

# **SECTION 2: PAYMENTS**

## **PAYMENTS FROM THE VETERANS ADMINISTRATION**

### Compensation and Pension

Compensation is different from Pension in some important respects. Compensation is linked to some injury, illness or lingering effect of being in the military. In the case of Dependency Indemnity Compensation, D.I.C., the original eligibility is linked to a veteran's compensation entitlements. There is more on D.I.C. in a later section.

Pension is linked to a veteran's disability (not related to military service), limited income and a veteran having been in the military during a wartime situation. The nature of military conflicts and wartime service needs to be researched in the post Vietnam era. Regional Office can clarify who qualifies as a wartime veteran.

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## **2-1 Compensation**

In simplest terms, the VA pays Compensation for some injury, illness, or lingering effect caused by being in the military. The clearest example of this is a battlefield injury. A person was wounded, lost their eyesight; it will never be fixed. The VA pays compensation monthly.

There are other conditions for which the VA grants compensation. There are diseases that were first diagnosed during service time, or aggravated during service time. Plus, there are conditions that show after separation from the military, but may still be linked back to service time.

Often these diseases are chronic. A disease such as Diabetes Mellitus may progress and the amount of disability increases. As the disability increases the amount of Compensation may grow (but, the veteran must reopen his or her claim to make this happen).

The following outlines the reasons for Compensation:

- Direct line of duty injury
- Presumptive Diseases
- Tropical Diseases
- Diseases Specific to Former POWs
- Radiation Related Diseases
- Vietnam Service or Korean (DMZ 1968-69) Agent Orange exposure\*
- Diseases of Naval Personnel Exposed to Mustard Gas (1943-45 Naval Research Lab)  
Persian Gulf - this is still in the process of being researched and defined.
- Pre-service Condition Aggravated during time in service
- Conditions Secondary to Service Connected Disability
- Asbestosis
- Injury in a VA facility
- 

Compensation is normally awarded in some percentage of disability. This is awarded in increments of 10 percentage points running from 0% to 100%. There may also be special monthly cash awards for certain injuries or conditions.

**Editor's Note:** Benefits have changed related to Agent Orange Exposure:

Most recently the list of presumptive conditions for Agent Orange grew to include 15 items.

For more information on Agent Orange go to:

<http://www.publichealth.va.gov/exposures/agentorange/>

For more information call the Agent Orange Hotline: **1 800 749 8387**

**Editor's Note:** We also offer a companion booklet on up to date information on Agent Orange Benefits: **Agent Orange Primer 2011** which can be requested through the VIST Coordinator

Gulf War 1, and wars in Iraq and Afghanistan have their own unique set of connected service conditions.

For more information go to:

<http://www.publichealth.va.gov/exposures/gulfwar/>

From more information on these wars call: **1 800 749 8387 and pick option 2**

### **Operation Iraqi Freedom/Operation Enduring Freedom, OIF/OEF**

There are many benefits in the VA, DoD, and private sector for OIF/OEF veterans. Each VA facility has an OEF-OIF Coordinator.

In 2010 the VA recognized presumptive conditions for service in OEF-OIF and Gulf War 1.

The VA has a helpful homepage for OEF-OIF Veterans at:

<http://www.oefoif.va.gov/>

## **Other Benefit Changes**

In 2008 the VA recognized Amyotrophic lateral sclerosis (**ALS**), often referred to as &Lou Gehrig's Disease, as a Presumptive Disease for all veterans. That means basically that anyone who served in the military who develops a case of ALS should apply for service connection.

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## **2-2 Filing A Claim**

Editor's note: For more information on claims go to the following VA website:

<http://www.vba.va.gov/bln/21/>

The VA is currently converting to a Fast Claim system. This process was started in the second half of 2010. This system in the future may be the way all claims are handled. However, for now most claims are filed in the traditional manner and we recommend that you get assistance in exploring the claim process.

Compensation is not automatically granted, you must file a claim for it. This booklet is not meant to be a primer on Compensation, but here are some points to ponder:

1. You must have a diagnosis in order to claim disability.\*
2. You must prove or document that the illness or injury happened during

service time. Remember that records from 50 years ago may be very incomplete.

3. The VA will assist you in gathering existing government records.

Finally, you can seek assistance in filing a claim from the Regional Office, a Service Organization or people such as your VIST Coordinator.

\* For Gulf War 1 veterans an official diagnosis may not be needed. Part of Gulf War Syndrome can be undiagnosed conditions, which have clear affects on health.

**Editor's Note:** In November of 2004 the government announced findings that concluded that Gulf War Syndrome was a real medical condition. However, findings in 2006 disputed this. The debate was settled in 2008 favoring that Gulf War Syndrome was indeed real. Over the next few years there will be further investigations into what can conditions can be permanently linked to Gulf War Syndrome. There were extensive Congressional Hearings in 2009 on how to address Gulf War Syndrome. Currently the VA pays compensation for a list of things linked to Gulf War, and these provisions are in place until the end of 2011, but these compensation provisions are not permanent at this time.

