

DEPARTMENT OF JUSTICE

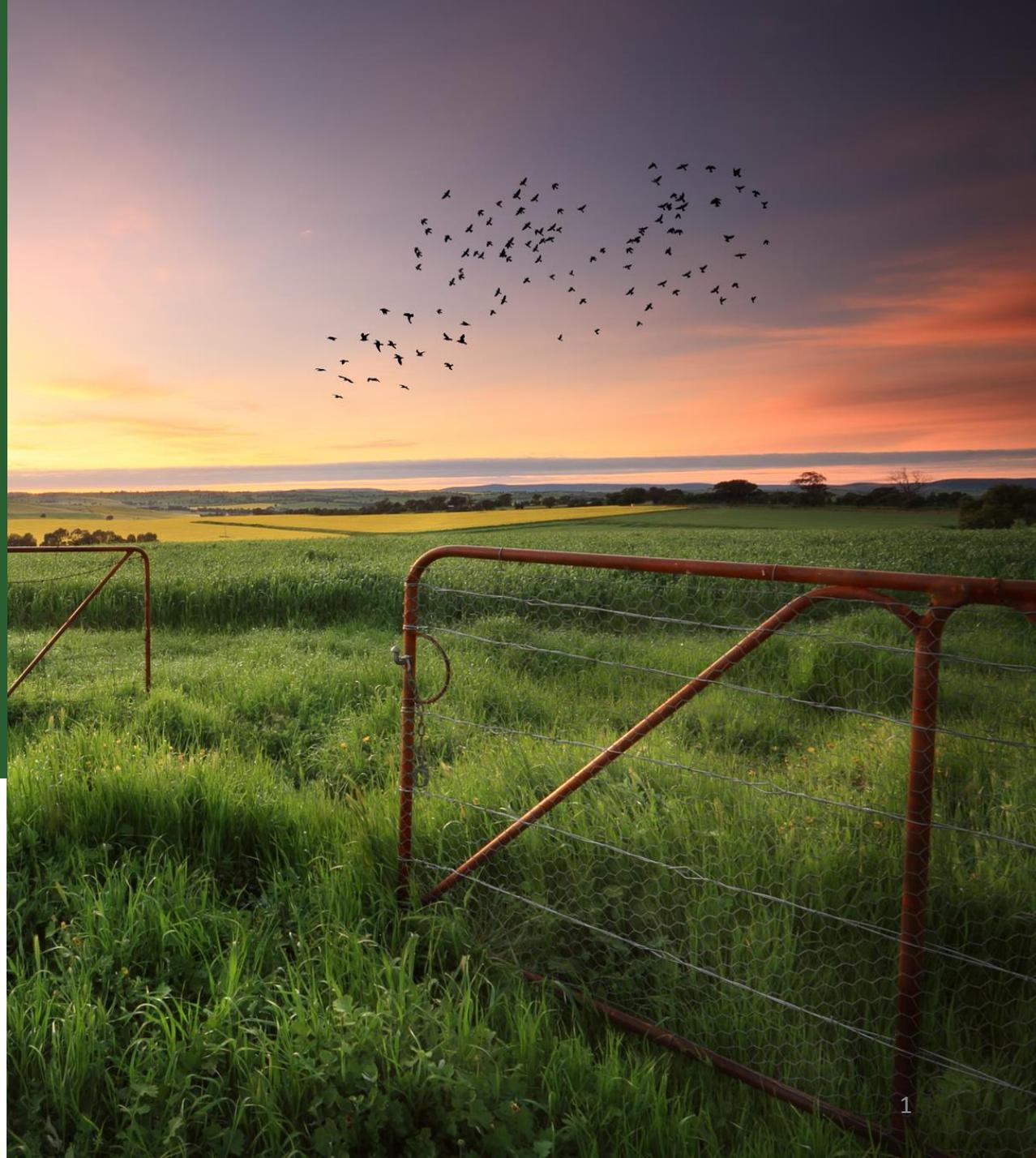
# ElderJustice INITIATIVE



Rural and Tribal Elder Justice  
Webinar Series

## Veterans Administration Resources for Older Veterans

NOVEMBER 1, 2018



# TECHNICAL OVERVIEW

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- ▶ If you are experiencing any technical issues with the audio for this session, please let us know in the feedback box.
- ▶ If you have technical difficulties during the webinar, contact Paula Larkin, who is providing technical support for this webinar. Her email address is [paula.larkin@icf.com](mailto:paula.larkin@icf.com).
- ▶ Today's session will be recorded and made available on the training website.
- ▶ If you have questions, type them in the feedback box. We will address as many as possible throughout the webinar.
- ▶ The views expressed on this webinar are the opinions of the presenters, and do not necessarily express the views of DOJ.

