

SUPPORT LEGISLATION TO PROTECT MEDICALLY NEEDED VETERANS

SD1851, Senator Michael Rush

WHAT THE BILL DOES:

This bill clarifies how federal guidelines pertaining to veterans' benefits that include aid and attendance and housebound benefits should be interpreted by MassHealth.

BACKGROUND

Improved Pension: For Veterans over 65, who served during war, they are deemed by the VA to be 100% disabled and qualify for a non-service connected disability if their income and assets meet the VA's financial eligibility limits. This pension is known as an "improved pension".

Aid and Attendance: For Veterans who served during war that need assistance with activities of daily living and have limited income and assets, there is a cash benefit offered by the Veterans Administration called "Aid and Attendance". Only persons who qualify for the improved pension are eligible for Aid and Attendance.

Often the Aid and Attendance is a key benefit that allows older Veterans the means to afford to bring care into the home or to help pay for the cost of assisted living. In many cases, this is not enough to pay for the care they need and additional care is needed.

MassHealth: For many veterans, they must apply for MassHealth to obtain the additional care they need, if not immediately, then in the future.

WHAT PROBLEM DOES THE BILL FIX:

Although Federal law specifically states that veterans' payments resulting from unusual medical bills are non-countable for Medicaid purposes, the MassHealth guidelines are unclear on how Aid and Attendance benefits relate to unreimbursed medical expenses and the calculation of whether the Veteran's benefit is countable or not. As a result, there is inconsistency in the application of the rules and frail veterans in need of care, who are otherwise eligible for MassHealth, are often found ineligible.

HOW THE BILL ADDRESSES THE PROBLEM:

This bill will ensure that veteran's benefits intended to help medically needy veterans pay for care will be applied with consistency.

The bill does this by excluding from income in the month received, Veterans' pension income if the veteran pension would not be payable without entitlement to the A&A allowance or housebound rate.



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