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Veterans Pensions vs. SSI and Medi-Cal: Similarities, Differences, and Interaction

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Many of us who practice elder law or special needs law have become fairly familiar with the eligibility requirements for Supplemental Security Income (SSI) and Medi-Cal. We are generally a lot less familiar with the income grant and medical support programs provided by the Department of Veterans Affairs (formerly the Veterans Administration, and still known as the "VA"). Now, especially with SSI benefits being cut back and Medi-Cal eligibility for long-term care soon to be restricted, it's time to see what benefits the VA can provide for our clients.

There are numerous VA income grant and medical benefit programs that could benefit our clients. However, this article will limit its discussion to one major VA benefit, the wartime veteran's pension¹ (VA Pension). A VA Pension provides both a basic cash grant and also supplemental payments for beneficiaries who are either "Housebound" or who need "Aid and Attendance" to perform personal functions of daily living.² A VA Pension is payable to both living veterans and to certain survivors of deceased veterans. It has many similarities to SSI and Medi-Cal and is the VA program that we are likely to find most useful in our practices.

Program Basics

We can start with the major surprise that a VA Pension is not really a pension in the usual sense of the term. Instead, it is a means-tested welfare benefit like SSI and Medi-Cal, available only to veterans (or to the surviving spouses and children of veterans) who are aged or disabled and have limited assets and income. However, unlike SSI and Medi-Cal, the VA Pension program also covers the un-remarried surviving spouse and unmarried dependent children of a deceased veteran.³

In order to qualify for a VA pension, the veteran must have served 90 days or more on active military duty, at least one day of which was during a "period of war." The implicit rationale appears to be that it would be unseemly for the country to allow its soldiers who risked their lives defending it in war to suffer destitution when they are old or disabled. However, this rationale is stretched to cover even those who never actually saw combat. In addition, the veteran must

have an "other than dishonorable" discharge from the military. We leave detailed explanations of the wartime periods and of the discharge eligibility requirements for the reader to find elsewhere.⁴ Here we will focus on the differences between the financial eligibility requirements for a VA Pension and its benefits on the one hand, and the comparable financial eligibility requirements for SSI and Medi-Cal and their benefits on the other.

SSI and Medi-Cal both typically require that their beneficiaries be aged, blind, or disabled (also known as ABD). The VA Pension gets to the same place by requiring claimants to be "permanently and totally disabled" and, conveniently for us, provides that claimants aged 65 or over are deemed to be disabled.⁵ Surprisingly, the veteran's "disability" for the VA Pension does not have to have any connection to military service. As a result, the VA Pension is often called the "non-service-connected" (or "NSC") disability Pension. If the veteran's disability is connected to military service, there's a whole different VA program to cover it called "service-connected" (or "SC") disability "Compensation". The VA Compensation program covers claims that are more like damages for personal injury (and it also is beyond the scope of this article).⁶

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Amount of the Basic Benefit and Supplements

The basic VA Pension benefit amount is similar to SSI. However, unlike SSI, the basic VA Pension amount is supplemented if the claimant is either "Housebound" (Housebound) or is in need of "Aid and Attendance" (A&A) -- both of which are discussed in more detail later in this article.

The VA derives the maximum monthly VA pension rates from the Maximum Annual Pension Rates (MAPR) for each combination of basic benefit and supplement by dividing by twelve and rounding down. The maximum monthly rates in 2010 for the basic VA Pension, the VA Pension with the Housebound supplement and the VA Pension with the A&A supplement are:

	basic	if Housebound	if needs A&A
Unmarried Veteran:	\$ 985	\$1,204	\$1,644
Married Veteran:	\$1,291	\$1,510	\$1,949
Widowed Spouse:	\$ 661	\$ 808	\$1,056

These amounts increase if the veteran or surviving spouse has dependent children.⁷ The VA has even more detailed benefit level information on its web site.

