



The Denton County Veteran

Forfeited Land Sale set for October

October 2003

DENTON COUNTY, TEXAS

County Judge Mary Horn, Commissioner Cynthia White, Precinct 1; Commissioner Sandy Jacobs, Precinct 2; Commissioner Bobbie Mitchell, Precinct 3; Commissioner Jim Carter, Precinct 4

The next Veterans Land Board Forfeited Land Sale will be held on Tuesday, October 28, 2003, at 9:30 a.m. **Bids must be received no later than 4:30 p.m. on Monday, October 27, 2003.** A bid may not be presented on the day of the sale. Any bid presented after the 4:30 p.m. on the Monday preceding a sale will not be accepted. No funds should be submitted prior to the sale.

On April 22, 2003, the VLB received 500 bids and sold 76 of the 107 tracts offered for sale. The remaining unsold tracts are available to the general public through licensed Texas real estate brokers and agents.

Listing of unsold tracts from previous sales and tracts to be offered for sale on October 28, 2003 are available at www.texasveterans.com.

For information call 1-800-252-VETS.

VA Awards \$16.3 Million to Texas for Two State Veterans Home

www.va.gov

Washington—The Department of Veterans Affairs (VA) has awarded two grants totaling more than \$16.4 million to the state of Texas to build two new 160-bed veterans nursing home facilities, one each in El Paso and McAllen.

"These grants reflect the federal-state partnership that is honoring our commitment to care for the men and women who have served in uniform," said Secretary of Veterans Affairs Anthony J. Principi. "This partnership provides a comfortable home for veterans in a time of great personal need."

The grants will pay up to 65 percent of the cost of constructing each facility. VA is providing \$8 million of the \$12.4 million cost of the project in El Paso and \$8.4 million of the \$13 million home in McAllen.

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ASSISTED LIVING BENEFITS MADE EASY

ELIGIBILITY REQUIREMENTS

- Improved Pension: (Public Law 95-588). A benefit payable by the Department of Veterans Affairs (DVA) to veterans of a war time period that are disabled because of non-service-connected disabilities or age. The qualifying periods of war for this benefit are the World War I, World War II, the Korean War, the Vietnam War and the Persian Gulf War. Since this program is a income-based program there are income and net worth guidelines.
- Improved death pension, (Public Law 95-588). A benefit payable by the Department of Veterans Affairs to a veteran's surviving spouse or child* because of the veteran's non-service-connected death. The deceased veteran must meet the criteria as laid out for Improved Pension. Since this program is a income-based benefit there are income and net worth guidelines. *child – children between the ages of 0 – 18 or up to age 23 if going to school, are considered dependents of veteran and/or surviving spouse—•They are considered dependents if severely disabled before the age of 18.
- The program falls under the M21-1-4 (16.31 (b)(10) (a)) Authorization Procedures – Medical Expenses - and CFR38 Book B 3.272 (g)
 - a. Medical expenses can be used to reduce and/or zero out all other income
 - b. If a disabled person is maintained in an adult day care, rest home or other facility which does not qualify as a nursing home the following guidelines apply to allowing a medical expenses deduction for fees paid to maintain a disabled person in that facility
 - 1. Disabled Person Aid and Attendance (AA) or Housebound (HB) – If the disabled person has been rated AA or HB by the VA, allow all reasonable fees paid to the facility as long as the facility provides some medical or nursing services for the disabled person. The services do not have to be furnished by a licensed health professional. The VA uses TVC16 Attending Physician Statement to determine AA or HB rating. If the disabled person is not rated AA or HB the VA will **not allow** expenses paid to that facility as a medical expense
 - c. Allowing Medical Expenses Prospectively
 - 1. Normally, medical expenses are allowed as a deduction after the fact based on expenses actually paid. However, medical expenses may be allowed prospectively if there is a “recurring medical expense” being paid to a nursing home or other facilities where medical expenses are reasonably predictable. The VA uses TVC15b as a statement from the expected provider of the medical expenses being paid by the disabled person
 - (a). For these “grey area” type living arrangements the key appears to be whether or not the veteran or widow is rated by VA as in need of A& or HB benefits, and that the facility provides some medical or nursing services, not necessarily by a licensed health care professional. In order to determine this up front for the family to know how to proceed with placement, an application to DVA for A&A or HB benefits based on the veteran’s or widow’s medical condition could be made requesting the medical determination independent of current income. Then if A&A or HB is granted on medical grounds, and the assisted living, group home or rest home provides some medical or nursing services, DVA should follow the guidelines set down for “recurring medical expense” being paid to that facility. In short, if all income is being paid to the facility then the veteran or widow would be eligible for the monthly rate that is set under Public Law 95-588.
 - d. Since both pension programs are income based programs there is a net worth factor to be considered
 - 1. Net worth is always an issue in the adjudication of Improved Pension claims. The decision as to whether a claimant's net worth is excessive depends on the facts of each individual case. If net worth is a factor for the benefit claimed, consider if it is reasonable, under all the circumstances, for the claimant to consume some of his or her estate for maintenance. A life expectancy chart will also be taken into consideration. If it is determined the claimant's net worth should be consumed for maintenance, disallow the pension claim. Pension entitlement is based on need and that need does not exist if a claimant's estate is of such size that he or she could use it for living expenses. Homesteads are excluded as net worth, but any other real property can be counted as net worth.
 - 2. Excessive net worth amounts could start at \$40,000. Net worth of \$50,000 or more could require an administrative decision.

