

Improved Death Pension (Widow's Pension)

What is Death Pension?

Death Pension is a needs based benefit paid to an unremarried surviving spouse, or an unmarried child of a deceased wartime veteran.

How do I know if I'm eligible?

You may be eligible if:

- the deceased veteran was **discharged** from service under **other than dishonorable conditions, AND**
- the deceased veteran **served at least 90 days** of active military service **1 day** of which was during a [war time period](#). If he or she entered active duty after September 7, 1980, generally he or she must have served at least 24 months or the full period for which called or ordered to active duty. (There are exceptions to this rule.) **AND**
- you are the surviving spouse or unmarried child of the deceased veteran, **AND**
- your [countable income](#) is below a [yearly limit](#) set by law (The yearly limit on income is set by Congress).

As you can see, there are a number of criteria that may affect your eligibility to pension benefits. If you are unsure if you meet all criteria, we encourage you to go ahead and file an application, particularly if your [countable income](#) appears to be near the maximum. VA will determine if you are eligible and notify you. If you do not initially qualify, you may reapply if you have un-reimbursed medical expenses during the twelve month period after VA receives your claim that bring your countable income below the yearly income limit. (These are expense you have paid for medical services or products for which you will not be reimbursed by Medicare or private medical insurance.)

Are there age requirements, or restrictions?

- An **unremarried spouse** can be **any** age.
- A **child** must be:
 - under 18, **or**
 - in school **and** under 23, **or**
 - was incapable of self support before the age of 18.

What is "countable income" for pension eligibility?

This includes income received from most sources by the surviving spouse and any eligible children. It includes earnings, disability and retirement payments, interest and dividends, and net income from farming or business.

There is a presumption that all of a child's income is available to or for the surviving spouse. VA may grant an exception in hardship cases.

Certain expenses like **medical expenses may be excluded** from your annual income to lower the total countable income.

What about net worth?

Net worth means the net value of the assets of the surviving spouse and his or her children. It includes such assets as bank accounts, stocks, bonds, mutual funds and any property other than the surviving spouse's residence and a reasonable lot area. There is no set limit on how much net worth a surviving spouse and his or her children can have, but net worth cannot be excessive. The decision as to whether a claimant's net worth is excessive depends on the facts of each individual case. All net worth should be reported and VA will determine if a claimant's assets are sufficiently large that the claimant could live off these assets for a reasonable period of time. VA's needs-based programs are not intended to protect substantial assets or build up an estate for the benefit of heirs.

Are there any exclusions to income or deductions that may be made to reduce countable income?

Yes, there are exclusions. The following are examples of the types of exclusions or deductibles to countable income:

- Final expenses of the veteran's last illness and burial paid by the surviving spouse or eligible children.
- Public assistance such as Supplemental Security Income is not considered income.
- Many other specific sources of income are not considered income, however all income should be reported. VA will exclude any income that the law allows.
- A portion of un-reimbursed medical expenses paid by the claimant after VA receives your pension claim may be deducted.
- Certain other expenses, such as a surviving spouse's education expenses, and in some cases, a portion of the educational expenses of a child over 18 are deductible.

What are Aid and Attendance and Housebound benefits? How Do I Apply?

- **Aid and Attendance** is a benefit paid in **addition** to monthly pension when:
 - The claimant requires the aid of another person in order to perform personal functions required in everyday living, such as bathing, feeding, dressing, attending to the wants of nature, adjusting prosthetic devices, or protecting himself/herself from the hazards of his/her daily environment, **OR**,
 - The claimant is bedridden, in that his/her disability or disabilities requires that he/she remain in bed apart from any prescribed course of convalescence or treatment, **OR**,
 - The claimant is a patient in a nursing home due to mental or physical incapacity, **OR**,
 - The claimant is blind or so nearly blind as to have corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.
- **Housebound** is paid to a claimant when:
 - The claimant is substantially confined to his/her immediate premises because of permanent disability.

The survivor may not receive Aid and Attendance benefits and Housebound benefits at the same time.

How much does VA pay for Death Pension?

VA pays you the difference between your [countable income](#) and an annual rate of payment established by Congress. VA provides an [on-line table](#) of annual incomes that would qualify you for pension, please visit <http://www.vba.va.gov/bln/21/Rates/pen02.htm>. This difference is generally paid in 12 equal monthly payments rounded down to the nearest dollar.