Offsets

As with SSI, the VA Pension amount (basic or with either of the supplements) is set off dollar-for-dollar against any other countable income the claimant receives. So, for example, the maximum monthly basic VA Pension for an unmarried veteran of \$985 is payable in full if the claimant has zero other countable income. Conversely, the claimant will get no basic VA Pension payment at all if his or her other countable income equals or exceeds \$985 per month. The issue of what income is "countable" will be explored later in this article.

Resource Limitations

Like both SSI and Medi-Cal, the VA Pension program also imposes limitations on the claimant's resources. However, there are similarities and differences between the programs in both what assets are exempt and the limit in the value of assets that are countable:

- First, all three programs allow a claimant to retain a residence and tangible personal property for personal use.
- Also, all three programs count the claimant's spouse's assets in determining the claimant's eligibility. However, unlike Medi-Cal, the VA counts a spouse's after-acquired assets for continuing VA Pension eligibility for the claimant.

- Unlike Medi-Cal (but like SSI), the VA Pension program counts IRAs and other retirement savings (an express question about such retirement assets appears on the VA Pension Application form).⁸
- Also unlike both Medi-Cal and SSI, the VA Pension program does not carve out any safe harbor for first-party special needs trusts (as explained further below). In fact, if the VA Pension claimant is the beneficiary of any trust that was settled and/or funded by the claimant, the VA will treat all of the trust's assets as available to the claimant regardless of whether the trustee has absolute discretion over the distributions.

Another major difference among the programs is in the amount of countable assets that a claimant can keep and still qualify for benefits. Both SSI and Medi-Cal allow a single beneficiary to have \$2,000 in countable assets that are both available and not exempt. On this issue, the VA Pension rules provide both good news and bad news. The good news is that a claimant (together with his or her spouse, if married) for a VA Pension can keep a lot more countable resources than those allowed by SSI and Medi-Cal – maybe \$80,000 or even more! The bad news is that there is no actual "bright line" upper limit on resources, no safe harbor for purposes of planning.

The VA makes its determination of countable assets that can be retained by the claimant (called the claimant's "Net Worth") on a case-by-case basis, without the benefit of formal standards. Instead, an individual Veterans Service Representative has personal discretion to make the eligibility decision for Net Worths up to \$80,000. Eligibility decisions for Net Worths over \$80,000 are made by a higher level formal administrative review board. This can produce confusing and unpredictable outcomes because some claimants can have more than \$80,000 in countable assets and still qualify, while others with substantially less will fail to qualify.

This unpredictability arises from the VA's failure to provide any written policies or guidelines to carry out remarkably ambiguous federal regulations. The Code of Federal Regulations (CFR) merely says:

[A] Pension shall be denied or discontinued when the corpus of the estate of the veteran, and of the veteran's spouse, are such that under all the circumstances, including consideration of the annual income of the veteran, the veteran's spouse, and the veteran's [dependent] children, it is reasonable that some part of the corpus of such estates be consumed for the veteran's maintenance."⁹

What is the “corpus of the estate”?

The terms corpus of estate and net worth mean the market value, less mortgages or other encumbrances, of all real and personal property owned by the claimant, except the claimant's dwelling (single family unit), including a reasonable lot area, and personal effects suitable to and consistent with the claimant's reasonable mode of life.¹⁰

Further, the federal regulations provide:

In determining whether some part of the claimant's estate . . . should be consumed for the claimant's maintenance, consideration will be given to the amount of the claimant's income together with the following: Whether the property can be readily converted into cash at no substantial sacrifice; life expectancy; number of dependents who meet the definition of “member of the family”; potential rate of depletion, [and] including unusual medical expenses for the claimant and the claimant's dependents.¹¹

There is a widespread misconception that a married claimant (together with his or her spouse) can retain up to \$80,000 in Net Worth and a single claimant up to \$50,000 and qualify for a VA Pension. This misunderstanding seems to have arisen from the VA rule that “a formal net worth administrative decision must be completed if the claimant has an estate of at least \$80,000 and it has been determined that the net worth is not a bar to entitlement.”¹²

- VA guidelines lay out the factors that can be considered in determining the Net Worth a claimant can retain:
- The claimant's level of income;
- Whether the property can be readily converted into cash at no substantial sacrifice
- The claimant's life expectancy (using the VA's life expectancy chart)¹³;
- The number of the claimant's dependents who meet the definition of “member of the family”;
- The claimant's potential rate of depletion of assets; and
- Unusual medical expenses for the claimant and the claimant's spouse and other dependents.¹⁴

Although the regulations seem to allow a claimant who is married or has other dependents to keep additional assets, there is no additional ascertainable amount that the claimant's spouse can keep like the CSRA for Medi-Cal.

