

Practice Areas

Estate & Incapacity Planning

- ◆ Last Will & Testament
- ◆ Living Will
- ◆ Designation of Healthcare Surrogate
- ◆ Durable Power of Attorney
- ◆ Revocable Trust
- ◆ Quit Claim Deed
- ◆ Probate & Trust Administration

Emergency & Advocacy Services

- ◆ Emergency & Standard Guardianships
- ◆ Long Term Care Facility Resident's Rights
- ◆ Medicaid Applications & Appeals
- ◆ Representation of Trustees

Special Needs Planning

- ◆ Guardianship
- ◆ Guardian Advocacy
- ◆ Special Needs Trusts
- ◆ Pooled Trusts
- ◆ Estate Planning for People with Special Needs
- ◆ Government Benefits Eligibility Counseling

Government Assistance

- ◆ Protecting Lawsuit Proceeds & Inheritances While Preserving Medicaid & SSI Eligibility
- ◆ Exceptions to Medicaid Lien Recovery
- ◆ Veterans Benefits Eligibility Counseling

Our firm takes a holistic approach to providing excellent elder law services to clients of all ages.

We accomplish this by :

- ◆ Empowering our clients to make deliberate decisions that result in the client's peace of mind.
- ◆ Providing expert guidance to co-create the solutions that fulfill the client's goals.
- ◆ Committing ourselves to the client's well-being.



Stephanie Schneider is the former Chair of The Florida Bar Elder Law Section. She was Certified as an Elder Law Attorney by the National Elder Law Foundation October 1997, and by The Florida Bar June, 1998.

Board Certification assures the public the attorney has substantial experience and has demonstrated special knowledge, skills and proficiency in certified areas of practice and professionalism and ethics in the practice of law.

U.S. Department of Veterans Affairs Accreditation: Only accredited legal counsel is authorized to advise and guide families about VA benefits eligibility.

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VETERANS BENEFITS COUNSELING



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VETERANS BENEFITS ELIGIBILITY PLANNING: Veterans Aid & Attendance Benefits May Pay for Healthcare Products & Services

What is Veterans Aid & Attendance Benefits?

Veterans Aid & Attendance benefits, also referred to as VA pension, enable qualified veterans or their spouses to receive a monthly check that supplements their monthly income enabling them to purchase healthcare services and products. Aid & Attendance benefits greatly improve a veteran's life by providing a resource to pay for unreimbursed medical expenses such as a home health aide, medical supplies, or the monthly cost of residing in an assisted living facility.

How Can I Qualify for Aid & Attendance?

Aid & Attendance is not service connected; the veteran did not have to be injured during service in order to receive benefits under this program. Eligibility is based on numerous criteria which include:

- **Dates of Service**
- **Disability**
- **Income & Net Worth**
- **Unreimbursed Medical expenses**

An additional incentive to quality is that the veteran will receive full VA health care and prescription benefits!

Is a Veteran's Spouse Eligible for this Benefit?

A veteran's widow or widower may also be eligible for this benefit if he/she has not remarried. There is a lower net worth requirement for an unmarried person.

If I am already receiving monthly payments for a service-connected disability can I get Aid & Attendance too?

You cannot receive a VA non-service connected pension and service-connected compensation at the same time. However, if you apply for pension and are awarded payments, VA will pay you whichever benefit is the greater amount.

Must an individual be Accredited by the U.S. Department of Veterans Affairs to prepare and present a claim?

The purpose of the Veterans Administration's accreditation program is to ensure that claimants for VA benefits **receive qualified assistance** in preparing and presenting their claims. VA's regulations require completion of qualifying continuing education "during the first 12-month period following the date of initial accreditation by the Veterans Administration.

In accordance with the VA rules, an attorney who works with pension benefit clients and advises clients as to eligibility requirements, even if the attorney does not file the application for them, needs to be accredited. VA regulations allow interns and paralegals, to assist in preparation, presentation, and prosecution of claims for VA benefits of claimants for benefits, but only under the direct supervision of the *attorney of record*.

A veteran or their spouse **may not be charged for completing an application for benefits**. They may be charged for eligibility counseling.

Our office also provides counseling for veteran's burial benefits and home adaptation grants.

We recommend that all veterans, and their family members over the age of 18 have estate and incapacity planning documents.

These legal documents should be reviewed every five years or upon a change of circumstances such as marriage, death, divorce, adoption, etc.

The plan you create should be tailored to meet your particular needs and goals. We recommend documents that will address avoiding guardianship and probate.

Designation of Health Care Surrogate to make your medical decisions in the event of your incapacity.

Durable Power of Attorney to make your financial decisions if you are incapacitated.

A **Living Will** declares your wishes concerning the provision, withholding, or withdrawal of life-prolonging procedures if you are diagnosed with a terminal condition where there is no medical probability of recovery or cure.

A **properly drafted estate plan** ensures that the person you select will inherit the portion of your estate that you designate.

Declaration of Preneed Guardian for your minor children.