



Veterans Benefits



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Frequently Asked Questions and Answers

Must I Already be Living in an Assisted Living Community Before I Apply?

- No, it is not necessary to be living in assisted living in order to apply for VA benefits; however, if you are in need of personal assistance, the entire cost of assisted living helps to qualify you for benefits, but you must be a current resident to submit these expenses as a deduction off income.

Who Can Help Me Fill Out the Forms?

- Any private individual may assist with completing the forms; however, this individual is allowed to assist **ONLY** one person. A VA accredited Agent, such as your local State Veterans Office, VFW, or American Legion, etc. may help you, as well as an accredited Attorney. NO-ONE may charge you for helping you prepare or present the VA application forms.

Can a Paralegal Help Me?

- Only if the paralegal is working with a State Bar approved and VA accredited attorney.

Does My Home Count as an Asset?

- No, your primary home is exempt from counting as an asset towards VA benefits. In addition, jointly owned assets may be split, under certain circumstances, with only a portion counting as an asset. However, it is highly suggested that you never transfer ANY assets without consulting with an elder law attorney who is knowledgeable of the Medicaid system in your state.

How Long Does It Take for Me to Get My First Check?

- Once an application is turned into the VA, it can take anywhere from five to eight months on average to get your check if you are approved for benefits. If you have dementia or other memory loss issues, the VA will insist on meeting you and a family member before sending you a check, so your claim may take on average six to twelve months to settle.

Does the Money Come to Me or Straight to the Assisted Living Facility?

- All benefits are paid to the claimant and not to any facility or company.

Can I Have It Wired Directly Into My Bank Account?

- Yes, the VA actually prefers to have all checks directly deposited into a bank account. If you have memory loss issues, the VA will insist on a direct deposit.

Is It Retroactive Back to When I First Applied or Does It Start the Month/Day I Get Approved?

- Benefits are retroactive from the first day of the next month after the VA receives your application OR your first written notice that you wish to file an “Informal Request for Benefits”. However, it is very important to state exactly what benefits you are filing for; i.e. “Aid and Attendance with Prepayment of Meds” or “Service Connected” benefits on the application or the Informal Request. In order for the benefits to be retroactive, you must live through the entire next month after the VA receives the first “intent to file” (either an Informal Request or the application). In addition: if you are filing an Informal Request, you must be alive when the rest of the application is submitted and you have one year from the date of the Request to submit the remainder of your application to the VA in order to preserve the earlier date.