Because of the great uncertainty about how many assets an claimant for a VA Pension can keep, some experienced advocates advise that it's only safe for a claimant (and his or her spouse, if married) to have a Net Worth of about half of the amounts popularly thought to be the limit. However, the VA might find that even these much reduced amounts

are “excessive” under the circumstances, e.g., for a very old claimant, without a spouse or other dependents, whose expenses do not significantly exceed his income.

Transfers of Assets Generally

If advocates find the VA's vague and arbitrary treatment of asset limits maddening, at least they can find comfort in the VA's transfer of assets rules. Essentially there is no transfer penalty suffered by a claimant for a VA Pension who has given away his or her assets. In this way, the VA Pension program follows the model of the Medi-Cal rules for community (non-nursing home) eligibility, rather than the model of the SSI rules and Medi-Cal rules for long-term care that disqualify a claimant who has given away his or her assets.

Accordingly, the obvious way for a claimant to come within VA's net worth limitations, vague as they are, is to give away countable assets. However, there are some transfers that the VA will not disregard:

- (b) Transfer of assets. For pension purposes, a gift of property made by an individual to a relative residing in the same household shall not be recognized as reducing the corpus of the grantor's estate. A sale of property to such a relative shall not be recognized as reducing the corpus of the seller's estate if the purchase price, or other consideration for the sale, is so low as to be tantamount to a gift. A gift of property to someone other than a relative residing in the grantor's household will not be recognized as reducing the corpus of the grantor's estate unless it is clear that the grantor has relinquished all rights of ownership, including the right of control of the property.¹⁵

So, transfer planning will need to involve relatives outside the household or non-relatives inside the household in order to avoid these rules. Although not stated in its regulation above, the VA applies these restrictions to both the claimant and to his or her spouse.

The usual considerations of the donor's legal capacity and freedom from undue influence, and the donee's safety as a recipient, of course apply in the same way they do in Medi-Cal transfer planning.

In addition, planners need to keep in mind that an asset transfer today that is harmless for a VA Pension could cause a serious problem for Medi-Cal eligibility for long-term care at a later time. Further, it could cause a serious problem for future SSI eligibility because, since 1999, the SSI program has imposed periods of disqualification if the claimant has made uncompensated transfers.¹⁶

Finally, although the VA does not impose a penalty period on most transfers and does not have a “look back period”

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like Medi-Cal and SSI, the VA has just revised its application form and included a requirement that the claimant report all gifts made by the claimant without regard to how long before the application the gift was made. It appears that the VA is trying to find out if the transfer was to a relative living in the claimant's household or if the claimant continues to possess some continuing control over or interest in the assets transferred.¹⁷

Transfers of Assets to Trusts

It also appears that a transfer of assets to a first-party special needs trust will not work to reduce Net Worth.¹⁸ In specific, the VA has no safe harbor payback or pooled trust exception to this rule like the exceptions in the SSI and Medi-Cal programs. Indeed, the VA appears to be counting the assets in any trust where the VA claimant (or his spouse) has sufficient control over the property to allow him to direct its use for his benefit, or the benefit of his spouse or relatives who live in his household. However, the VA has held in one case that property and income it generates, including that held in a first party trust, will not be countable as belonging to the VA Pension claimant unless 1) "it is actually owned by the claimant," 2) the claimant can direct it to be used for his or her own benefit, and 3) funds have actually been allocated for the claimant's use.¹⁹

One can only conclude that the VA rules regarding assets held in any trust created by or for the claimant are at least complicated, perhaps confused, and -- according to two prominent advocates who practice VA law -- an area of the law "in flux."²⁰

Treatment of Income

The VA uses the claimant's income in several ways. First, it makes use of the claimant's income in determining whether a claimant's Net Worth is "enough" to disqualify him or her (as mentioned in the regulations quoted above). The authors have been advised by a retired Veterans Service Representative that there are no formulas or rules of thumb that are shared among the Representatives for incorporating income levels into this determination. It's up to each Representative to decide on a case-by-case basis. Advocates must assume that income will be considered in the determination of Net Worth.

