

# PUBLICATION

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## **Aid and Attendance Benefit: A Useful Benefit to Veterans in Nursing Homes [Ober|Kaler]**

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**Veterans, their spouses and their parents who are admitted to long term care facilities may be eligible for a long-standing program called the Aid and Attendance Pension benefit (the “Aid and Attendance Benefit”). The Aid and Attendance Benefit can pay for beneficiaries' daily personal care if they can demonstrate a need for regular aid and attendance by another person.**

The Aid and Attendance Benefit is generally available for a veteran, a veteran's spouse, a surviving spouse or a veteran's parent who is already entitled to veterans pension benefits (each an “Eligible Person”) if that person meets the criteria for “aid and attendance.” The simplest way to qualify for the Aid and Attendance Benefit is for an Eligible Person to be admitted to a nursing home with a physical or mental incapacity. An Eligible Person can also qualify for the Aid and Attendance Benefit criteria if (1) he or she is blind or nearly blind (corrected visual acuity of 5/200 or less) in both eyes or concentric contraction of the visual field to 5 degrees or less, or (2) he or she has documented evidence of regular aid and assistance.

According to an FAQ posted by the Department of Veterans Affairs (VA), an Eligible Person will need to provide written evidence of the need for the Aid and Attendance Benefit to his or her regional VA office. This will generally require providing a medical evaluation from a physician and / or the person's medical record that documents the need for “regular” aid and attendance services. The VA considers the following to be evidence of requiring “regular” aid and assistance: an inability to regularly dress; an inability to keep clean and presentable; a frequent need of assistance to adjust a prosthetic or orthotic that cannot be performed without aid; an inability to feed because of loss of coordination or extreme weakness in the extremities; an inability to take care of the wants of nature; a physical or mental incapacity that requires assistance on a regular basis to protect the person from ordinary hazards such as an inability to leave the home because of a physical or mental incapacity; or a condition that requires the person to be bedridden that regularly requires the person to remain in bed. The Eligible Person is required to demonstrate that regular assistance is required; however, it is unnecessary to demonstrate that assistance is needed for all of these functions all of the time.

### **Comments**

The provision of attendant care can be both difficult to pay for and difficult to arrange. Veterans and other Eligible Persons admitted to nursing homes can and should consider applying for the Aid and Attendance Benefit. The Aid and Attendance Benefit is also significant because the income eligibility caps are greater than the annual caps required for regular VA pension benefits. Eligible Persons should be made aware of the Aid and Attendance Benefit even if their annual income prohibits them from receiving the VA pension benefit because of its higher annual income cap.