as well as his/her spouse or dependents. From that number, you would subtract UME's which include doctors' and dentists' fees, Medicare premiums and copayments, insurance premiums, transportation to the doctor's office, and the cost of assisted living facilities or in home caretakers. But there's much more take a look below to see everything that qualifies!

Listing of Possible Medical Expenses: (this is only a partial list)

- Medicare premiums deducted from Social Security
- Supplementary medical insurance (Part B) under Medicare
- Abdominal supports
- Acupuncture service
- Ambulance hire
- Anesthetist
- Arch supports
- Artificial limbs
- Back supports
- Braces
- Cardiographs
- Chiropodist
- Chiropractor
- Convalescent home (for medical treatment only)
- Crutches
- Dental services

- Dentures
- Dermatologist
- Eyeglasses
- Food or beverages prescribed by doctor for treatment of illness
- Gynecologist
- Hearing aids & batteries
- Home health services
- Hospital expenses
- Insulin treatment
- Insurance premiums (medical)
- Invalid chair
- Lab tests
- Lip reading lessons (in connection with disability)
- Neurologist
- Nursing services
- Occupational therapist
- Ophthalmologist
- Optician
- Optometrist
- Oral surgery
- Osteopath
- Pediatrician
- Physical examinations
- Physician
- Physical therapy
- Podiatrist
- Prescriptions and drugs
- Psychiatrist
- Psychoanalyst
- Psychologist
- Psychotherapy
- Radium therapy
- Sacroiliac belt
- Seeing-eye dog
- Speech therapist
- Splints
- Surgeon
- Telephone/teletype for deaf
- Transportation expenses (20 cents per mile)
- Vaccines
- Vitamins prescribed by doctor
- Wheelchairs
- Whirlpool baths for medical purposes
- X rays

Note: Most medical expenses must be prescribed by a physician to be deductible from gross income for VA benefit qualification purposes.

So you see, depending on what your income is and what your medical expenses are, you may qualify even if your gross monthly income seems too high. If you have questions about anything in the list above or aren't sure if an expense you incur is "unreimbursed" or not, go ahead and give us a call at (847) 221-0154.

In our next lesson, we're going to look much more closely at the formula I mentioned above. Your homework now is to figure out how much you spend on medical bills, because we're going to use it in the next lesson.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 12: The One Minute Test To VA Cash Eligibility!

In our last lesson, we looked at what the VA considers "Unreimbursed Medical Expenses" or UME, and why that's important in determining how much you may qualify for with this benefit. Today you're going to learn about the benefit for the veteran who needs it whether or not he or she was injured during wartime. Yep, you're one step closer to getting those benefits, because today it's all about how the VA actually judges whether your loved one is "needy." Make sure you read all the way to the end, because we're coming down the home stretch and the financial health of your family may just depend on you getting smart about these things.

Now before I go through the explanation... let me toss you a lifeline. About this point many people start to feel like this is too much... "I'll never understand it all," they think.

Well, if that's you, don't fret. Pick up the phone and call my office at (847) 221-0154 and my trained staff and I will guide you through the VA maze. There's no charge for the call and we'll quickly help you discover the benefits that may be waiting for you at the end of the VA maze.

Or if you'd prefer to learn more, you should understand that a VA examiner looks at non service connected pensions as a type of welfare. It is NOT welfare, but from the VA point of view, they are trying to provide a pension for a wartime veteran or survivor spouse who truly needs it. This pension is based on financial need and is not based solely on a percentage of disability. The maximum annual pension rate (we'll just call it the MAPR) available per veteran is calculated by taking into consideration some of the following factors:

Gross household income available to pay expenses; Gross savings and other money available from IRAs, CDs, cash value life insurance, stocks, bonds, annuities, rented real estate, vacation homes, and all other investments; Life expectancy of the veteran, to determine how long the veteran may live and have to pay medical expenses; and The cost of ongoing medical expenses that are not covered by Medicare, employee benefits, or insurance.

These are our UME's.

Based on the information above, the first step in determining if a wartime veteran may qualify for a pension based on need is the formula below:

Gross household annual income Minus: Unreimbursed medical expenses (UME) for one year Equals: Net income for Veterans Administration purposes

"Net Income for Veterans Administration Purposes" (abbreviated IVAP) is what is used to figure out how much, if any, pension money will be given to a veteran.

