

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 be motivated solely by the desire “to educate,” these scammers typically prey on the uninformed by scaring them into making potentially costly financial decisions that generally should not or need not be made.

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. The rule of thumb to protect yourself is: “*Before you hand over your dough, talk to a VSO!*”

My Office works to fight such predatory conduct and to pursue those that might try to unlawfully gain from what you earned from your service.

For any additional questions or to lodge a complaint about potential VA pension program scams, please contact my Military and Veterans Rights Hotline at 1-800-382-3000; or TTY: 1-800-964-3013. Experienced staff members in my office are standing by to assist Illinois’ servicemembers, veterans, their families, and other interested people with a wide variety of services.

Thank you for your service to our country.

Sincerely,

Kwame Raoul
Illinois Attorney General



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ILLINOIS ATTORNEY GENERAL

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

**Military and Veterans Rights Bureau
Hotline**

1-800-382-3000

TTY: 1-800-964-3013

MVRB Main Page

<http://illinoisattorneygeneral.gov/rights/veterans.html>

Illinois Attorney General’s Office
www.illinoisattorneygeneral.gov



Veterans Consumer Alert:

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



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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 this benefit if he or she meets the following conditions:

- A discharge under “other than dishonorable conditions”; AND
- 90 days of active duty service with at least 1 being during a period of war (those who entered active duty after 9/7/80 must also have served at least 24 months of active duty service, or, if less than 24 months, the complete tour of active duty); AND
- Countable income below the maximum annual pension rate; AND
- Net worth that meets VA limitations; AND
- One of the following: (1) be age 65 or older; (2) have a permanent and total non-service-connected disability (shown by evidence); (3) is a patient in a nursing home; or (4) is receiving Social Security disability benefits.

What Is “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 aid of somebody else to accomplish personal functions required in everyday living, or is bedridden, a nursing home patient (due to mental

or physical incapacity), blind, or 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 over 65 (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 tacit 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 Hotline 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 our Office to discuss those options (especially, about any potential violations of State consumer protection law).