

Standing by ...

for an MVSOA Summer Training Session on

AID AND ATTENDANCE

July 28, 2021

AID AND ATTENDANCE ASSISTANCE

FOR VETERANS, WIVES AND SURVIVING SPOUSES

A BENEFIT FROM THE
U.S. VETERANS ADMINISTRATION★

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Former/Retired Massachusetts Veterans' Service Officer *(What I ain't not no more)*

Revision 4

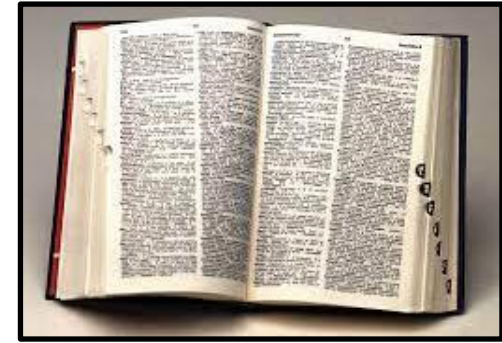
■ Preparing an **Aid and Attendance** claim is *fairly easy* - that is, it's *mostly* routine ...
ONCE you fully understand the ground rules.

- Who qualifies?
 - How do they qualify
 - What are the “watch-outs”

■ Let's figure this out together.**



AID AND ATTENDANCE – Definitions



- Aid and Attendance (A&A) is a monetary benefit paid for being so helpless as to be permanently bedridden or in need of regular assistance with activities of daily living (“ADLs”) **due to service-connected disabilities.**

- The VA defines **A&A** due to ADLs as:

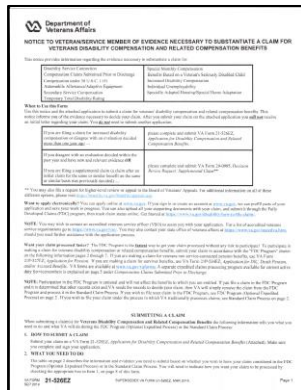


FIRST OF ALL, VA Aid and Attendance is a MEDICAL NECESSITY (not just a response to a family in need of cash for Mom or Pop’s housing arrangements) **GET A WRIST TATTOO TO REMEMBER THIS RED PHRASE**

- *Inability to dress or undress **or to keep ordinarily clean and presentable** (Uh-oh; that is my life style in retirement)*
- *Frequent need of adjustment of a special orthopedic or prosthetic appliance, which can not be done without assistance*
- *Inability to feed oneself through loss of coordination of upper extremities or due to extreme weakness*
- *Inability to properly attend to the wants of nature (toilet/bathroom hygiene)*
- *Physical or mental incapacities which require care on a regular basis for protection **

AID AND ATTENDANCE

Special Monthly Compensation



21-526EZ, Page 1

SPECIAL CIRCUMSTANCES (Continued)

Under the special circumstances shown below, you must also submit along with your claim the following:

- If claiming **Specialty Adapted Housing or Special Home Adaptation**, submit a completed VA Form 26-4555, *Application in Acquiring Specialty Adapted Housing or Special Home Adaptation Grant*
- If claiming **Auto Allowance**, submit a completed VA Form 21-4502, *Application for Automobile or Other Conveyance and Adaptive Equipment*
- If claiming **additional benefits because you or your spouse require Aid and Attendance**, submit a completed VA Form 21-2680, *Examination for Housebound Status or Permanent Need for Regular Aid and Attendance*, or if claiming Aid and Attendance based on nursing home attendance, a VA Form 21-4779, *Request for Nursing Home Information in Connection with Claim for Aid and Attendance*

NOTE: VA forms are available online at www.va.gov/vaforms.

3. HOW VA WILL HELP YOU OBTAIN EVIDENCE FOR YOUR CLAIM

The table below describes the information and evidence VA will assist you in obtaining based on whether you wish to have your claim considered in the FDC Program (Optional Expedited Process) or in the Standard Claim Process.