If the VA determines that the claimant's Net Worth is not enough to bar eligibility for a VA Pension completely, it will then only provide a Pension amount that will bring the claimant up to a maximum level of total income, including the Pension. But first it has to calculate the amount of "income" the claimant is receiving. There are some surprises in what is added to and what is offset from the claimant's income.

Additions

The VA expressly includes some unavailable income, including income that the claimant waives.²¹ So, in effect, the VA imposes a kind of transfer rule for income. The VA also includes the income of a spouse and any dependents as part of the veteran's countable income.²²

Offsets

The best news is that the VA allows a host of deductions to be set off against income, potentially eliminating all of a claimant's otherwise countable income. This is strikingly different from SSI and Medi-Cal. For SSI, the beneficiary is entitled to deduct a \$20 "any income allowance" and a small part of his earned income, and not much else.²³ Likewise, for Medi-Cal not much can be deducted from the Share of Cost obligation. The VA, however, deducts many expenses from countable income, and also excludes numerous forms of income, in determining the total benefit to be paid to the claimant.²⁴ Here are some of the most common deductions against countable income:

- Welfare payments received "from public or private relief" are not countable income. This includes SSI payments. Unfortunately, since SSI does not have a corresponding deduction for income from the VA, the VA's deduction of SSI income is unlikely to increase the claimant's total income.
- Maintenance provided by a relative, friend, or charity is not counted as income.
- Unreimbursed Medical Expenses (UMEs) incurred by the claimant, his spouse or his dependents. These are set off, dollar-for-dollar against countable income. They include, but are not limited to, the costs paid by
 - any of them (and not reimbursed from any other source) for nursing home and assisted living care, health insurance premiums (including Medicare Part B premium), doctor and hospital co-pays, medications (both prescription and over-the-counter), transportation to/from the doctor, and privately-retained caregivers. The UMEs frequently substantially reduce all countable income and sometimes completely eliminate it, resulting in a significant increase in the amount of the VA Pension payment.
- Profit from the sale of property is not countable income (although it is part of the claimant's Net Worth)
- Educational expenses incurred by the claimant, his spouse or his dependents are set off, dollar-for-dollar against countable income.

Veterans Pensions (cont. from page 4)

After the VA makes all these adjustments, it then compares the claimant's net countable annual "income" to the Maximum Annual Pension Rate (MAPR, described above) that is applicable to the claimant. If the claimant's net countable income does not exceed his MAPR, the claimant will be entitled to a VA Pension equal to the amount needed to bring him up to the MAPR.

Other Benefits Arising From Eligibility for a VA Pension

As mentioned above, a VA Pension may include either one (but not both) of two supplemental payments. Which one the claimant receives depends on his or her degree of disability. The supplements are only available if the claimant has the disability and are not available if the married claimant's spouse is the one with the disability.

Housebound Supplement

The claimant qualifies for the Housebound supplement if he or she is either permanently and substantially confined to his immediate premises because of a condition that is 100% disabling, or he has two disabling conditions, one 100% and one at least 60%.²⁵ There are two surprising features to this benefit. First, although reaching age 65 amounts to a permanent and total disability for VA Pension eligibility purposes, it is not a per se "disabling condition" for purposes of the Housebound supplement. Second, a claimant who is eligible for the Housebound supplement because he or she has two disabling conditions (one 100% disabling plus one at least 60% disabling) need not be confined to his immediate premises, that is, he need not be actually housebound.²⁶

Aid and Attendance Supplement

A VA Pension claimant will qualify for the Aid and Attendance (A&A) supplement if he or she is either blind, a patient in a nursing home because of physical or mental incapacity, or can show, as a matter of fact, that he needs the assistance of another person to perform the activities of daily living.²⁷ This supplement will be of greater use to most of our elderly and special needs clients because it will be easier to show that they satisfy the A&A requirements than it will be to show that they satisfy the housebound requirements. Furthermore, the A&A supplement is greater than the Housebound supplement. So, in almost all cases, it will make more sense to seek the higher and easier to establish A&A supplement.

