

# Serving Older Veterans: An Introduction to Veterans Benefits

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# Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to [NCLER@acl.hhs.gov](mailto:NCLER@acl.hhs.gov).
- Written materials and a recording will be available at [NCLER.acl.gov](http://NCLER.acl.gov). See also the chat box for this web address.

# About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

# About Motion Picture & Television Fund

The Motion Picture & Television Fund (MPTF) is a non-profit organization based in Southern California.

Founded in 1921 by Mary Pickford, Douglas Fairbanks, and Charlie Chaplin, MPTF serves active and retired members of the entertainment industry through social services, supportive counseling, charitable assistance, and a residential campus spanning the continuum of care for older adults from independent living to end-of-life care.

# About Legal Aid Foundation of Los Angeles

LAFLA is the first place thousands of people who have low-income turn to when they need legal assistance for a crisis that threatens their safety, security or shelter.

Founded in 1929, LAFLA strives to achieve equal justice and address systemic poverty through direct representation, impact litigation, and community empowerment. With five neighborhood offices, three domestic violence clinics and four self-help legal access centers, LAFLA and its special Veterans Justice Center is proud to serve Los Angeles' diverse communities.

# 1 in 6 Older Adults are Veterans

- Approximately **12.8 million** people age 55+ served in the United States military
- Veterans and their families make up **almost 40%** of adult Social Security beneficiaries
- **Over 810,000** older Veterans live below the federal poverty level

# Key Lessons

- Recite key questions to better identify Veterans during outreach and intake.
- Perform elementary screening to determine whether a Veteran may be eligible for a Veterans Benefit.
- Using the resources listed in this presentation and its materials, identify resources to better connect Veterans and their families to services.

# Veterans Benefits for Older Adults

An introduction to the income, health, and housing benefits offered by the Department of Veterans Affairs

# The Quintessential Bureaucracy

- The Department of Veterans Affairs is the second largest administrative agency in the U.S.
- It is divided into 3 administrations:
  - Veterans Benefits Administration (VBA)
  - Veterans Health Administration (VHA)
  - National Cemetery Administration

# VA Benefits for Older Veterans

## Health & Housing Benefits

- Health Care
- Assisted Living
- Nursing Home Care
- Hospice Care
- Clothes Allowance
- Home Modifications
- Automobile Equipment

## Income-Based Benefits

- Service-Connected Compensation
- Non-Service-Connected Pension
- Special Monthly Benefits

# Harel's Story

- Watch the full story online at <https://youtu.be/YGLm swLe9iE>



Image Description: Photograph of older white male Veteran named Harel

# Barriers to VA Benefits

## The VA System

- Lack of coordination between VHA & VBA
- Complex & inaccessible claims process fraught with error
- Long wait times and high backlog

## Veteran-Related Issues

- Negative association with VA and/or military service
- Guilt, pride, and misinformation that keep many Veterans from applying
- Memory and physical impairments that make it harder to win their claim

# How You Can Help

1. Identify Veteran status
2. Screen for basic eligibility for income and/or health benefits
3. Connect the Veteran with an accredited VA representative for help

# How to Identify Veteran Status

- Ask, “Did you or your spouse serve in the United States Military?”
- Other helpful questions
  - When did the Veteran serve?
  - Where did the Veteran serve?
  - What is the Veteran’s discharge status?
  - Do you have the Veteran’s DD-214?

# Review the DD-214

- Military separation document that lists:
  - Branch
  - Dates of service
  - Birthday
  - Job title (MOS)
  - Rank
  - Medals
  - Discharge status
  - Reason for separation

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES THIS IS AN IMPORTANT RECORD. SAFEGUARD IT. ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

**CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY**

1. NAME (Last, First, Middle)		2. DEPARTMENT, COMPONENT AND BRANCH		3. SOCIAL SECURITY NUMBER	
4a. GRADE, RATE OR RANK		b. PAY GRADE		c. DATE OF BIRTH (YYYYMMDD)	
7a. PLACE OF ENTRY INTO ACTIVE DUTY		b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)			
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND		b. STATION WHERE SEPARATED			
9. COMMAND TO WHICH TRANSFERRED		10. SGLI COVERAGE		AMOUNT: \$400,000.00	
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)		12. RECORD OF SERVICE		YEARS MONTHS DAYS	
1182P INFANTRYMAN - 3 YRS 4 MOS//NOTHING FOLLOWS		a. DATE ENTERED AD THIS PERIOD		2002 08 21	
		b. SEPARATION DATE THIS PERIOD		2006 06 10	
		c. NET ACTIVE SERVICE THIS PERIOD		0001 10 10	
		d. TOTAL PRIOR ACTIVE SERVICE		0000 00 00	
		e. TOTAL PRIOR INACTIVE SERVICE		0000 00 00	
		f. FOREIGN SERVICE		0001 03 13	
		g. SEA SERVICE		0000 00 00	
		h. EFFECTIVE DATE OF PAY GRADE		2006 06 01	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)		14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)			
ARMY COMMENDATION MEDAL (5TH AWARD)/ARMY GOOD CONDUCT MEDAL/NATIONAL DEFENSE SERVICE MEDAL//AFGHANISTAN CAMPAIGN MEDAL//IRAQ CAMPAIGN MEDAL//GLOBAL WAR ON TERRORISM SERVICE MEDAL//OVERSEAS SERVICE RIBBON (3RD AWARD)/COMBAT INFANTRYMAN BADGE//PARACHUTIST BADGE//NOTHING FOLLOWS		AIRBORNE, 4 WEEKS, 2003//COMBAT LIFE SAVERS (CS), 3 WEEKS, 2004//NOTHING FOLLOWS			
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		YES		NO	
b. HIGH SCHOOL GRADUATE OR EQUIVALENT		YES		NO	
16. DAYS ACCRUED LEAVE PAID 14		17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION		YES	
				XX	
18. REMARKS					
SUBJECT TO ACTIVE DUTY RECALL, MUSTER DUTY AND/OR ANNUAL SCREENING//BLOCK 6, PERIOD OF DELAYED ENTRY PROGRAM: 20020128-20020820//SERVICE IN IRAQ 20030716-20040217//SERVICE IN AFGHANISTAN 20050329-20060321//MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE//NOTHING FOLLOWS					
The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.					
19a. MAILING ADDRESS AFTER SEPARATION (include ZIP Code)			b. NEAREST RELATIVE (Name and address - include ZIP Code)		
PORT TOBACCO MARYLAND 20677					
20. MEMBER REQUESTS COPY 8 BE SENT TO		MR. DIRECTOR OF VETERANS AFFAIRS		YES	
21. SIGNATURE OF MEMBER BEING SEPARATED		22. OFFICIAL AUTHORIZED TO SIGN (Typed name and signature)			
SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)					
23. TYPE OF SEPARATION		24. CHARACTER OF SERVICE (include upgrade)			
RELEASE FROM ACTIVE DUTY		HONORABLE			
25. SEPARATION AUTHORITY		26. SEPARATION CODE		27. REENTRY CODE	
AR 635-200, CHAP 4		H9K		3	
28. NARRATIVE REASON FOR SEPARATION					
COMPLETION OF REQUIRED ACTIVE SERVICE					
29. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMDD)					30. MEMBER REQUESTS COPY 4
NONE					NONE

DD FORM 214-AUTOMATED, FEB 2000 PREVIOUS EDITION IS OBSOLETE USE PREVIOUS EDITIONS BY HEADQUARTERS MEMBER - 4

Image Description: Copy of a completed DD-214 form

# Connect with an Accredited Representative

- Individuals must be accredited by the VA before they can advise or assist with a VA Benefits claim\*
- Accredited representatives include:
  - VBA Regional Office Claims Representatives
  - Veterans Service Organizations
  - Individual Accredited Agents & Attorneys
- To apply: Send **VA Form 21a** to the VA Office of General Counsel
  - Non-attorney claims agents must pass a written exam

\* VA allows for a one-time exception

# Screening for VA Benefits Eligibility

An overview of the VA's two income-based benefits:  
Service-Connected Compensation &  
Non-Service-Connected Pension

# Service-Connected Compensation

**Service-Connected Compensation** is a monthly tax-free benefit for Veterans who have a current health condition that can be linked to their military service.

1. Current physical or mental health condition
2. Incident while on active duty
3. Linkage between current condition & in-service incident

Amount of benefit is based on the current severity of the health condition. It is called a “rating” and is assigned a percentage ranging 0% (very mild) - 100% (very severe).