FDC Program (Optional Expedited Process)	Standard Claim Process
VA will:	VA will:
<ul style="list-style-type: none"> Retrieve relevant records from a Federal facility, such as a VA medical center, that you adequately identify and authorize VA to obtain Provide a medical examination for you, or get a medical opinion, if we determine it is necessary to decide your claim 	<ul style="list-style-type: none"> Retrieve relevant records from a Federal facility, such as a VA medical center, that you adequately identify and authorize VA to obtain Provide a medical examination for you, or get a medical opinion, if we determine it is necessary to decide your claim Make every reasonable effort to obtain relevant records not held by a Federal facility that you adequately identify and authorize VA to obtain. These may include records from State or local governments and privately held evidence and information you tell us about, such as a private doctor or hospital records from current or former employers

4. WHERE TO SEND INFORMATION AND EVIDENCE

You may send your application and any evidence in support of your claim by using the following methods shown in the table below.

MAIL TO	SUBMIT ONLINE
<p>Department of Veterans Affairs Evidence Intake Center PO Box 4444 Janesville, WI 53547-4444</p>	<p>VA.gov: www.va.gov Direct Upload via: www.va.gov</p>

5. WHAT THE EVIDENCE MUST SHOW TO SUPPORT YOUR CLAIM

The table below provides a guide to the evidence tables showing what evidence you must provide to support your claim.

If you are claiming...	See the evidence table titled...
You have a disability that was caused or aggravated by your service	Disability Service Connection
Your service connected disability caused or aggravated an additional disability	Secondary Service Connection
Your service connected disability has worsened	Increased Disability Compensation
Compensation and you are a service person who is about to be discharged	Compensation Claims Submitted Prior to Discharge
Your service connected disability caused you to be hospitalized or to undergo surgery or other treatment	Temporary Total Disability Rating
Your service connected disability(ies) prevents you from getting or keeping substantial employment	Individual Unemployability
You have a disability caused or aggravated by VA medical treatment, vocational rehabilitation, or compensatory work therapy	Compensation Under 38 U.S.C. 1151
Your service connected disability(ies) causes you to be in need of aid and attendance or to be confined to your residence	Special Monthly Compensation
Adapting and/or purchasing a residence	Special Adapted Housing or Special Home Adaptation
Adapting and/or purchasing a vehicle	Auto Allowance
A Severely Disabled Spouse	Special Monthly Compensation
A Severely Disabled Child	Helpless Child

VA FORM 21-526EZ, SEP 2019 Page 3

21-526EZ, Page 3
 See Special Monthly Compensation

EVIDENCE TABLES (Continued)

Special Monthly Compensation

In order to support a claim for **increased benefits based on the need for aid and attendance**, the evidence must show that, due to your service-connected disability or disabilities:

- You require the aid of another person in order to perform personal functions required in everyday living, such as bathing, feeding, dressing yourself, attending to the wants of nature, adjusting prosthetic devices, or protecting yourself from the hazards of your daily environment (38 Code of Federal Regulation 3.352(a)); **OR**
- You are bedridden, in that your disability or disabilities requires that you remain in bed apart from any prescribed course of convalescence or treatment (38 Code of Federal Regulation 3.352(a)).

In order to support a claim for **increased benefits based on an additional disability or being housebound**, the evidence must show:

- You have a single service-connected disability evaluated as 100 percent disabling **AND** an additional service-connected disability or disabilities, evaluated as 60 percent or more disabling; **OR**
- You have a single service-connected disability evaluated as 100 percent disabling **AND**, due solely to your service-connected disability or disabilities, you are permanently and substantially confined to your immediate premises.