Each category of need such as housebound veteran, nursing home resident veteran, or veteran's spouse has a maximum amount of pension dollars available per claimant. Because there is a maximum annual pension rate (MAPR) for each category, no one can receive a pension for more than the maximum regardless of actual need.

In the next letter, we will review requirements to be eligible for the non service connected pension and the maximum available pension resource.

Soon we're going to go through the hard and fast numbers that the VA uses to make sure your loved one's net income isn't too high to receive the benefit. You've got a lot of homework this time! Figure out what the veteran you love has for a net income using the formula below:

Gross household annual income Less: Unreimbursed medical expenses for one year Equals: Net income for Veterans Administration purposes

In addition, you've got to calculate what your loved one is "worth" to a VA examiner, and that includes their gross savings and other money available from IRAs, CDs, cash value life insurance, stocks, bonds, annuities, rented real estate, vacation homes, and all other investments. I know this is a lot to find out at one time, but the sooner you collect all this information, the sooner you will be ready to fill out your forms.

In our next lesson, we're going to look at what NOT to do if your loved one has too many assets! Trust me, this next lesson is one of the most important of all it means the difference between aging with dignity and losing everything!

Of course, if you're not wanting to walk this VA maze alone, or if you want to immediately come out the other end, call my office today at (847) 221-0154. We are honored to be your trusted guide. We have walked this path with many of our nation's war heroes and will be happy to assist you if the process is starting to feel overwhelming to you. Otherwise, we'll march on!

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 13: A Little Mistake That Costs Some Seniors Their Life Savings: The Medicaid Time Bomb

Did you finish all your homework last time? We looked at the formula the VA is going to use to make sure your loved one actually needs their help. Today we have some extremely important information for you about what NOT to do when you're trying to get your loved one to qualify for VA benefits.

There are strict rules that govern whether or not your loved one is eligible, and they're put in place so that someone can't just give away his or her money and automatically qualify. You've got to talk to someone who knows the rules, because they will know what sort of penalties you may incur if you take any such action. Make sure you understand what you're doing before you make any changes to someone's assets. Ordinarily, the VA takes a very dim view of individuals transferring their assets to qualify for this benefit.

Another thing you must know is that giving away cash or other things of value can create terrible problems for senior citizens if or when they later need to apply for Medicaid to assist them with skilled nursing home care. Simply giving away assets can create a long penalty period of ineligibility for Medicaid benefits, which we call the Medicaid Time Bomb.

Don't forget, though if you decide you need help, nobody can charge you a penny for helping you fill out the VA forms! In our next email, you are going to learn what the asset limitations are, and some questions you need to ask yourself before you take any action.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 14: Don't Make A Wrong Move For The VA And Set Off The Medicaid Time Bomb!

Last time we explored why it is so important for you to talk to a professional elder law attorney before you take your loved one's financial future into your own hands. Remember, your personal goal is to make sure that you and your loved one are never out of money and never out of options. Our goal is to help you try to achieve your goal.

Today's letter will address a frequently asked question by a veteran's family: "Is there anything we can do to qualify for the VA benefit if the veteran has too many assets?"

This truly is the "million dollar question," and I have to tell you that with one wrong move, danger and disaster lurk close by. A veteran and spouse who might be eligible for \$2,120 monthly in aid and attendance benefits or \$1,642 in housebound benefits might be considering the idea of gifting excess assets to their children. But there are several questions that you must ask before doing that:

1. What is the tax impact of such gifting?
2. What is the net benefit or loss caused by gifting assets?

3. What is the impact to the one who receives the gift?
4. Does the VA impose a penalty against the veteran if they know that the vet has given away excess assets to qualify?
5. How long does it take to get the VA to approve a claim?
6. How likely is it that the VA will approve the claim?
7. What amount will the VA approve?
8. How soon can the veteran get a check?

A much less obvious but important issue is what I call the "Medicaid Time Bomb." The VA does not have a penalty period of ineligibility for VA benefits, even if the veteran were to give away all of his/her excess assets immediately before filing a claim (not that we would recommend this drastic move read on to find out why). In the next lesson we'll talk about the Medicaid Eligibility Trap, why you probably don't think it applies to you, and why it absolutely does!