# 2019 Service-Connected Compensation Rating Scale (Single Veteran)

- 10% - \$140
- 20% - \$277
- 30% - \$429
- 40% - \$618
- 50% - \$879
- 60% - \$1,114
- 70% - \$1,404
- 80% - \$1,632
- 90% - \$1,834
- 100% - \$3,057

There are additional benefits for Veterans who are housebound or need “aid & attendance” due to their service-connected conditions, who have special and/or severe service-connected conditions, or who are rated at 30%+ and have dependents.

# Service-Connected Compensation Considerations for Older Veterans

- Vietnam-Era Veterans & Agent Orange
- Veterans can be service-connected for conditions caused/aggravated by service-connected conditions (secondary service-connection)
- Veterans can increase their Rating any time
- Spouses of Veterans who pass away from service-connected conditions qualify for VA Survivors Benefits (“DIC”)

# Compensation Case Studies: Mr. F

Mr. F is a 75-year-old Vietnam War Veteran who served inside Vietnam. He has never applied for VA Benefits, and he is now starting to experience some functional decline stemming from hearing loss, back problems, diabetes, and neuropathy.

# Compensation Case Studies: Assisting Mr. F

- Mr. F appears entitled to VA Service-Connected Compensation for Diabetes due to Agent Orange exposure
  - Check for health conditions secondary to diabetes, like neuropathy and erectile dysfunction. He can get service-connected for those too
  - Check for impact of his to-be-service-connected conditions on his daily life. He may be eligible for Special Monthly Compensation.
- **TAKE AWAY: Connect him with a VA Accredited Representative**

# Compensation Case Studies: Mr. D

Mr. D is an 86-year-old Korean War veteran who lives in his own home. He is already service-connected at 30% for combat-related physical injuries. He is now experiencing cognitive decline and has been suffering with symptoms like nightmares, hypervigilance, and flashbacks.

# Compensation Case Studies: Assisting Mr. D

- Mr. D may be entitled to more Service-Connected Compensation if the following are true:
  - Check to see if his service-connected physical conditions have worsened. If so, he can file an Increased Rating claim.
  - Check to see if his nightmares or flashbacks are about his combat experience. If so, he is likely eligible for Service-Connected Compensation for post-traumatic stress.
- **TAKE AWAY: Connect him with physical & mental health care and a VA Accredited Representative**

# Compensation Case Studies: Mrs. Y

Mrs. Y is the surviving spouse of a Veteran who passed away from cirrhosis of the liver and prostate cancer. Now that Mrs. Y has lost her spouse's income, she is scared that she'll lose her housing.

# Compensation Case Studies: Assisting Mrs. Y

- Mrs. Y may be eligible for VA survivor's benefits called DIC (Dependency & Indemnity Compensation) if the following are true:
  - Check to see if the Veteran passed away from service-connected conditions
    - Cirrhosis may be connected to alcoholism, and alcoholism is common for people with post-traumatic stress
    - Prostate cancer is automatically service-connected if the Veteran was exposed to Agent Orange
- **TAKE AWAY: Connect her with a VA Accredited Representative**

# Non-Service-Connected Pension

**Non-Service-Connected Pension** is a monthly tax-free benefit for wartime Veterans who have low-income, moderately low assets, and are age 65+ or totally disabled.

1. Must have served 1-day during designated period of war
2. Annual income must be below VA guidelines
3. Net worth/assets must be less than \$127,061

Amount of benefit is based the Veteran's *countable* income, number of dependents, and disability severity.

# 1. Is Mike Eligible for Pension?

Mike served 1947-1949—the time period between WWII and the Korean War. He was in the infantry and has an honorable discharge.

Assume that he meets the income and net worth requirements.

**Is he eligible? Yes or No**

## 2. Is Mike Eligible for Pension?

Mike served 1947-1949—the time period between WWII and the Korean War. He was in the infantry and has an honorable discharge.

**Is he eligible? NO**

He served exclusively during peacetime, so he isn't an eligible wartime Veteran.