In order to support a claim for **increased benefits based on your spouse's need for aid and attendance**, per the provisions of 38 C.F.R. § 3.351(c), the evidence must show:

- Your spouse is blind or so nearly blind as to have corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less; **OR**
- Your spouse is a patient in a nursing home because of mental or physical incapacity; **OR**
- Your spouse requires the aid of another person in order to perform personal functions required in everyday living, such as bathing, feeding, dressing, attending to the wants of nature, adjusting prosthetic devices, or protecting him or her from the hazards of his or her daily environment (See 38 C.F.R. § 3.352(a) for complete explanation).

IMPORTANT: For additional benefits to be payable for a spouse, the veteran must be entitled to compensation and evaluated as 30 percent or more disabling.

Specialty Adapted Housing or Special Home Adaptation

To support your claim for **specialty adapted housing (SAH)**, the evidence must show you are a:

- Veteran entitled to compensation under 38 U.S.C. Chapter 11 for a permanent and totally disabling qualifying condition; **OR**
- Servicemember on active duty who has a permanent and totally disabling qualifying condition incurred or aggravated in the line of duty.

To support that you have a **qualifying condition for SAH** the evidence must show:

- Amyotrophic lateral sclerosis (ALS); **OR**
- Loss (amputation) or loss of use of:
 - both lower extremities; **OR**
 - one lower extremity **and** one upper extremity affecting balance **or** propulsion; **OR**
 - one lower extremity **plus** residuals of organic disease or injury affecting balance or propulsion creating a need for regular, constant use of a wheelchair, braces, crutches or canes as a normal mode of getting around (although getting around by other methods may occasionally be possible); **OR**
 - Loss or loss of use of both upper extremities precluding use of the arms at or above the elbow; **OR**
- Permanent but not total disability due to blindness in both eyes, (having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens); **OR**
- A severe burn injury, meaning full thickness or sub-dermal burns that have resulted in contractures with limitation of motion of:
 - two **or** more extremities; **OR**
 - at least one extremity **and** the trunk.

To support your claim for **SAH** the evidence may alternatively show you are a:

- Veteran who served and became permanently disabled from a qualifying condition on or after September 11, 2001; **OR**
- Servicemember on active duty who was permanently disabled in the line of duty from a qualifying condition on or after the same date.

To support that you have a **qualifying condition under the alternative service criteria** the evidence must show:

- Loss (amputation) or loss of use of:
 - one **or** more lower extremities, severely affecting the functions of balance or propulsion and creating a need for regular, constant use of a wheelchair, braces, crutches or canes as a normal mode of getting around (although getting around by other methods may occasionally be possible).

To support your claim for a **special home adaptation (SHA) grant** the evidence must show you are a:

- Veteran entitled to compensation under 38 U.S.C. Chapter 11 for a qualifying condition; **OR**
- Servicemember on active duty who has a qualifying condition incurred or aggravated in the line of duty.

21-526EZ, Page 6
 Special Monthly Compensation

AID AND ATTENDANCE – Special Monthly Compensation (SMC)

■ VA Form 21-526EZ, Page 6

- The Veteran's disability(ies) causes a need of **AID AND ATTENDANCE** or to be confined to the residence (housebound)
- In order to support a disability claim (thus, the 21-526EZ) for increased disability benefits based on the need for Aid and Attendance, the evidence **MUST SHOW** that due to the service-connected disability or disabilities:
 - a. *The Veteran requires the aid of another person to perform ADLs*
 - b. *The Veteran is bedridden and the Veteran's circumstance(s) require that he/she remain bedridden apart from a situation of convalescence*
- In order to support a claim for increased benefits, based on an additional disability or being housebound, the evidence must show:
 1. *The Veteran has a single service-connected rating of 100% disabling **AND** there is an additional service-connected disability (or disabilities) evaluated as 60% or more disabling*
 2. *The Veteran has a single service-connected disability evaluated as 100% disabling **AND**, due solely to the service-connected disability(ies), the Veteran is permanently and substantially confined to the immediate premises.*