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 15: Why Planning Now Could Save Your Bacon Later

I've told you about giving away assets, and why that can be a pretty risky move. "Sure," you might say, "it's only dangerous for people who need to qualify for Medicaid in the next 5 years. That won't be my dad; he's doing just fine at home." And you may be right for now.

Most housebound and assisted living veterans do not realize that their health care needs and expenses are NOT going to stay the same very long. Unfortunately, the aged and frail veteran has begun an end of life journey that is reasonably foreseeable.

A housebound or assisted living facility resident has perhaps a 90% probability of needing to go on to skilled nursing home care within two to three years. The cost of skilled nursing home care can run from \$5,000 to \$10,000 per month. The veteran could be in the nursing home for several years prior to death. It is highly likely that the veteran's family will need to apply for Medicaid benefits to pay the nursing home costs.

Medicaid now has a penalty period of ineligibility if a senior has given away any assets within five years of applying for Medicaid assistance. This means that if you were to ignore our advice and transfer assets to qualify for Aid and Attendance, you could become ineligible for Medicaid.

As you can now see, most of VA claimants, if they live long enough, will need Medicaid in less than five years.

Beware: Any time a veteran gives away assets to qualify for VA benefits, the veteran is setting a Medicaid penalty Time Bomb! A VA accredited elder law attorney who has substantial experience with the Medicaid eligibility rules for our area can tell you if you're putting yourself in harm's way. If you know you need to do some planning for eligibility reasons but aren't sure what to do, call my office at (847) 221-0154 we can offer you direction.

A VA accredited elder law attorney is a trustworthy guide for the client and his or her family for all of the significant issues that may arise as the senior travels this path. It is my job to counsel you so that you may be never out of money and out of options as you take the elder care journey.

I am available to assist you and your family to avoid the land mines that lay along the elder care pathway. My goal is to provide my clients who face long term disability care with: The financial benefits; The quality health care options; Peace of mind; and Preservation of personal dignity.

If you are a senior facing long term care, or someone who loves a senior dealing with long term care issues, then contact me today at (847) 221-0154 for a free no obligation discussion of your heartfelt concerns and

caregiving burdens. I walk alongside my fragile clients and shine a light ahead into the darkness. My staff and I have walked this path many times before.

In our next lesson together, you're going to learn how someone like me can help you with your veteran's benefits paperwork, do it all for free, and still be able to put food on the table.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 16: There's Never A Charge For Filing The VA Application...

In your last lesson, you found out how to avoid the Medicaid Eligibility Trap. But I know, all along, you've heard your mother's voice in the back of your head saying, "If it sounds too good to be true, it probably is!" You've probably been asking yourself, "How it is that attorneys can do this kind of work, giving me information about Aid and Attendance, if their services are free? I mean, aren't all lawyers moneygrubbers who will bill you an hour for a five minute phone call?" Read the information below to see how it works:

***The VA General Counsel said this about legal fees:

"To the extent that after consultation the veteran expressed to the attorney an intention to file a specific claim for VA benefits, if the attorney charged the veteran for preparing the claim, the attorney did so in violation of Section 5904. The better practice would have been to charge the veteran for the pre-filing consultation and simply prepare the claim on a pro bono basis."

(The above is a quote from a letter written by Tim S. McClain, General Counsel of the Dept. of Veterans Affairs, to The Honorable Lane Evans of the U.S. House of Representatives Committee on Veterans Affairs, dated May 24, 2004.)***

The truth is that attorneys do still need to earn their bread and butter. Here at our firm, we do things a little bit differently than many lawyers. We will look through all your specific information, and then recommend a plan of action for you regarding Medicaid, Medicare, and/or other financial planning options. You can decide if our advice is right for you. It can be a complicated journey, and you may need our custom tailored help to understand your options so you can qualify.

For example, we charge the same fee for our long term care Medicaid planning, regardless of whether or not a VA claim is needed. We believe that a VA claim is only one step on the elder care journey, and we want to be your family's trusted guide through the entire life and longevity process. We may be able to help you get the VA result you want for free. Why do we work this way? It's because as a VA accredited elder law attorney, my job is to provide my clients with the better financial solutions, the quality health care solutions, and peace of mind. I know the honest ways to protect my clients' homes, loved ones, and health care options, and to help them stretch their hard-earned dollars further. If you're curious about finding out what our team and I can do for you, go ahead and give us a call.