# ELDER JUSTICE INITIATIVE

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The **mission** is to support and coordinate the Department of Justice's enforcement and programmatic efforts to combat elder abuse, neglect, and financial fraud and scams that target older adults.

The Initiative does so by—

- Promoting justice for older adults.
- Helping older victims and their families.
- Enhancing state and local efforts through training and resources.
- Supporting research to improve elder abuse policy and practice.

# ELDERJUSTICE.GOV

## You're fighting elder abuse on the front lines. We've got your back.

The mission of the Elder Justice Initiative is to support and coordinate the Department's enforcement and programmatic efforts to combat elder abuse, neglect, and financial fraud and scams that target our Nation's seniors.



# PRESENTERS

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# U.S. Department of Veterans Affairs



Veterans Administration Resources for Older Veterans



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# Veterans and Beneficiaries

## Current Veteran and Beneficiary Populations

- 4.9 million people receive compensation and pensions, of whom—
  - 47.1 percent are 65 or older.
  - 2.44 million reside in rural areas.



# VA Pension Program

## Income-Based Resource

VA Live and Survivors' Pension: Helps financially disadvantaged wartime Veterans and their survivors.

### Qualifications

A Veteran may generally be eligible if he/she—

- was discharged from service under other than dishonorable conditions, **AND**
- served 90 days or more of active military, naval, or air service with at least 1 day during a period of war,\* **AND**
- has countable income below the maximum annual pension rate, **AND**
- meets the net worth limitations, **AND**
- is age 65 or older, **OR** is shown by evidence to have a permanent and total non-service-connected disability, **OR** is a patient in a nursing home, **OR** is receiving Social Security disability benefits.

\* Veterans who entered active duty after September 7, 1980, must also have served at least 24 months of active duty service. If the total length of service is less than 24 months, the Veteran must have completed his/her entire tour of active duty.



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# VA Pension Program

## Income-Based Resource

### Additional Pension Program Benefits

#### Aid and Attendance

A beneficiary is eligible for aid and attendance benefits if he/she—

- is eligible for basic pension benefits, **AND**
- requires the aid of another person in order to perform activities of daily living, such as bathing, feeding, dressing, toileting, adjusting prosthetic devices, or protecting him/herself from the hazards of their daily environment, **OR**
- is bedridden, in that their disability or disabilities require that they remain in bed apart from any prescribed course of convalescence or treatment, **OR**
- is a patient in a nursing home due to mental or physical incapacity, **OR**
- has corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.



# VA Pension Program

## Income-Based Resource

### Additional Pension Program Benefits

#### Housebound

A beneficiary is entitled to housebound benefits if he/she—

- is eligible for basic pension benefits, **AND**
- has a single permanent disability evaluated as 100-percent disabling, **AND**, due to a disability or disabilities, is permanently and substantially confined to their immediate premises, **OR**
- has a single permanent disability evaluated as 100-percent disabling, **AND** another disability or disabilities, independently evaluated as 60-percent or more disabling.

# VA Pension Program

## Income-Based Resource

### Be Aware of Organizations Offering Assistance

Pension Poaching: An organization or person offering to move your assets around for you to qualify for a VA pension or charging to file a claim for VA benefits. This type of scam is often directed toward Veterans and family members who do not actually qualify for a VA pension. You could be required to repay these benefits to the government.

### Examples

- Organizations could call Veterans, charge money for assisting with a VA pension claim, and take credit card information from Veterans over the telephone.
- People charge as much as \$6,000 upfront to represent claimants before the VA, along with a percentage of any eventual back payment from the VA as a portion of the ultimate fee.



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# VA Fiduciary Program

## Management of VA Income Resource

VA Fiduciary Program: Established to protect Veterans and other beneficiaries who, due to injury, disease, or age, are unable to manage their financial affairs.

### VA Fiduciary Program Features

- Includes home visits to Veterans and beneficiaries receiving VA benefits
- Monitors the well-being of beneficiaries
- Appoints VA fiduciaries to—
  - Manage VA benefits
  - Ensure the beneficiaries' needs, wants, and desires are met
- Requires protection of VA benefits
  - Surety bond protection
  - Claims of creditors
- Requires annual accountings in specific instances and 100-percent audit accountings received
- Investigates allegations of misuse
- Investigates other matters under laws administered by or affecting the VA

# VA Fiduciary Program

## Management of VA Income Resource

### Be Aware of Exploitation and Misuse

### Common Examples of Exploitation and Misuse

- Using VA benefits for personal use instead of for beneficiaries
- Convincing the Veteran/beneficiary to surrender items of value for safekeeping
- Refusing to submit required annual accountings as requested
- Charging for extra services
- Altering bank statements

