

in a nursing home. They will need their nursing home to fill out a VA form 21-0779, though. They can get these forms and any others needed their County Veterans Service Office.

If a veteran or surviving spouse who has no dependents is in a nursing home and is on Medicaid and not private pay, their VA pension amount will only be \$90 per month. This amount cannot be counted as income for Medicaid purposes.

Medical Expenses

Countable income is gross income from all sources, as discussed in the first paragraph of this brochure. The VA can reduce countable income by out-of-pocket medical expenses that can be presumed will be regular, recurring medical expenses for the next 12 months. As an example, if a veteran or surviving spouse is paying for Medicare, the VA will presume they will continue to pay for it for the next 12 months. In that case, the VA will adjust the veteran's or surviving spouse's monthly gross income by the amount they pay for Medicare (it's not an exact dollar-for-dollar offset). If there is a supplemental health insurance policy, that premium can also be claimed. Technically, a veteran or surviving spouse can claim whatever medical expenses they want, but the VA is not likely to accept any medical expenses that can change from month-to-month such as doctor and medication co-pays. If an unusual medical expense is claimed, the veteran or surviving spouse must provide a personal statement as to why they feel the VA should count that as a recurring medical expense. Medical expenses can be used to offset income only. They cannot be used to offset assets.

Non-service connected / Survivor's pension is approved on an annual basis. Each year, the recipient must update the VA with current income and medical expense information. As stated in the previous paragraph, only medical expenses that are regular and recurring can be claimed initially. On future claims, however, the recipient can claim actual medical expenses paid, so it's important they keep track of them. Once the recipient is in the program for a year, they can then claim the actual medical expenses paid over the past year and be reimbursed for the expenses the VA accepts. Examples of allowable medical expenses include, but are not limited to: medical insurance premiums, doctor and medication co-pays, eye glasses, dental costs, hearing aids, nursing home fees, home health services and transportation (mileage) for medical purposes.

If there are income or asset changes before the year is over, the recipient should notify the VA immediately as this is an income-based program and pension will need to be adjusted in order to prevent an overpayment to the recipient.

This is a very complicated benefit to claim and there are potentially many forms needed. It is highly advisable to use the services your County Veterans Service Office offers so your claim can be submitted and processed as expeditiously as possible.

NON-SERVICE CONNECTED/ SURVIVOR'S PENSION



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Eligibility

Non-service connected / Survivors pension is a benefit that provides financial support to wartime veterans or their surviving spouses with limited countable income. Countable income is *household income from all sources* including, but not limited to, social security, salary, other pensions, interest, and dividends. Monthly payments are made to bring a veteran's or surviving spouse's total annual income to an established support level.

The annual basic pension rates are:

Veteran alone: \$16,551
Veteran w/ 1 dependent: \$21,674
Surviving Spouse: \$11,102
Surviving Spouse W/ 1 Dependent: \$14,529
Each additional dependent child or child alone: \$2,831

Assets are also considered by the VA when determining whether or not a veteran or surviving spouse is eligible for this program. This does not include their primary home if they're living in it but it may include some of the property on which their home is located. The total income plus assets cannot exceed \$155,356.

In order to be eligible, a veteran had to have been discharged from service under other than dishonorable conditions and had to have served 90 days or more on active duty with at least 1 day during a period of war. If the active duty occurred after September 7, 1980, the veteran must have served at least 24 months or the full period that they were called up for active duty (in the case of Reservists or National Guard). This

does not mean the veteran has to be a combat veteran. It only means he/she had to have served during wartime. Additionally, the following applies for veterans:

For veterans under the age of 65

Must be deemed permanently and totally disabled by the VA. This means:

* Suffering from any disability which is sufficient to render it impossible for the average person to follow a substantially gainful occupation but only if it is reasonably certain the disability will continue throughout the life of the veteran.

* Is a patient in a nursing home for long-term care because of a disability.

* Is disabled as determined by the Social Security Administration (SSA) for the purpose of benefits administered by the SSA. In other words, if the SSA deems you disabled, the VA automatically will.

For veterans 65 and older

These veterans do not have to be deemed permanently and totally disabled. They just to have a countable household income and assets below the yearly limit set by law. The 90 days of active duty with at least 1 day being during time of war still applies.

For surviving spouse

Age limit is not applicable.

Housebound

The VA will pay a higher amount if a veteran or surviving spouse is deemed permanently housebound meaning the veteran is substantially confined to his/her house or immediate premises due to a disability or disabilities,

which it is reasonably certain will remain throughout the veteran's or surviving spouse's lifetime.

Annual housebound amounts are:

Veteran alone: \$20,226
Veteran w/ 1 dependent: \$25,348
Surviving Spouse: \$13,568
Surviving Spouse W/ 1 Dependent: \$16,989
Each additional dependent child: \$2,831

Aid and Attendance

The VA will pay an even higher amount if a veteran or surviving spouse is deemed in need of regular Aid and Attendance meaning the veteran is a patient in a nursing home or helpless or blind, or so nearly helpless or blind as to need or require the aid and attendance of another person.

Annual Aid and Attendance amounts are:

Veteran alone: \$27,609
Veteran w/ 1 dependent: \$32,729
Surviving Spouse: \$17,743
Surviving Spouse W/ 1 Dependent: \$21,166
Each additional dependent child: \$2,831

If a veteran or surviving spouse is claiming Housebound or Aid and Attendance, they will need their primary care provider to fill out a VA form 21-2680. Additionally, they will need a statement from their provider stating they require health care services or custodial care that the in-home provider or assisted living facility provides because of mental or physical disability. The mental or physical disability must be described in this statement. This form and statement do not need to be done if the veteran or surviving spouse is