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TWO THINGS CERTAIN®

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Choosing your Benefits from the Department of Veterans Affairs (VA): Should I choose a service connected disability benefit or a pension benefit?

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No doubt, if you have ever been around group of veterans you will hear them begin to compare numbers sooner or later. One veteran is getting 30% from the VA, another is getting 70%. What do these numbers mean and how in the world does the VA decide who gets what?

The VA offers two major benefits to veterans that result in a monthly check that is not-taxable. The first is a pension benefit. The second is a service-connected disability benefit. Very basically, the pension benefit is available to veterans who served during wartime, are permanently totally disabled, and whose income does not exceed a means test. The amount of pension a veteran (without dependents) can receive is \$1038.75 a month, or \$12,465 a year. These numbers can be adjusted up or down depending on the level of aid a veteran needs to cope with his disability or the amount of income a veteran has. The important distinctions between this pension benefit and the service-connected disability benefit are two: 1) The pension benefit depends on the amount of income a veteran receives and 2) the disability that causes a veteran to be permanently and totally disabled does not have to be related at all to the veteran's active duty service.

The service-connected disability benefit is available to all veterans, regardless of income, as long as the disability was caused or aggravated by the veteran's service. To prove a service-connected disability, a veteran must show that he is suffering from a current disability. Things that a veteran did suffer from but that are now cured are not sufficient. For instance, veterans who suffer from cancer only have a current disability while suffering from cancer. When the cancer is cured or in

remission, it is no longer a current disability. However, it may lead to scarring, or other side-effects that could be compensable. The second thing a veteran must show is an event that occurred on active duty. Finally, a veteran must be able to show the link between the event and the current disability. This is often referred to by the VA as the “nexus” evidence. Nexus evidence normally requires a medical opinion by a doctor to establish that this link actually occurs.

Once the VA establishes that a veteran has met all three of these requirements, then a service connection is established. The VA will then provide a rating of the disability to the veteran. Disabilities are rated on a scale of 0-100% in increments of 10%. A rating of 0% means that you have a service-connected disability and will entitle you to some elevated priority at the VA medical centers (in Hampton or Richmond), but does not provide a monthly check. 10% disabled veterans will receive a check of \$129 a month. 100% receive \$2,816 if they live alone with no dependents. Disabilities ratings for different service-connected disabilities are added together to achieve an overall rating. However, it is important to remember that 1+1 does not always equal 2 in the VA ratings system. No matter how many disabilities a veteran has their rating can never go above 100% so the ratings are added in a graduated fashion.

Veterans who are entitled to both service-connected compensation and pension are not permitted to receive both. You are entitled to the higher of the two. So, if you do have a service-connected disability that does not receive as much money per month as the pension benefit you should apply for the pension as well to receive your maximum amount of benefits.



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