



ELDER LAW AND ESTATE PLANNING

Joseph Karp
Jonathan Karp



Veteran's widow may qualify for aid and attendance benefits

Question: My late father was a Vietnam War vet. He and Mom were married for 40 years. She suffered a stroke that has limited her ability to take care of herself at home. I've heard that Dad's veteran status means she can get financial assistance to help pay for someone to assist her at home. How do we get it?

Answer: You are referring to Improved Pension with Aid and Attendance benefits. Your mother's specific circumstances would have to be examined to determine if she would qualify. The eligibility requirements are extensive. Just being the widow of a veteran is not sufficient. Documentation will be needed that your mother requires help with certain activities of daily living. Your father must have served at least 90 days of active service, at least one day of which was during the Vietnam War period (Aug. 5, 1964 through May 7, 1975; or if he served in the Republic of Vietnam, Feb. 28, 1961 through May 7, 1975).

Additionally, there are income and asset requirements. These are too detailed to list here. For a booklet detailing these requirements, please visit our website. You will find more information and a downloadable booklet about aid and attendance benefits here: <http://www.karplaw.com/page/veterans-benefits-for-long-term-care>.

If your father received

The Karp Law Firm, P.A.

Location, phone number:

- Palm Beach Gardens, 561-625-1100
- Boynton Beach, 561-752-4550
- Port St. Lucie, 772-343-8411

Website: KarpLaw.com

Email: ask@karplaw.com

a discharge other than honorable, or if your mother has remarried, she would not be eligible, even if all other requirements are met.

Please be aware that effective Oct. 2018, the Veterans Administration began imposing a look-back period on asset transfers, along with a period of benefits ineligibility if gifts were made during the look-back.

Also, note that by law, no one may charge your mother to submit her application. Every county in Florida has a V.A. Services office to assist with the application, at no charge. An attorney accredited by the V.A. may charge for advice, but not for preparing or submitting the application per se.

Joseph Karp and Jonathan Karp are Florida Elder Law and Estate Planning Attorneys. The Karp Law Firm is located in Palm Beach and St. Lucie counties. It assists clients with wills, trusts, Medicaid and VA benefits planning, special needs planning, asset preservation, probate/trust administration, estate litigation, and probate and elder law mediation.