Interaction of the VA Pension with Medi-Cal and SSI

Particularly complicated and interesting questions arise from the interactions of all these programs. In order to

conserve its resources, each public benefit program has an incentive to the payer of last resort -- but they can't all be last.

SSI

SSI counts the VA Pension benefits themselves as unearned income in determining the level of the SSI payment (and does not allow a \$20 allowance).²⁸ As a result, it initially appears that VA Pensions simply offset and replace SSI benefits, with no net gain to the beneficiary. Nevertheless, there are special SSI exceptions that often mitigate the apparent severity of the rule.

First, SSI rules do not count either the A&A supplement or the Housebound supplement as "income" (i.e., the difference between the basic VA Pension and the VA Pension that includes either the Housebound or A&A supplement).²⁹ As a result, the SSI beneficiary who receives only a small net VA Pension can receive the often considerable A&A benefit without prejudice to the amount of his or her SSI. Indeed, SSI rules confirm that "all or a part of the VA Pension may be subject to this rule."³⁰

In addition, SSI rules do not count the part of the basic VA Pension that represents "unusual medical expenses."³¹ As a result, the SSI beneficiary who receives a much larger VA Pension -- because the VA has subtracted such UME expenses in determining the VA "income" to be subtracted from the MAPR -- can receive much more SSI. The SSI program must not treat the part of the basic VA Pension that reflects the UME's as countable SSI "income." Again, SSI rules confirm that "all or a part of the VA Pension may be subject to this rule."³²

Medi-Cal

Similarly Medi-Cal income regulations expressly require counting of VA Pension benefits as a form of unearned income for purposes of determining the amount of Medi-Cal benefits.³³ However, as with SSI, the Medi-Cal program will not count certain parts of VA Pension benefits.

UME's

Like the SSI program, the Medi-Cal program will not count the part of a VA Pension that represents allowances for unusual medical expenses, i.e., UME's (regardless of the beneficiary's living condition).³⁴

Aid and Attendance

Also like the SSI program, the Medi-Cal program will not count the VA A&A supplement as "income" -- but only if the beneficiary does not live in a nursing home

Veterans Pensions (cont. from page 5)

or other medical institution “on a permanent basis.”³⁵ The Medi-Cal program exempts A&A benefits from being counted for purposes of both initial eligibility and Share of Cost co-payment.³⁶ Accordingly, the VA Pension beneficiary who lives at home can receive A&A benefits in addition to Medi-Cal benefits.

Things get much more complicated if the individual is not living at home but instead is in a skilled nursing facility or other medical institution:

For an institutionalized person with no spouse or minor child: Medi-Cal “disregards” \$90 of A&A but treats all the rest as unearned income and includes it in the beneficiary’s Share of Cost.³⁷ As a result, the beneficiary only gets to keep \$90 of A&A plus his or her normal \$35 personal needs allowance.³⁸

For an institutionalized person with a community spouse or minor child: Medi-Cal does not count A&A benefits for purposes of the beneficiary’s “income eligibility or Share of Cost” at all.³⁹ However, the VA claimant who is the institutionalized Medi-Cal beneficiary cannot allow the A&A benefit paid to him or her to accumulate and turn into “property” that exceeds the allowable \$2,000 property reserve. The beneficiary can spend it, allocate it to the community spouse under the usual Spousal Impoverishment rules,⁴⁰ or give it to a minor child (though this would be counted as income to the child for purposes of determining the child’s eligibility for Medi-Cal).⁴¹