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ASSISTED LIVING BENEFITS MADE EASY

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e. Income from all sources is countable

1. Stocks, bonds, IRA, Certificates of Deposit, interest and/or dividends, earned and unearned income (social security), winning the lotto – any income is countable.

f. Criteria for determining need for Aid and Attendance (A&A)

1. The following will be accorded consideration in determining the need for regular aid and attendance: Inability of claimant to dress or undress himself (herself), or to keep himself (herself) ordinarily clean and presentable, frequent need of adjustment of any special prosthetic or orthopedic appliances which by reason of the particular disability cannot be done without aid (this will not include the adjustment of appliances which normal persons would be unable to adjust without aid, such as supports, belts, lacing at the back etc.); inability of claimant to feed himself (herself) through loss of coordination of upper extremities or through extreme weakness; inability to attend to the wants of nature; or incapacity, physical or mental, which requires care or assistance on a regular basis to protect the claimant from hazards or dangers incident to his or her daily environment.

g. Criteria for determining Housebound (HB)

1. "Permanently housebound" by reason of disability or disabilities. This requirement is met when the veteran and/or widow is substantially confined to his or her dwelling and the immediate premises or, if institutionalized, to the ward or clinical area, and it is reasonably certain that the disability or disabilities and resultant confinement will continue throughout his or her lifetime.

• **Complete Packet...Means faster turn around times**

a. Packet for single veteran should include:

- 1.** 21-526—Parts A, C, and D for Improved Pension
- 2.** TVC16*— Statement of Attending Physician
- 3.** TVC15b*—Assisted Living Statement
- 4.** DD214, Report of Separation and/or Record of Service
- 5.** 10-10EZ for enrollment with DVAMC to be able to request prescriptions after HB or A&A is awarded. Copy of DD214, Report of Separation and/or Record of Service. Fax 10-10EZ and military separation paper to 1-214-302-1360. Send copy of award letter in with the first request for prescriptions through this program.

b. Packet for married veteran should include:

- 1.** All of the above documents, plus copy of marriage license and all prior marriages should be terminated by copy of divorce papers if possible.
- 2.** The 10-10EZ process mention above in Item 5 still applies.

c. Packet for widow should include:

- 1.** 21-534
- 2.** TVC16*—Statement of Attending Physician
- 3.** TVC15b*—Assisted Living Statement
- 4.** Copy of veterans DD214, Report of Separation and/or Record of Service
- 5.** Copy of veterans death certificate
- 6.** Copy of marriage license
- 7.** If there are prior marriages they should be listed, but to keep the process moving, in comments section add "I have no knowledge of any legal impediment in my marriage to the veteran."

* TVC16 and TVC15b can be downloaded from www.tvc.state.tx.us

Vet Center

Readjustment Counseling Service

Legislation passed by Congress and signed into law by the President changes eligibility for Vet Center services (Public Law 104-262), and extends definition of the Vietnam era for war zone veterans (P.L. 104-275). Vet Centers serve the following veterans:

WAR ZONE VETERANS - all eras, including-
VIETNAM WAR - 28 Feb. 1961 to 7 May 1975

KOREAN WAR - 27 June 1950 to 27 July 1954 (eligible for the Korean Service Medal)

WORLD WAR II - Three eligible categories European-African-Middle Eastern Campaign Medal (7 Dec. 1941 to 8 Nov. 1945), Asiatic-Pacific Campaign Medal (7 Dec. 1941 to 2 Mar. 1946), or