# 2019 Non-Service-Connected Pension Rates (Single Veteran)

- Basic Rate: \$13,535/year (\$1,127/month)
  - Veterans who meet the basic eligibility requirements, and do not meet the criteria for housebound or aid & attendance
- Housebound Rate: \$16,540/year (\$1,378/month)
  - Veterans who are literally housebound or have 2+ very severe medical conditions
- Aid & Attendance Rate: \$22,577 (\$1,881/month)
  - Veterans who need the assistance of another person to care for their basic needs

**Housebound and Aid & Attendance are called  
“Special Monthly Pension.”**

# Look Out for Veterans on SSI

## Basic Rates for Single Veterans

- SSI Federal Rate: \$771
- SSI CA Rate: \$931.72
- Pension Rate: \$1,127

## Check Dates of Service

- If 1-day in wartime, may be eligible for Non-Service-Connected Pension

**WWII:** 12/7/41 – 12/31/46

**Korean Conflict:** 6/27/50 – 1/31/55

**Vietnam Era:** 8/5/64–5/7/75

If served inside Vietnam, starts 2/28/61

# Defining Countable Income

Countable Income = Household's gross annual income minus exempt income minus deductible expenses

- **Household:** Veteran, spouse, dependent children
- **Exempt Income:** Needs-based benefits, tax refunds, proceeds of cashed-in life insurance, and more
- **Deductible Expenses:** Unreimbursed medical expenses

# Defining Unreimbursed Medical Expenses

UME may be deducted when:

1. Veteran or spouse paid the expense
2. It was incurred on behalf of the Veteran or a relative of the veteran's household
3. Total amount exceeds 5% of basic pension rate (\$676 for single veteran, \$886 for married veteran)

UME Examples

- Hospital expenses
- Medication
- Dental/Vision costs
- Hearing aid costs
- Medical insurance premiums
- In-home care costs
- Assisted living costs
- Nursing home costs
- Transportation to medical facilities
- Durable medical equipment

# Non-Service-Connected Pension Considerations for Older Veterans

- Most wartime Veterans on SSI qualify
- Many moderate-income wartime Veterans who need assistance with their basic needs qualify
- Special Monthly Pension is exempt income for Medicaid and IHSS
- Low-income surviving spouses of wartime Veterans may qualify for VA Death Pension

# Pension Case Studies: Ms. P

Ms. P is an 92-year-old World War II veteran who lives in an assisted living facility. Her fixed income is \$2,800, and she has approximately \$160,000 in countable assets. The monthly facility rent at her assisted living facility is \$4,500.

# Pension Case Studies: Assisting Ms. P

- She meets the income guideline because she is using her entire monthly income to pay for her assisted living facility—her countable income is \$0.
- But her assets exceed the net worth limit of \$127,061.
- Since she is using some of her assets to pay for the remainder of her monthly rent, she will be below the net worth limit within the year.
- **TAKE AWAY: Connect her with a VA Accredited Representative to help her plan for her Non-Service-Connected Pension application.**

# Pension Case Studies

Mr. X is an 75-year-old honorably discharged Vietnam Era Veteran. He lives at home, and needs assistance with bathing, cleaning, and transportation. His monthly income is \$1,600, and his net worth is \$1,500. He cannot afford the Share of Cost to get free in-home care, but wants to stay in independent living as long as possible.

# Pension Case Studies: Assisting Mr. X

- He meets all the Non-Service-Connected Pension eligibility criteria for Veterans who need Aid & Attendance.
  - In CA, the disabled adult income limit for In-Home Supportive Services (IHSS) with no Share of Cost is \$1,271
  - If he purchases medical insurance and pays an unreimbursed monthly premium that reduces his countable income to \$1,271 or less, he will get IHSS with no Share of Cost **AND** more monthly income from Non-Service-Connected Pension.
- **TAKE AWAY: Connect him with a VA Accredited Representative and IHSS/Medi-Cal/Medicaid expert to assist benefits planning.**

# Know Your Resources

Where to find VA Benefits help and additional trainings

# Finding VA Accredited Representatives

## **Veterans Service Organizations**

- VA Regional Offices
- VA Medical Centers
- CalVet County Veterans Service Offices
- Search VSO in your area

## **Attorneys**

- Contact local legal aid organizations
- Search VA's accreditation website for attorneys  
<https://www.va.gov/ogc/apps/accreditation/index.asp>

# Additional Trainings & Resources

## Trainings

- PLI's "[Advocating for Veterans](#)" 3-hour webinar: Updated annually (next webinar is 11/1/2019)
- PLI's "[Better Serving Older or Disabled Veterans](#)" 3-hour webinar: Recorded 12/2017

## Materials

- VA's "[Federal Benefits for Veterans, Dependents and Survivors](#)" guide
- NVLSP's "[Veterans Benefits Manual](#)"

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# Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at [ConsultNCLER@acl.hhs.gov](mailto:ConsultNCLER@acl.hhs.gov).