

Improved Pension Benefit

The yearly family income must be less than the amount set by Congress to qualify for the Survivors Pension benefit. The pension benefit pays the difference between your "**countable**" income and the annual pension limit set by Congress. VA generally pays this difference in 12 equal monthly payments.

Countable income includes income from most sources as well as from any eligible dependents. It generally includes earnings, disability and retirement payments, interest and dividend payments from annuities, and net income from farming or a business. Some expenses, such as unreimbursed medical expenses, may reduce your countable income.

Net worth is the sum of the claimant or beneficiary's assets and annual income. Claimants should report all net worth. For purposes of entitlement to Survivors Pension, the **net worth limit effective December 1, 2018 is \$127,061.**



Each year the VA verify income with the IRS and Social Security to see if the survivor's family income is still within the income limits set by law. If there are questions on income the survivor may need to reapply for the pension. On future claims, however, actual medical expenses paid can be claimed, so it's important to keep track of all medical expenses. Once a spouse is in the program for a year, all the medical expenses paid over the past year may be

claimed. Examples of allowable medical expenses include, but are not limited to: medical insurance premiums, doctor and medication co-pays, eye glasses, dental costs, hearing aids, nursing home fees, home health services and transportation (mileage) for medical purposes.



Mission Statement

The mission of the Portage County Veterans Services Office is to provide quality advocacy and comprehensive services to Veterans, their survivors and dependents, while obtaining the greatest possible benefits for those beneficiaries, without regard to race, religion, national origin, age, sex, and physical or mental disabilities.



OFFICE HOURS

Monday-Friday

7:30 a.m. to 4:30 p.m.

Closed on weekends and County holidays.

APPOINTMENTS ARE STRONGLY RECOMMENDED.

IMPROVED DEATH PENSION



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Eligibility

The Improved Death Pension (Survivor's Pension) may be paid to surviving spouses and eligible children of deceased, **wartime** veterans if the family's countable income is below an annual limit set by law. Countable income is **household** income from all sources including, but not limited to: social security, salary, other pensions, interest and dividends.

Beginning October 18, 2018, the VA has determined financial limits for pension eligibility will be based on a "Net Worth Bright-Line Limit". The Bright-Line limit is a calculation of the veteran's family income and assets. The income is calculated from all sources of income as stated above and total assets. The total assets include IRAs, 410Ks, rental properties, and real property except the primary domicile and a maximum of two (2) acres

The new program will make adjudication easier and allow for standardized treatment of veterans and surviving dependents. **The Bright Line limit includes assets and income.**

The new Bright-Line program includes a **three year look back period** to determine if the veteran transferred or gifted assets in order to reduce net worth to become eligible. If the VA finds excessive assets were transferred or gifted the VA will determine a **penalty period at a rate of \$2,230 per month**. (If the asset total was \$22,300 the VA would determine the period on ineligibility to be 10 months)

Requirements are:

- ★ Veteran had to be discharged from the service under other than dishonorable conditions.
- ★ Veterans entering active service before September 7, 1980 must have served 90 days or more of active duty with at least 1 day

during a war. The 90-day requirement can be waived if the veteran had a service-connected disability justifying discharge. The 1 day during war requirement cannot be waived.

- ★ Veterans entering active service after September 7, 1980 must have served 24 months or completed the period for which the service member was called to active duty, or discharged with a disability. At least 90 days during a war
- ★ Surviving spouse must not have remarried.
- ★ Child(ren) must be under age 18 or under age 23 if attending a VA-approved school.
- ★ Children who become incapable of self-support because of a disability before age 18 may be eligible for a pension as long as the condition exists, unless the child marries or the child's income exceeds the applicable limits.

Note: These rates **are not** in addition to current household income; but rather are the rates the VA will bring income up to. The same applies to the Housebound and Aid and Attendance rates.



Housebound:

Spouses can be granted a higher benefit if considered permanently housebound. Housebound will be considered to have been met when the surviving spouse is substantially

confined to home or immediate premises due to a disability or disabilities, which it is reasonably certain will remain for the survivor's lifetime.

Aid and Attendance:

An even larger amount may be granted if a spouse is considered in need of regular aid and attendance. This will be considered if the spouse is a patient in a nursing home or helpless or blind, or so nearly helpless or blind as to need or require the aid and attendance of another person.

To apply for housebound or aid and attendance, a claimant will need to have a Primary Care Physician complete a VA form 21-2680. Nursing home residents are automatically presumed to be in need of regular aid and attendance so the VA form 21-0779 will be required instead of the VA form 21-2680.



Annual Pension Rates

The annual survivor pension rates differ from basic, housebound, and aid & attendance. The rates are adjusted annually to take effect on December 31 of the year. Rates can be found on the VA Website at

<https://www.va.gov/pension/survivors-pension-rates/>

The website also lists the annually updated bright line limit for assets. The bright line limit for the current year may be found at the VA website:

<https://www.va.gov/pension/veterans-pension-rates/>