AID AND ATTENDANCE - SMC

■ A&A - BEDRIDDEN

- *A&A claimant must display relative “helplessness”*
- *A condition which requires that the claimant remain in bed.*
 - *Voluntarily taking to a bed, or the fact that a physician has prescribed bed rest for the greater or lesser part of the day to promote convalescence or cure, **WILL NOT, BY ITSELF, SUFFICE** as reason for A&A/Bedridden status with VA (but you might try filing for temporary total disability – 21-526EZ)***



- ➔ In one case, the claimant/Veteran **GENERALLY** must have a service-connected disability, to include a single disease entity (such as diabetes, Parkinson’s, ALS) rated at 100% disabling to qualify for this special benefit
- ➔ The requirement may also be satisfied by a **PRIMARY** service-connected disability in addition to secondary S-C disability or disabilities **combining** to a total of 100% disabling

AID AND ATTENDANCE - SMC

■ Special Monthly Compensation – **BEDRIDDEN**

- As with **Housebound**, *Bedridden* benefits are payable when the claimant is substantially confined due to service connected disability(ies), to their bed and/or the immediate premises – and it is reasonably certain that this condition is permanent.

■ Special Monthly Compensation – **HOUSEBOUND**

- *Housebound* benefits are payable when the claimant is substantially confined due to service connected disability(ies), to their dwelling and the immediate premises – and it is reasonably certain that this condition is permanent and will not improve.
- Other factors for consideration of *Housebound* benefits are identical to *Aid & Attendance* – **Bedridden**, discussed above.

AID AND ATTENDANCE



■ DEFINING MEDICAL NEED

- At least **ONE** of these situations must be true
 - You need another person to help with activities of daily living (ADLs), such as bathing, feeding dressing ... **OR**
 - You have to stay in bed, or must spend a large portion of the day in bed, because of illness ... **OR**
 - You are a patient in a nursing home because of the loss of mental or physical abilities related to a service-connected disability ... **OR**
 - You eyesight is limited (even with glasses or contact lenses) to 5/200 or less in both eyes, or concentric contraction of the visual field to 5° or less (like looking thru toilet paper tubes)
- You **MAY** qualify for HOUSEBOUND benefits if you get a VA pension and spend most of your time in your house because of a permanent disability (one which doesn't improve)**

 **NOTE: Aid and Attendance benefits and SMC Housebound benefits can not be granted at the same time.**

AID AND ATTENDANCE



■ SPOUSAL A&A

- Aid & Attendance may also be awarded to a Spouse who was caring for a claimant (Veteran) who meets all the criteria for A&A, but is effectively entirely helpless, for such problems as total blindness
 - **OR**
 - The Spouse is a patient in a nursing home because of mental or physical incapacity
 - **OR**
 - The Spouse requires the aid of another person for support of ADLs
- Special Monthly DIC might apply instead of Aid and Attendance (See 21-534EZ, Page 1) **

- *If the Spouse is a widow of a deceased Veteran, the Veteran must have had at least a 30% disability rating.*

AID AND ATTENDANCE

- Up to this point, we've considered the 100% disabled Veteran.
- There is another circumstance ... the not 100% disabled veteran
 - *That is, a Veteran on a **non-service-connected pension***

AID AND ATTENDANCE

- Aid & Attendance is not a “stand-alone” benefit, but is awarded in addition to the granting of a Non-Service-Connected (NSC) Pension (unless the applicant is 100% service-connected – see SMC)

■ VETERANS PENSION

- *A Veterans Pension applicant must meet, and not exceed income and net worth limits set by law*

AID AND ATTENDANCE

■ WHO QUALIFIES FOR A VETERAN PENSION

- *To qualify, the Veteran must answer **YES** to at least one of these situations:*
 - Age 65 or older
 - **Or** have a VA-declared permanent and total disability
 - **Or** are a patient in a skilled nursing home, receiving nursing care
 - **Or** are receiving Social Security Disability Insurance (SSDI) or are receiving Supplemental Security Income (SSI)
 - **The Veteran must have at least 90 days of ACTIVE DUTY SERVICE** (not active duty for training) **AND must have at least 1 day of duty during an active war time.**
 - *(The 90 day requirement is waived if the Veteran was discharged due to a service connected disability)*

AID AND ATTENDANCE



■ VETERANS PENSION, continued

– A Veterans Pension may be granted to LOW INCOME, **WARTIME** Veterans. The Veteran need not have seen combat, but must have been on active duty during a time of recognized conflict.

