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## VA Aid & Attendance Benefits

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Pension is a benefit paid to wartime Veterans who have limited or no income, and who are age 65 or older, or, under 65, and are permanently and totally disabled, or, a patient in a nursing home, or, are receiving Social Security disability payments. Veterans who are more seriously disabled may qualify for Aid and Attendance or Housebound benefits.

- **Aid and Attendance (A&A)** is an enhanced or special monthly pension benefit paid in **addition** to basic pension. You must first establish eligibility for basic VA pension. However, a claimant ineligible for basic pension due to excessive income may be eligible for enhanced pension benefits. A Veteran may be eligible for A&A when:
  1. The Veteran requires the aid of another person in order to perform his or her activities of daily living (ADL), such as bathing, feeding, dressing, attending to the wants of nature, adjusting prosthetic devices, or protecting himself/herself from the hazards of his/her daily environment, **OR**,
  2. The Veteran is bedridden, in that his/her disability or disabilities requires that he/she remain in bed apart from any prescribed course of convalescence or treatment, **OR**,
  3. The Veteran is a patient in a nursing home due to mental or physical incapacity, **OR**,
  4. The Veteran has corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.
- **Housebound** is an enhanced or special monthly pension benefit paid in **addition** to basic pension.. A Veteran may be eligible for Housebound benefits when:
  1. The Veteran has a single permanent disability evaluated as 100-percent disabling **AND**, due to such disability, he/she is permanently and substantially confined to his/her immediate premises, **OR**,
  2. The Veteran has a single permanent disability evaluated as 100-percent disabling **AND**, another disability, or disabilities, evaluated as 60 percent or more disabling.

A Veteran cannot receive both Aid and Attendance and Housebound benefits at the same time.

**Surviving Spouses** of deceased veterans may be eligible for Pension as well. The veteran must be qualified under the same rules as above. In addition, the spouse must meet **ALL** the following criteria:

- Your marriage must have lasted a year or had a baby during the marriage
- You must have lived with the veteran while married. There are some exceptions for separation that is not the fault of the veteran.
- You must have been married to the veteran when the veteran died.
- You must not have remarried since the veteran's death. There is one exception pre-1990.

If the surviving spouse claimant's income is less than the maximum annual pension rate (MAPR), and the claimant does NOT require assistance with two or more ADLs, then only unreimbursed direct medical expenses or care provided by a licensed caregiver may be used to reduce the net income.

However, if the claimant needs help with ADLs, then both expenses for family members providing care under a valid contract and expenses for cost of living in an Assisted Living Facility can be included in the computation of net income. This can have a significant effect on the amount of a Pension award.

**How to Apply for Aid and Attendance and Housebound:**

- You may apply for Aid and Attendance or Housebound benefits by writing to the **VA regional office having jurisdiction** of the claim. That would be the office where you filed a claim for pension benefits. If the regional office of jurisdiction is not known, you may file the request with any **VA regional office**.
- You should **include copies of any evidence**, preferably a report from an attending physician validating the need for Aid and Attendance or Housebound type care.
- The report should be in sufficient detail to determine whether there is disease or injury producing physical or mental impairment, loss of coordination, or conditions affecting the ability to dress and undress, to feed oneself, to attend to sanitary needs, and to keep oneself ordinarily clean and presentable.
- **In addition**, it is necessary to determine whether the claimant is confined to the home or immediate premises.
- Whether the claim is for Aid and Attendance or Housebound, the **report should indicate how well the individual gets around**, where the individual goes, and what he or she is able to do during a typical day.

Contact us for assistance or if you have any questions.  
There is no charge for phone inquiries.

If you engage us to work with you or your family, we do request a fee for analysis of your life situation. Not all persons can be qualified, and not all cases are best served by an application for benefits. We review your case, and review what benefits are available to you given your military history, your medical need, your net worth, and your financial need. We analyze FIRST and then propose a plan. Usually this plan involves some elements of estate planning and health care planning. Sometimes, we can advise you that a VA pension application is appropriate, but this is not always the case.

If an application for Pension is possible, and if we determine that you might be qualified should you decide to apply, we do not charge for the application.

Call us today, at 919-883-2800

Or, send an email to [veterans@dougkoeniglaw.com](mailto:veterans@dougkoeniglaw.com)