American Campaign Medal (7 Dec. 1941 to 2 Mar. 1946)

AMERICAN MERCHANT MARINES - In oceangoing service during the period of armed conflict, 7 Dec. 1941 to 15 Aug. 1945

VIETNAM ERA VETERANS NOT IN THE WAR ZONE - 5 Aug. 1964 to 7 May 1975 (eligible until January 1, 2004, however, veterans who were Vet Center clients prior to January 1, 2004, remain eligible)

LEBANON - 25 Aug. 1982 to 26 Feb. 1984

GRENADA - 23 Oct. 1983 to 21 Nov. 1983

PANAMA - 20 Dec. 1989 to 31 Jan. 1990

PERSIAN GULF - 2 Aug. 1990 to— (to include Iraq)

SOMALIA - 17 Sept. 1992 to -

OPERATION JOINT ENDEAVOR, OPERATION JOINT GUARD, & OPERATION JOINT FORGE - Vet Center eligibility has been extended to veterans who participated in one or more of the three successive operations in the former Yugoslavia (Bosnia-Herzegovina and Croatia, aboard U.S. Naval vessels operating in the Adriatic Sea, or air spaces above those areas).

SEXUAL TRAUMA AND HARASSMENT COUNSELING - veterans of both sexes, all eras Vet Center services include individual readjustment counseling, referral for benefits assistance, group readjustment counseling, liaison with community agencies, marital and family counseling, substance abuse information and referral, job counseling and placement, sexual trauma counseling, and community education.

Dallas Vet Center 5232 Forest Lane Suite 111 Dallas, TX 75244 214-361-5896	Ft. Worth Vet Center 1305 W. Magnolia St Suite B Ft. Worth, TX 76104 817-921-9095
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Vet Center

Services Provided

Individual Counseling

Group Counseling

Marital and Family Counseling

Sexual Trauma Counseling

Alcohol/Drug Assessment and Referral or Counseling

Spouse/Significant Other Counseling

Benefits Assistance and Referral

Job Referral

Employment Counseling and Guidance

Community Education

Liaison with VA Facilities

Referral to Community Agencies

For additional information contact:
<http://www.va.gov/rcs/Index.htm>

For Local Help

Denton County Veterans Service
Office
306 N. Loop 288, Suite 146
Denton, TX 76209
Monday through Friday
8:00 am to Noon and 1:00 pm to 5:00

Phone: 940-349-2950
Fax: 940-349-2951
hank.scheible@dentoncounty.com
james.wheeler@dentoncounty.com
barbara.nance@dentoncounty.com
mylinda.taylor@dentoncounty.com



For information on benefits
in the

Dallas/FtWorth area contact

Cindy Simpson

817-284-7271

El Paso area contact

Richard Kemp

915-751-1287

Houston area contact

Bob Brunat

281-445-0050

San Antonio area contact

Hector Alaniz

210-521-2111

<http://www.dignitymemorial.com/HomelessVets.shtml>

The Dignity Memorial®

Homeless Veterans Burial Program

Every night over 270,000 homeless veterans sleep on the streets. Why? The reasons are many, but downsizing of the military, reductions in educational benefits, physical and mental ailments, and war-related mental illnesses, such as post traumatic stress syndrome, all contribute to the tremendous number of our nation's veterans who are homeless right now.

"A disgrace," says former Secretary of Veterans Affairs, Jesse Brown, "that we have men and women who served in American uniform who are out on the mean streets with no place to go and few prospects for a better life." In addition to the former Secretary, the situation distressed retired Army Maj. Gen. Bill Branson. In a luncheon conversation, Branson and a long-time veterans' advocate agreed that those who served our country and then became homeless had many needs. They are determined to see that these veterans were provided dignified and honorable burials, which were earned through selfless dedication in our country's time of need.

Dignity Memorial funeral, crematory and cemetery providers are honored to administer the Homeless Veterans Funeral Program in selected cities across the nation. In partnership with the Veterans of Foreign Wars, the Veterans Administration, the U.S. Department of Veterans Affairs, local veterans organizations, medical examiners, coroners, and veterans advocates, Dignity Memorial funeral and cemetery providers help to ensure that eligible veterans receive the honors in death that their service in life merited.

The U.S. Department of Veterans Affairs provides eligible veterans with opening and closing of the gravesite, a grave liner, a headstone or marker, a graveside ceremony and burial in a National Cemetery. Participating Dignity Memorial funeral directors provide transportation, preparation, clothing, and casket.