- World War II – December 7, 1941 to December 31, 1946
- Korean Conflict – June 27, 1950 to January 31, 1955
- Vietnam Era – February 28, 1961 to May 7, 1975 for those who served in the Republic of Vietnam (on the ground)
- Vietnam Era – August 5, 1964 to May 7, 1975 for all others who were not “in country”
- Gulf War / GWOT – August 2, 1990 thru a future date to be set by law or a Presidential Proclamation

AID AND ATTENDANCE

■ VETERANS PENSION, continued

- *The Veteran's discharge must **not** be "Dishonorable"*
- *The Veteran's disability(ies) must **not** be attributed to "willful misconduct"*

- *Payments are made to bring the Veteran's TOTAL INCOME, including other retirement or Social Security income, to a "reasonable" level set by Congress.*
 - Unreimbursed medical expenses can be used to reduce the countable income for VA purposes

AID AND ATTENDANCE



■ CONSIDERING THE VETERAN'S NET WORTH*

- The Veteran's net worth must be **no greater than** **\$130,773** when including income and assets (this value will increase annually as it is indexed for inflation as with Social Security COLA increases)
- **ASSETS** (not every one, but the most frequently considered ones)
 - The house does **not** count as an asset until it is sold
 - *If the house is sold, the proceeds from the sale count as an asset UNLESS the claimant buys another home within one calendar year. This applies only to home sales made AFTER the date of pension entitlement.*
 - One vehicle can be excluded from the asset list
 - Land over 2 acres may count as an asset **if** it can be separated from the house (such as a farm or estate)
 - Salary, wages, bonus, tips
 - Checking and Savings account balances
 - Stocks, bonds, EFTs/CFEs, Mutual Funds, Crypto-currencies; insured collections/collectibles (stamps, coins, art, etc.)
 - 401(k) / IRA valuation
 - A Reverse Mortgage counts as an asset (the unused portion)

VETERANS PENSION

Current Pension & A&A Rates (2021)



\$\$ SHOW ME THE MONEY \$\$

SITUATION	2021 RATE	SITUATION	2021 RATE
Non-Service-Connected Veteran's Pension	\$1,161.00	Vet with A&A and <u>without</u> a Spouse	\$1,936.00
		Vet with A&A, and <u>with</u> a Spouse	\$2,295.00
Survivor's (Widow's) Pension	\$779.00	Widow with A&A	\$1,245.00

AID AND ATTENDANCE

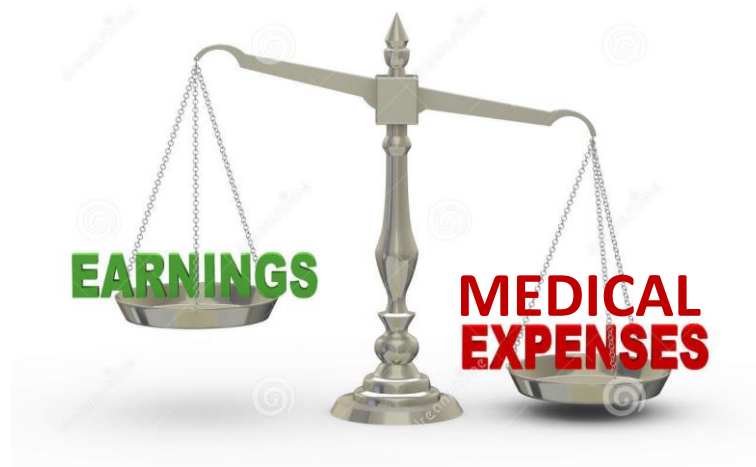
- The VA, when granting A&A, will only supply supplemental money ... it is the responsibility of the Veteran/family to engage care-providers*
- The application process can be lengthy – **this is not a benefit that should be considered only at the last moment**
 - The VA must inspect and approve of the Veteran’s residence for suitability if the Veteran prefers to remain in his/her home
 - Among other things, the claimant’s bathroom and bedroom must be on the same floor
 - The VA requires that a medical doctor sign-off on the medical **NECESSITY** of Aid and Attendance (**VA Form 21-2680**)
(Remember the tattoo???)
 - **THESE TWO ASPECTS OF THE APPLICATION PROCESS ARE OFTEN THE MOST TIME CONSUMING ELEMENTS OF A SUBMISSION**



