

A Message from
ILLINOIS ATTORNEY GENERAL
KWAME RAOUL



Your dedication to serving our nation in the Armed Forces has earned you a number of rights and benefits. Unfortunately, there are scammers out there who target you precisely because of your access to such benefits.

Often pretending to merely educate veterans about their options, these “VA pension scammers” typically prey on the uninformed by scaring them into making potentially costly, but unnecessary, financial decisions.

Although you should not hesitate to find good, private financial or legal advice on your own as you plan for the future, there are some ways certain “bad apples” may try to improperly profit off of your potential eligibility for VA pension (and related) benefits.

My office works to fight such predatory conduct and pursues action against those that might try to unlawfully gain from what you earned from your service.

For any additional questions or to file a complaint about potential VA pension program scams, please contact my office’s Military and Veterans Rights Helpline. Experienced staff members are available to provide a variety of services and information to assist Illinois’ service members, veterans, and their families.

Thank you for your service to our country.

Sincerely,

Kwame Raoul
Illinois Attorney General



KWAME RAOUL
ILLINOIS ATTORNEY GENERAL

For a digital copy of any Military and Veterans Rights Bureau publications, please visit our website or call the Military and Veterans Rights Helpline.

Military and Veterans Rights Helpline
1-800-382-3000

Individuals with hearing or speech disabilities can reach us by using the 7-1-1 relay service.

Military and Veterans Rights Bureau Main Page
<https://illinoisattorneygeneral.gov/rights-of-the-people/military-and-veterans-rights/>

Military and Veterans Rights Bureau
Office of the Attorney General
201 West Pointe Drive, Suite 7
Belleville, IL 62226

Military and Veterans Rights Bureau
Office of the Attorney General
115 S. LaSalle St.
Chicago, IL 60603



Veterans Consumer Alert:

**Beware of Scams Targeting
Money Received from the
VA Pension Program**



Veterans Consumer Alert: Beware of Scams Targeting Money Received from the VA Pension Program

Introduction to the VA Pension

Financial assistance to wartime veterans who may be less fortunate has a long history in this country. The U.S. Department of Veterans Affairs (VA) offers a needs-based benefit to veterans (the current law pension) and their survivors (the survivors or death pension) who meet certain qualifications.

Overview of Eligibility

A veteran may be eligible for VA pension if he or she meets the following requirements:

- Yearly family income and net worth meet certain limits set by Congress. AND at least one of these must be true:
- Started active duty before Sept. 8, 1980 and must have served 90 days of active duty service with at least one day being during a period of war.
- Started active duty as an enlisted service member after Sept. 7, 1980 and served at least 24 months or the full period of time for which you were called, or ordered, to active duty with at least 1 day during wartime.
- Served as an officer and started on active duty after Oct. 16, 1981 and you had not previously served on active duty for at least 24 months.

And at least one of these must be true:

- Must be 65 years old or older
- Permanent and total non-service connected disability
- Patient in a nursing home
- Receiving Social Security Disability Insurance or Supplemental Security Income

What Are "Aid & Attendance" (A&A) or "Housebound" Benefits?

A pension-eligible individual may also qualify for an increased benefit if he or she needs the regular assistance of another individual to perform activities of daily living, is bedridden, is a nursing home patient (due to mental or physical incapacity), is blind, or is permanently and substantially confined to his/her immediate premises due to a disability.

What Are "VA Pension Scams?"

The term describes a range of deceptive conduct that includes one common feature: the targeting of veterans' assets through purported VA pension claim assistance by people more interested in profit than such assistance.

These "helpers," typically financial planners and insurance agents, and sometimes even attorneys, try to convince veterans (or their surviving spouses) to make decisions about pension benefit claims without giving them the whole truth about the true need and the long-term consequences of such decisions.

They often attempt to get the veterans or spouses to transfer assets through the purchase of an insurance product, usually an annuity, supposedly in order to qualify for the "Aid and Attendance" benefit. They also may try to refer the veteran or spouse to a pre-designated attorney for creation of a legal trust document.

The people behind these presentations, who rarely are accredited by the VA to assist with the filing of claims (as required by federal law), claim nonetheless to be veterans' advocates, solely interested in "educating" the public. They often target assisted living facilities, senior centers, or other places in your

community where they have access to potential customers with minimal advertising and implied endorsement of the host businesses or organizations.

How Can I Be Harmed?

Working with a "VA pension scammer" may lead to some of the following problems:

- Lost opportunities for failure to review other benefit options with the VA;
- Taking action that may negatively impact Medicaid eligibility for a period of time;
- Paying a variety of potentially undisclosed costs for financial products that may not be advisable to purchase or necessary to purchase.

Where Can I Get Proper Assistance with a VA Pension Claim?

For more information about free assistance for filing VA pension claims, call the Military and Veterans Rights Bureau Helpline at 1-800-382-3000. If you do not file a claim yourself, you should only seek assistance in filing claims from a VA-accredited individual. To check a person's accreditation, go online to:

<http://www.va.gov/ogc/apps/accreditation/index.asp>

Where Can I File a Complaint?

Pursuing a complaint against a VA pension scammer may involve a number of possible courses of action. Illinois veterans, family, and other concerned individuals are welcome to contact the Attorney General's office to discuss those options (especially, about any potential violations of state consumer protection law).