However, if the VA claimant is the institutionalized Medi-Cal beneficiary and elects to allocate some or all of his or her A&A benefit to a community spouse

under the Spousal Impoverishment rules, Medi-Cal will count the allocated amount in determining the community spouse’s unmet need (i.e., shortfall from the MMMNA). Further, Medi-Cal will include any such allocation as countable income for determining the Medi-Cal eligibility of the community spouse.⁴²

Similarly, if the VA claimant is the community spouse of an institutionalized individual, the VA Pension (with the A&A benefit if the claimant is disabled) will be included in determining his or her eligibility for an allocation of the institutionalized spouse’s income under the MMMNA rules.

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1 The VA sometimes refers to a VA Pension as a “Wartime Pension.” A “306 Pension” is the basic pension amount.

Supplements under an “Improved Pension” are available if the claimant is Housebound or in need of Aid and Attendance.

2 See “VA Benefits for Aid and Attendance: An Introduction,” by Dallas Atkins, Legal Network News, Winter 2008, Vol. 19, No. 4, also available on the CANHR web site: http://www.canhr.org/publications/newsletters/NetNews/Feature_Article/NN_2008Q4.htm

3 While the veteran is living, only the veteran can be a claimant for VA Pension benefits. The VA calls the pension benefits for the surviving spouse and/or dependent children of a deceased veteran a “Death Pension.”

4 See, for example, the “Veterans Affairs Aid and Attendance Benefits” Fact Sheet provided by California Advocates for Nursing Home Reform (CANHR), at: http://www.canhr.org/factsheets/misc_fs/html/fs_aid_&_attendance.htm, or the official VA list at: <http://www.vba.va.gov/bln/21/pension/wartime.htm> (for periods of war); and M21-1MR, Part III, Subpart v, Chapter 1, Section B. Statutory Bar to Benefits and Character of Discharge (for character of discharge).

5 It’s sobering to contemplate that in less than a year one of the authors will so ancient that he will be automatically deemed to be disabled,

6 See, for example: <http://www.vba.va.gov/bln/21/compensation/>

7 VA Pension Benefits Payment Rate Tables. See: <http://www.vba.va.gov/bln/21/Rates/pen01.htm> (veteran) and <http://www.vba.va.gov/bln/21/Rates/pen02.htm> (surviving spouse).

8 Improved Pension Eligibility Verification Report, VA Form 21-0516-1, June 2004. This form may provide some indication of what the VA will actually count, in the absence of any adequate clarity in the actual rules. Dallas Atkins reports that there is an unwritten rule that the VA will not count IRAs “that are annuitized under the VA interpretation, not necessarily the same as paying out RMDs [Required Minimum Distributions, under IRS rules].” See Endnote no. 2, above.

9 38 CFR §3.274(a)

10 38 CFR §3.275(b)

11 38 CFR §3.275(d)

12 VA MR21-1MR, Part V, subpart i, Chapter 3, Section A, 4.c.

13 VA MR21-1MR, Part V, subpart iii, Chapter 1, Section J, “Net Worth,” Topic 72, Exhibit 1, Life Expectancy Table for Net Worth Determinations, at page 1-J-20: http://www.warms.vba.va.gov/admin21/m21_1/mr/part5/subptiii/ch01/ch01_secj.doc

14 38 CFR §3.263(d), and VA MR21-1MR, Part V, subpart iii, Chapter 1, Section J, “Net Worth”.

15 38 CFR §3.276(b)

16 POMS SI 11050.000, et seq., Other Resource Provisions

17 See Application Form 21-526 Instructions. The VA does not indicate how far back the claimant should go in such reporting. There is no statutory or regulatory authority for the VA to disqualify claimants on the basis of prior gifts of assets. However, the VA might be able to excuse this new inquiry on the grounds that it is authorized to determine if the claimant continues to exercise any control over the assets transferred.

18 VA, Office of General Counsel, VAOPGCPREC 33-97, August 29, 1997. This opinion addressed a surviving spouse’s self-settled special needs trust. It did not address a third party trust.