A healthy and able spouse can apply and be named as a “caregiver” to increase the financial benefit to the family of an A&A Veteran ... but there is accurate and detailed record keeping required.

AID AND ATTENDANCE

- Most Veterans qualify ONLY if they are:
 - *In an assisted living facility*
 - *At home, receiving extensive home care (often extensive and expensive)*
 - *In a nursing home on “private pay”*
- **CRITICAL CONDITION**
 - *The applicant’s medical monthly expenses have to EQUAL or EXCEED the monthly income*



AID AND ATTENDANCE

VA MATH

$$\int_{-\infty}^{\infty} e^{-x^2} dx = \sqrt{\pi}$$
$$f(x) = a_0 + \sum_{n=1}^{\infty} \left(a_n \cos \frac{n\pi x}{L} + b_n \sin \frac{n\pi x}{L} \right)$$
$$x = \frac{-b \pm \sqrt{b^2 - 4ac}}{2a}$$

- **The applicant's monthly *medical expenses* have to EQUAL or EXCEED the monthly *income***
 - *Hypothetical Example: The Veteran's total gross monthly income is \$3,100. Therefore, the total monthly amount of qualified medical expenses must be \$3,100 or greater every month.*
 - **Qualified medical expenses** can include:
 - Non-reimbursed expenses such as ... Social Security Part B; medical insurance premiums; pharmaceuticals; doctor's expenses; the invoiced costs of the Assisted Living or Nursing Home facility; dental visits; non-VA glasses; non-VA hearing aids; monthly required medical transportation expenses; in-home invoiced care-giver expenses; acquisition of hospital-type beds; potty-chairs; wheelchairs; walkers; certain orthotics not provided by VA; bathroom safety rails; bathroom toilet seat extensions; "Depends®" or incontinence underwear; contracts with care givers; "adult day care" costs, etc.
 - Each of these potentially claimed expenses should be confirmed with a receipt or paid invoice★★
 - *Checkbook entries are generally not acceptable to VA unless the account is EXCLUSIVELY set up for qualified medical expenses.*
 - *Excel listings / legal pad records are not well received by the VA either, unless signed and dated daily, in ink, by the care giver.*

AID AND ATTENDANCE

■ PAYMENT OF MEDICAL EXPENSES – ESPECIALLY ASSISTED LIVING OR NURSING HOME COSTS

- *The VA prefers that the Veteran or the Surviving Spouse make the payments from the Veteran's banking account*
- *If the family is going to/or has to assist, it is preferable to first deposit the assistance dollars in the Veteran's or Surviving Spouse's banking account*
 - Make all the qualified medical payments from that account
 - Someone else can actually write the checks, but use the above-mentioned banking account, rather than from a son's or daughter's banking account.