### Actions To Take To Protect the Vulnerable

- Contact one of the following immediately:
  - VA
  - VA Office of Inspector General
  - VA Fiduciary Hub
  - VA Field Examiner



# VA Fiduciary Program

VA Fiduciary Hubs: 1-888-407-0144

Columbia Fiduciary Hub (Option 1): Florida, Georgia, North Carolina, South Carolina

Indianapolis Fiduciary Hub (Option 2): Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont

Lincoln Fiduciary Hub (Option 3): Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, Texas

Louisville Fiduciary Hub (Option 4): Alabama, District of Columbia, Kentucky, Mississippi, Puerto Rico, Tennessee, Virginia, West Virginia

Milwaukee Fiduciary Hub (Option 5): Arkansas, Illinois, Iowa, Louisiana, Minnesota, Missouri, Wisconsin

Salt Lake City Fiduciary Hub (Option 6): Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, Wyoming

# VA Benefits Assistance Service

## Rural Program Outreach

- In 2015, the Veterans Benefits Administration (VBA) assigned Rural Outreach Coordinators (ROC) to each Regional Office.
- Benefits Assistance Service established a partnership with the Veterans Health Administration (VHA) to include the Mobile Vet Center.
- VBA establishes partnerships with state, county, and local Veteran service officers, military transition advisors, and community- and faith-based organizations.
- Claims clinics allow Veterans and dependents the opportunity to submit a claim; if possible, claims are adjudicated the same day.
- Telebenefits, an initiative developed by VBA in partnership with VHA, allows rural Veterans expanded access to ROCs and VBA public contact representatives through video teleconferencing systems.

# VA Benefits Assistance Service

## Tribal Program Outreach

- There are 573 federally recognized tribal entities.
- American Indians and Alaska Natives have one of the highest representations in the armed forces in comparison to other racial minorities (approximately 200,000 Veterans).
- VBA has Minority Veterans Program Coordinators in its 56 Regional Offices.
- VBA partners with the Office of Tribal Government Relations to conduct outreach in Indian Country.
- In FY 2018, the VA launched a campaign to conduct more than 30 claim clinics to 24 tribal communities nationwide.
  - The campaign focused on identifying and assisting Veterans who may have had presumptive disabilities and who may be eligible for VA disability compensation or pension benefits.



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# VA Benefits Assistance Service

## Elderly Program Outreach

- Conducts outreach activities at designated neighborhood events, which tend to be attended by older Veterans.
- Provides material at all outreach events that may be used for older Veterans.
- Conducts briefings that include benefit information for older Veterans.
- Targets for information dissemination the elderly who also fall in other Veteran groups.
- Partners with the National Council on Aging to provide the council with resources for older Veterans.
- Conducts claims clinics where older Veterans can gain knowledge about benefits.
- Partners with VHA to provide support on an Interagency Workgroup.
- Conducts Elder Justice Outreach.

# VA Resources

## Available VA Resources

### VA Pension Program

- VA Pension Website  
<https://www.benefits.va.gov/pension>
- Pension Poaching Postcard  
<https://www.benefits.va.gov/PENSION/PensionPoachingPostcard.pdf>
- Pension Program and Representation Factsheet  
<https://www.benefits.va.gov/BENEFITS/factsheets/limitedincome/pensionprogram-and-representation.pdf>
- Telephone Contact  
1-877-294-6380

# VA Resources

## Available VA Resources

### VA Fiduciary Program

- VA Fiduciary Website  
<https://www.benefits.va.gov/fiduciary/index.asp>
- Welcome to the Fiduciary Program Video  
<https://www.youtube.com/watch?v=97UDnrJnPt4>
- VA Fiduciary Guidebook  
[https://www.benefits.va.gov/FIDUCIARY/Fid\\_Guide.pdf](https://www.benefits.va.gov/FIDUCIARY/Fid_Guide.pdf)
- Telephone Contact  
1-888-407-0144



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# VA Resources

## Available VA Resources

- Office of Tribal Government Relations (OTGR)  
<https://www.va.gov/tribalgovernment>
- Center for Minority Veterans (CMV)  
<https://www.va.gov/centerforminorityveterans>
- Veterans Benefits Administration (VBA)  
<https://benefits.va.gov/benefits>  
<https://benefits.va.gov/BENEFITS/factsheets.asp>



# Questions?



# Additional Information

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**Elder Justice Initiative**

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[www.elderjustice.gov](http://www.elderjustice.gov)