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19 VA, Office of General Counsel, VAOPGCPREC 73-91, as set out in VAOPGCPREC 72-90.

20 Michael D. Beneski and Sanford J. Mall, Veterans Benefit Course for VA Accredited Attorneys, Section 6 (Pensions), No. XI, NAELA Doubleheader, November 7, 2009, Jersey City, New Jersey.

21 38 CFR §3.276(a)

22 39 CFR §3.23(d)(5), inclusion of spouse's income

23 20 CFR §416.1112, POMS SI 810.007

24 38 CFR 3.272

25 38 CFR §3.351(d)

26 Id.

27 38 CFR §352, See endnote 2. for additional information on Aid and Attendance

28 20 CFR §416.1103(a)(7) and (b)(1), and POMS SI 00830.302, B. 1.

29 20 CFR §416.1103(a)(7) and (b)(1), POMS SI 00830.302, "VA Pension Payments," at B. 2, a. ; POMS SI 00830.308, B., "VA Aid and Attendance and Housebound Allowances"

30 POMS SI 00830.302, "VA Pension Payments," at B. 2, a.

31 POMS SI 00830.312, "VA Payment Adjustment for Unusual Medical Expenses," at B., 1. These are called by the VA, "unreimbursed medical expenses,": 38 CFR 3.272(g); see also endnote 23.

32 POMS SI 00830.302, "VA Pension Payments," at B. 2, a.

33 22 Cal Code Regs. §50507(a)(6)(A). However, the regulations ambiguously state that Medi-Cal will count as unearned income "Veterans payments which include: pensions based on need." The regulations do not mention any exceptions for Housebound or A&A supplements, nor for UME's.

34 California Medi-Cal Procedures Manual Letter No. 310, June 17, 2008, revising Article 10J, of the Medi-Cal Procedures Manual, Paragraph D.

35 CMS State Medicaid Manual §3705, and California Medi-Cal Procedures Manual Letter No. 310, June, 2008, revising Article 10J, of the Medi-Cal Procedures Manual, Paragraph A

36 Q&As about VA Aid and Attendance Under Medi-Cal's Policy and Procedures Manual 10J form DHCS, No. 1, California Advocates for Nursing Home Reform, 2009 Elder Law Conference CD

37 California Medi-Cal Procedures Manual Letter No. 310, June, 17,2008, revising Article 10J, of the Medi-Cal Procedures Manual, Paragraph B

38 Q&As about VA Aid and Attendance Under Medi-Cal's Policy and Procedures Manual 10J form DHCS, No. 2, California Advocates for Nursing Home Reform, 2009 Elder Law Conference CD

39 California Medi-Cal Procedures Manual Letter No. 310, June, 17, 2008, revising Article 10J, of the Medi-Cal Procedures Manual, Paragraph B.

40 Q&As about VA Aid and Attendance Under Medi-Cal's Policy and Procedures Manual 10J form DHCS, No. 5, California Advocates for Nursing Home Reform, 2009 Elder Law Conference CD

41 Q&As about VA Aid and Attendance Under Medi-Cal's Policy and Procedures Manual 10J form DHCS, No. 6, California Advocates for Nursing Home Reform, 2009 Elder Law Conference CD

42 California Medi-Cal Procedures Manual Letter No. 310, June, 17, 2008, revising Article 10J, of the Medi-Cal Procedures Manual, Paragraph B.

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Payment of fee enrolls payor as a participant of California Advocates for Nursing Home Reform's ("CANHR") Legal Information Network ("LIN") for one year, beginning with date of payment receipt. Participation in LIN **DOES NOT** imply endorsement of attorney's qualifications, experience and/or knowledge of laws or regulations regarding Medi-Cal or long term care issues. CANHR **PROHIBITS** the use of its name for the purpose of advertisement by attorneys, financial planners or any other organization or entity. Signature and registration in LIN constitutes agreement to adhere to this prohibition.

Signature (**required**) _____ Date _____

Name (**please print**) _____

Firm _____

Address _____

City, State, Zip _____

Telephone _____ E-Mail _____