AID AND ATTENDANCE

■ ONE OF THE TRICKY PARTS

– LOOK-BACKS AND PENALTY PERIODS

- Beginning in 2018, the VA established a 3-year (36 month) look-back period and penalty period for those who transferred assets in an attempt to qualify for a Pension
 - *Remember, your friendly VA can check with their friendly pals over at IRS to CONFIRM look-backs. Tell your client not to try to fool the VA.*
- The look-back period does not cover any transaction dated prior to October 18, 2018.
- Penalties are calculated based on the amount of covered assets
 - A **COVERED ASSET** is an asset that was part of the claimant's net worth, but was transferred for less than the fair market value within the 36 month period prior to applying for the Pension benefit. Had it not been transferred, it would have partially or fully caused the claimant's net worth to exceed allowable limits (\$130,773 in 2021)
 - Examples: gifting stock or property below fair/current market value; or gifting cash to get it out of the Veteran's asset holdings
- **EXCEPTION:** Establishment of a Trust created for a child incapable of self-support, even at less-than fair market value, will **not** be included among the look-back or penalty period features.

HAVE YOUR APPLICANT BE VERY CAREFUL

■ VETERANS' PENSION SCAM

- **WHAT IT IS:** Veterans over age 65 are offered free seminars by financial advisers or financial service companies to help them qualify for an *enhanced pension with Aid and Attendance*, a benefit for low-income Vets with disabilities. **Seminar sponsors convince Vets whose income or assets are above the threshold, to restructure their finances so that they will qualify, typically by buying a costly annuity or creating an expensive trust that pays the sponsors a hefty fee.**
- Another approach is that the scammers charge NOTHING, but will **only take one month's VA payment from the Vet** – the FIRST MONTH ... the one with a year's worth of Retro-payment.

AID AND ATTENDANCE

- Hey Man ... we've listened to a bunch of your dialogue and lots of pages of text ...



- Now ... **please, get to the “how” part of filing for A&A**

AID AND ATTENDANCE

- **SO ... A GUY OR GAL CALLS YOUR OFFICE AND WANTS YOU TO APPLY FOR AID AND ATTENDANCE** (usually for Mom or Dad)

- *If a guy walks in, be concerned that perhaps he is not appropriately disabled*

- **WHICH VA FORMS ARE NEEDED**

- **VA Form 21-22** (VA Representative and VA Power of Attorney)

- **VA Form 21-4138** (Wait a second ... We'll talk about the *OPTIONAL* Statement in Support of a Claim in a few minutes)

- **VA Form 21P-527EZ** (Application for a Non-Service-Connected Pension for a War Time Veteran)

- **OR**

- **VA Form 21P-534EZ** (Spousal Benefits including Aid and Attendance)*

- ➔ **VA Form 21-2680** (Certification of Medical Necessity) *There's the damn tattoo again!*

- **VA Form 21P-8416** (Medical Expense Report)

- **VA Form 21-686c** (If claimant is married and/or with dependents)

- **VA Form 21P-0969** (Income and Asset Statement) *NOT ALWAYS REQUIRED* (The -527EZ or -534EZ will direct you)

- **VA Form 21-0779** (Nursing Home information for an A&A claimant)



Is that it? Is anything else required?

AID AND ATTENDANCE

WHAT OTHER PAPERWORK IS NEEDED FOR AN A&A APPLICATION?

- Veteran's Honorable Discharge (DD-214) (for both Veteran and Spousal applications)
- VA letter confirming Veteran's 100% disability (if Veteran is still alive, or at least 30% if Veteran is deceased)
- Marriage Certificate (if applying for a Spouse or Widow)
- Death Certificate (if applying for a Surviving Spouse)
- Real Estate Property Card (from the Assessor's Office if the property is greater than 2 acres)

Phew! Now we're done, aren't we?

