



Long Term Care 4 Veterans

Our Team Serves You,
Because You Served U.S.

Dear Veteran and Family,

There are four requirements to consider in our assessment of your eligibility for the VA Pension. The first and most important requirement is 90 days or more of active duty service with at least one day during a period of war. War time dates of service are the following: WWII December 7, 1941 to December 31, 1946, Korean War June 27, 1950 to January 31, 1955 and Vietnam War August 5, 1964 to May 7, 1975. (If service was in the Republic of Vietnam during the “police action”, the additional time period from February 28, 1961 to August 4, 1964 are also eligible.) If claimant is the surviving spouse of a veteran, he/she must not have remarried since death of veteran and not divorced the veteran. A married veteran could be eligible for \$25,525 per year (\$2,127/mo), single veteran \$21,531 per year (\$1,794/mo) and the surviving spouse \$13,836 per year (1,153/mo). All Pension income is tax free.

The second requirement is a medical rating. The claimant must be able to have a doctor say that they are unable to live on their own without the aid and attendance of another person.

The third and fourth are income, expense and asset requirements. We can break this element into three basic categories. I had a veteran who served on Iwo Jima who told me if there was a line where he could stand and the Japanese would not injure or kill him if he would give up his veteran’s pension, he said he would have jumped to the front of that line. He said, “There was no line. Whether we became rich, poor or in between after the war, we ALL EARNED our pension. It is NOT a welfare benefit.” I believe he was right.

If the claimant is poor and on Medicaid, the VA pension is limited to \$90 per month. If Medicaid is paying the bills, you are allowed \$60 per month. The \$90 is in addition to the \$60 and is not to be taken by the nursing home. The application for this benefit is straightforward and the claimant’s social worker can work with the VA to complete application.

If the claimant has up to \$70,000 to \$80,000 in assets including house, this may be a relatively simple application process. I would urge you to complete homework allowing us to review your situation at no charge. There will be a few tips to discuss before applying. We can have the VA Accredited attorney or a Veterans Service Organization (VSO) like the American Legion or VFW assist you in filing the case.

If the claimant has more than \$80,000 and less than \$5 million in assets including home if single or \$10M if a couple, we work with a VA Accredited Attorney to assess and file the case. This is not a problem. We feel very strongly that it is immoral to discriminate against veterans or their surviving spouses when they served our country during a time of war. We believe he/she should NOT be punished for working hard and saving. Working alongside a VA Accredited attorney gives us an opportunity to assist those veterans and their surviving spouses receive their pension.

The following is an explanation of process combined with time line projections. Your completion of tasks in a timely manner will influence the amount of time required. There is a limit to what we can do for you without your cooperation.

A. Phase One

Assessment of Eligibility Period

1. VA Power of Appointment

Please complete attached VBA- 21-22A. This will allow son/daughter to act on parent's behalf for VA purposes. The VA does not recognize civilian POA's for this purpose. The son/daughter or other trusted individual is the "Individual providing representation under section 14.630." If the veteran/surviving spouse cannot sign their name, they will need to make an X and have two witnesses sign below. Witnesses must also print names, addresses and phone number in section below claimant's signature.

2. Statement of Understanding

We provide this statement to make clear we are not with the Department of Veterans Affairs. It also clarifies what we do as well. The Veteran/Surviving Spouse is the claimant. The son/daughter who is helping them and is trusted by them is the representative. There was an attorney in our city who was caught embezzling funds when he had veteran's pensions sent to the attorneys own account. We always have the veteran (claimant) or family member (representative) of veteran receive the pension.

The benefits of doing proper planning make sense as long as the party is expected to live 6 months or more. It can take the VA 6 months to approve a benefit. If it appears that the veteran/surviving spouse will not survive longer than 6 months, you will need to carefully consider whether you should decide to file.

3. Initial Homework

This is the beginning of the process. Please complete the homework list attached. You can then type the amounts on the regular attachment page and print out for better legibility. You can also print the blank page attachment and once that is completed transfer the information to the regular fillable pdf attachment.

Once we receive completed homework, we will put your information into a spread sheet to determine cash flow needs and possible eligibility for Medicaid and/or non service connected disability pension. We will review case with you and explain what steps will need to be taken. If your assessment of eligibility determines immediate eligibility, we will discuss phase 2 implementation.

LTC4Vets never charges to help assess eligibility for a veteran's pension case. In some cases where there are more assets (houses, CD's, annuities, farmland, IRA's, securities, etc.), financial planning/trust work will be advised. We use a VA accredited attorney to do some estate/trust work. If financial planning/trust work is appropriate, any legal/financial planning cost will be discussed before moving forward. Also, we want to make clear that we cannot serve two masters. We focus on safety of principal and adequate liquidity for the best interests of the veteran/surviving spouse not the children beneficiaries.

Please be patient. It takes time to evaluate a VA Pension case. Typically, we can get prepared in two to 6 weeks depending on the speed and accuracy with which you complete your initial homework and subsequent requests.

4. Assessment of Eligibility Completion

When any financial planning and trust work (if needed) has been implemented and completed, we will discuss moving to the next phase

Most of the forms can be completed by typing in answers and printing the result. This allows for maximum legibility. If you do hand write answer, always use black ink when completing or signing any documents. Blue ink does not work with many of today's scanners. When 21-22A, Statement of Understanding, and Homework are complete:

Fax to: 316-462-0894

Or mail to:

LTC4VETS

Attn: Assessment of Eligibility

150 N McComas

Wichita, KS 67203

B. Phase II Intent to File

After the Assessment of Eligibility period, if you decide you would like to file for the VA Pension, the attorney will provide a letter conveying your intent to file. Once you have provided the letter of your intent to file to the attorney, there will be no further charges. The VA Accredited Attorney or a VA Accredited Service Organization will assist you in filing the case for no charge. They will send you the appropriate VA forms to have completed by the appropriate parties. Do NOT mail original documents to us only copies. You keep originals. Your Doctor, Care Services provider and yourself will each have forms to complete. When complete you will meet with a Service Officer to file case or send file directly to the Pension Maintenance Center in St Paul, MN. Typically, this paperwork takes two to four days to complete.

Once you file the case with the VA, it can take 6 months or longer before they will approve. Recently we have had some cases approved within 3 month, but count on 6 to 12 months. There is good news. Once they approve, the VA owes you retroactive back pay. For example, if they owe you \$2021 per month and they take 6 months from the filing date; the first check will be for \$12,126. This creates a cash flow problem while waiting, but the money is replenished once approved. The key is to get it done. They will only pay back to your filing date so each month's delay on filing is permanently lost income. Again, if the claimant is on hospice or is not expected to live 6 months or more, you will need to carefully consider your intent to file.

Post Filing

After filing, you should receive correspondence from the VA telling you they have received your file within four to six weeks. When they start working on your case, they may request further information or have questions on your statements. Please contact me ASAP if this occurs. The VA needs a prompt and correctly worded response or they will close the case. Also, after approval you may receive an Eligibility Verification Report (EVR) to complete. Make sure and contact us to assist you in completion. It is important that it is completed correctly to prevent loss of pension. We assist our clients at no charge on this task.

I look forward to assisting you in this process. We owe our veterans and their surviving spouses a huge debt of gratitude. As a country and as individuals, it is now time for us to serve them since they already have served U.S.

Respectfully yours,

Bill Morris

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