Since we're getting so close to the end of our course, in our next lesson together I'm going to give you a checklist to make sure you're on track with everything you need to have together to get your loved one the help they need.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 17: Did The Dog Eat Your VA Homework?

You're almost to the end! You have learned how a VA accredited elder law attorney can help you navigate the VA benefits maze for free and why at my firm, we're not going to nickel and dime you about your VA paperwork. Now I'm not going to double check and see if you did all of your homework.

But I did want to give you a list of what documents you must gather together (keep them in a safe place so the dog doesn't eat them!) before you get ready to fill out your forms, or have a VA accredited attorney like the ones at my firm give you a better understanding of whether or not you may qualify for the benefits free of charge.

VA Benefits Checklist

Items you'll need if you are a:

Veteran Only:

DD214 or Discharge Papers Annual Social Security Award Letter received in January OR other documentation to verify your income A printout from your pharmacy of 3 months of expenses Copies of all your latest financial statements

Veteran and Spouse: All of the above for you and your spouse, PLUS Marriage certificate Death certificate or divorce decree if either spouse was previously married

Widow/er of Veteran: The veteran's DD214 or Discharge Papers Annual Social Security Award Letter received in January AND other documentation to verify your income A printout from your pharmacy of 3 months of expenses Marriage certificate Veteran's death certificate Death certificate or divorce decree related to any previous marriages of either you or the veteran Copies of all your latest financial statements

Additional forms that will need to be filled out and filed with the claim for benefits: Statement of Attending Physician VA Form 210779 Nursing Home Information Report OR Care Provider Report Authorizations and Consent to Release Information to the VA for each physician of the veteran or spouse Statement Regarding Claimant's IRA VA Form 8416 Medical Expense Report

Now if that seems overwhelming... relax. You don't need to have all of that together now. I'm just giving you a "heads up" of some of the things we might need later on. In the meantime... here we go! Only one lesson left. If you have any more questions please feel free to call me at (847) 221-0154; we have walked this road before and genuinely want to help you. As you know, I am an elder law attorney. I help my clients use sound, honest legal strategies to protect themselves and their loved ones. I help them set up wills and trusts and powers of attorney. I design plans to protect as much as possible so my clients hopefully will never be out of money and out of options. But don't forget federal law states that nobody can charge you for help in filling out these forms, so call now for a no obligation telephone consultation.

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

Lesson 18: You're A Rare Breed: You Made It To The End!

Congratulations... you have gone through the entire course.

After reading this Nuts and Bolts Guide, you may feel that you have enough information to file a claim on your own. If you think you'd like to give it a try, the links below will take you to the documents you need for the surviving spouse's claim form and the veteran's form. You can print them out at home and get to work:

Form for Single and Married Veterans <http://www.veteransbenefitattorney.com/forms/vaformsingleandmarried-veterans.pdf>

Form for Surviving Spouse <http://www.veteransbenefitattorney.com/forms/vaformsurvivingspouses.pdf>

However, if you're confused or overwhelmed... don't worry... it's not your fault. This is a very complicated area of the law that very few people really understand.

So if you feel like you need the advice of VA accredited attorneys who help in the area of assisting senior citizens, feel free to contact me. My goal is to make sure that my clients make the most of their financial and family resources. We know that your goal is to never be out of money and never out of options for as long as you live. If

you are like most people, then I believe that you will probably need guidance to apply the information in this guide to your life or the life of your loved one.

We are here to provide guidance to you in the following areas:

Basic estate plan documents such as powers of attorney, wills, and possibly trusts
A good idea of whether or not a client may qualify for VA benefits
Care options available in the local community for both the ill senior and spouse
A review of Medicare and Medicaid as it applies to your circumstances
A comprehensive understanding of available personal or family resources to pay for care

Thank you for caring about your beloved veteran enough to go through this course with me! My doors are always open, and I want to get you the maximum possible benefit for your loved one. Call me at (847) 221-0154 any time!

I want to help! If you're feeling overwhelmed or simply want to know your options, call me. My staff and I can offer you hope, peace of mind, and a hand to hold we've been where you are and we want to help guide you through. Call us today at (847) 221-0154.

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