AID AND ATTENDANCE

NOT QUITE ... STILL A LITTLE MORE PAPERWORK

- A letter/VA Form from the Assisted Living Facility (“Worksheet for Assisted Living” – part of 21P-527EZ and 21P-534EZ)
- Two (or three) recent checking account statements (consecutive months) [[How close is the Vet to the \\$130K asset level?](#)]
- Two (or three) recent savings account statements (consecutive months)
- A recent civilian Pension / Annuity / Retirement Account statement
- A recent IRA / 401(k) statement (including any Required Minimum Distribution Statement)
- The annual (December) Social Security Statement for the current year (same as requested by Chapter 115)
- A current brokerage statement (stocks, bonds, mutual funds, etc.)
- A copy of the real estate trust document, if applicable
- Long Term Care Insurance statement
- Reverse Mortgage Statement (showing the unused portion, which is treated as an asset)
- Medical Expense Evidence
 - *PAID assisted living invoices*
 - *Paid home health care / care giver invoices*
 - *Paid medical care visits, disposables, pharma, glasses, dental, appliances, etc.*

NOW we're finally finished ... right?

AID AND ATTENDANCE

AM I DONE NOW?

■ C'MON, DOUG! NOW WHAT?

- Go back to VA **Form 21-4138** and list all the VA Forms and other evidence/documents (statements and receipts) which are being included in this submission
 - This is not an absolute requirement but should make YOU and the VA Reviewer feel better about the completeness of the claim
- Review each of the VA forms and **make sure that EACH ONE is signed and dated**
- Send the completed application off to Providence or Boston via US Postal Service as it is (likely) too much for VetraSpec.***



YOU DID IT! SEE, THAT WASN'T SO BAD, WAS IT?

JUST FOLLOW THE CHECKLIST

AID AND ATTENDANCE

Checklist of Items/Documents Needed for a VA Aid and Attendance Claim

Items/Documents needed for a VA Aid and Attendance Claim

From the VA's perspective, Aid and Attendance is **FIRST a medical necessity** and then **SECONDLY, a needs-based benefit**. The claimant must prove that the on-going monthly medical expenses meet or exceed the claimant's total monthly income.

Required VA Forms

- VA Form 21-22 (VA Representative and VA Power of Attorney)
- VA Form 21-4138 (a listing of all the enclosed documentation)
- VA Form 21P-527EZ (Non-Service-Connected Pension for a War Time Veteran)
- Or ...**
- VA Form 21P534EZ (Spousal/Widow Benefits including Aid and Attendance)
- VA Form 21-2680 (Certification of Medical Necessity)
- VA Form 21P-8416 (Medical Expense Report)
- VA Form 21-686c (if claimant is married with dependents)
- VA Form 21P-0969 (Income and Asset Statement) **NOT ALWAYS REQUIRED**
- VA Form 21-0779 (Nursing Home Information for an A&A Claimant)
- VA Form 5565 (Financial Status Report) (you will have to type the report name in the Keywords block)

Veteran Personal Info

- Veteran's Honorable Discharge
- VA letter confirming VA Disability Rating (the July 1 letter is sufficient)
- Marriage Certificate (if applying for a spouse or widow)
- Veteran's Death Certificate (if applying for a widow)
- Real Estate Property Card (Assessor's office if property is greater than 2 acres)

Income and Asset Documentation

- Letter from Assisted Living Facility ("Worksheet for Assisted Living") (21P-527EZ or 21P-534EZ)
- Two recent checking account statements (consecutive months)
- Two recent savings account statements (consecutive months)
- A recent Pension / Annuity / Retirement account statement
- A recent IRA / 401k statement (including any Required Minimum Distribution statement)
- The annual (December) Social Security Statement (same as needed for Chapter 115)
- A current Brokerage Statement (Stocks, Bonds, Mutual Funds, etc.)
- A copy of a Real Estate Trust document, if applicable
- Long Term Care Insurance Statement
- Reverse mortgage statement (unused portion is treated as an asset)
- Medical Expense Evidence
 - PAID assisted living invoices
 - PAID home health care / care giver invoices
 - PAID medical care visits, disposables, pharma, glasses, dental, appliances, etc.

AID AND ATTENDANCE

Somehow, **Magic Micaila**, *The Baroness of Britto-ville*, is going to make this presentation available for download, should you desire.

QUESTIONS



Please don't ask any hard questions that I can't answer. Thank you.

I was Air Force so everything is a challenge