



## Bradford & Holliman, LLC

[www.bradfordholliman.com](http://www.bradfordholliman.com)

205-663-0281 | 2491 Pelham Parkway, Pelham, AL 35124

256-529-3301 | 803 Garland Ferry Road, Scottsboro, AL 35768

### Veterans Benefits - Frequently Asked Questions and Answers

#### *Must I already be living in a care facility before I apply for VA benefits?*

No. However, if you need personal assistance, a protective environment, and your doctor confirms your need to live in the facility, the ENTIRE COST of the facility may be accepted to offset income which will help you qualify for benefits, but in this case, you must be a current resident to submit these expenses as a deduction off income. Note "independent living" requires a third-party caregiver who may be paid or unpaid.

#### *Who can help me fill out the forms?*

Any private individual may assist with completing the form. Since the whole process can be extremely complicated, you can benefit from using an Elder Law Accredited VA attorney that is familiar with process. A qualified VA attorney can help you plan the most with eligibility. In addition, VA has an informal process that can require help from a specialist to navigate the process and to plan on how little we can leave for VA.

#### *Does my home count as an asset?*

No, your primary home is exempt from counting as an asset towards VA benefits. If you sell your home, the proceeds do count as an asset. 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 or add a name on your account without consulting an Accredited VA Elder Law attorney who is knowledgeable of the Medicaid system in your state.

#### *How long does it take to get my first check?*

Once an application is turned into the VA, it can take anywhere from two to six weeks on average to get your check once you are approved for benefits. If you have dementia or other memory loss issues, the VA will insist on meeting you and the person who will manage your money before releasing all funds, so your claim could take on average six to twelve months to settle.

#### *Does the money come to me or straight to the care facility?*

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

#### *Can I have my benefit check deposited 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.

#### *Are my benefits retroactive back to when I first applied or does it start the month/day I am approved?*

Benefits are retroactive from the first day of the next month after the VA receives notification that you intend to file. An Accredited VA Elder Law attorney may be able to help you preserve this Informal Award Date.

***Call today for a Free Consultation or visit our website at [www.bradfordholliman.com](http://www.bradfordholliman.com)***