These symptoms include:

- Chronic Fatigue
- Signs and symptoms involving skin (including skin rashes and unusual hair loss)
- Headache
- Muscle pain
- Neurologic signs or symptoms (nervous system disorders which could manifest themselves in numbness in one's arm, for instance)
- Neuropsychological signs or symptoms (including memory loss)

- Signs or symptoms involving upper or lower respiratory system
- Sleep disturbances
- Gastrointestinal signs or symptoms (including recurrent diarrhea and constipation)
- Cardiovascular signs or symptoms
- Menstrual disorders

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## 2-3 Non Service Connected Pension

**Editor's Note:** For more information on Pension go to the following VA website:

<http://www.vba.va.gov/bln/21/pension/vetpen.htm>

Pension is not awarded in connection with service time injury or illness. It is awarded if the veteran can meet all of the following criteria:

- 90 days military service (or more), that includes at least one day of wartime.
- Permanently and totally disabled from work by an NSC medical condition not caused by willful misconduct,
- Income under set limits and an estate that cannot provide adequate maintenance.
- If discharged after 1980, you must have served 24 consecutive months of active duty. Or,

· If service is less than 24 months you must have been discharged under other than dishonorable conditions.

A full explanation of Character of Discharge is given in 38 CFR 3.12. It is recommended that anyone who did not complete 24 months of service serving after 1980 look at this reference and get assistance from Regional Office on their particular case.

Currently, Law Pension is in effect. Some veterans may be on an older form of pension. It is possible to convert to Law Pension. There are differences in income deductions. Veterans need to review this with Regional Office to choose what is most advantageous.

Pension is meant to add a very basic subsistence income. It provides a target level of income and provides money to bring the veteran to that level.

The following is an explanation of how VA NSC Pension works:

In this example we are setting single rate Pension at a given year at the 800 dollar per month level. If you made 799 dollars a month from non VA sources, the VA would contribute that last dollar to bring you to the 800 level. The VA is always to last contributor, and your income will not exceed the target.

There is additional money granted for dependents. Also, there is a raise in the target figure based on disability. There is a Housebound and Aid and Attendance level of Pension.

Visually impaired veterans with central acuity of 5/200 or less (both eyes, with best possible correction) or visual field constriction to 5 degrees or less concentrically, and who meets the other criteria for NSC Pension, are eligible for the higher A&A award.

There are other medical criteria that can be used to meet the HB\* and A&A level, get with your VIST Coordinator, a VBC, or a Service Officer for more information on this.



For more information on NSC Pension request the VIST booklet Understanding Your Non Service Connected VA Pension. As always, for more information contact your nearest Regional Office at **1 800 827 1000**.

**\* Editor's Note:** In 2006 the criteria for Housebound was redefined for those veterans 65 and older, making it substantially easier for a veteran with a single NSC disability considered at the 60% rate to be awarded Pension at the HB level. Congress at has considered doing away with this provision. Check with RO or a local SO for the most up to date information.

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# **PAYMENTS FROM THE DEPARTMENT OF DEFENSE**

## **2-4 Retiree Pay**

Until 2003 military retirees were not able to draw both their military pay and their VA compensation in total. A series of laws enacted by Congress has changed this. Due to the fact that laws have been passed and amended frequently in the intervening years the best source for checking on an individual's DoD portion of entitlements is the Defense Finance Accounting Service, DFAS:

<http://www.dfas.mil/>

Cleveland Center Retired Pay Department (Code FRCCBB),

PO BX 99191

Cleveland, OH 44199-1126

**1 800 321 1080**

The following is a brief synopsis of the Concurrent Receipt programs:

Types of Concurrent Retirement and Disability Payments, CRDP

**CR** stands for Concurrent Receipt

**Editor's Note:** More information on CR can be found at:

<http://www.military.com/benefits/military-pay/retired-pay/retired-concurrent-receipt-overview>

Under the current existing law the following individuals are entitled to CR.

- Individuals who retired from the military after 20 years
- Individuals who were boarded out medically, but served 20 years of active duty
- Certain individuals who served 15 or more years, but exited the military on an early out program
- Reservist with more than 7,200 points\*

\* Due to changes in calculation of Reserve time, we recommend that all individuals check with DoD to find the details of their own case.

To draw CR they must have the following service connections

- 50% or higher for any condition

**CRSC** stands for Combat Related Special Pay

Editor's note: More information on CRSC can be found at:

<http://www.military.com/benefits/military-pay/special-pay/combat-related-special-compensation>

Under the current existing law the following individuals are entitled to CRSC:

- Individuals who retired from the military after 20 years
- Individuals who were boarded out medically, but served 20 years of active duty
- Certain individuals who served 15 or more years, but exited the military on an early out program
- A Chapter 61 (medically boarded) veteran, if the medical injuries were combat related. See explanation at the end of this section for more details on Chapter 61.

- Reservist with more than 7,200 points\*

\* Due to changes in calculation of Reserve time, we recommend that all individuals check with DoD to find the details of their own case.

There is a difference between the two. **CR** is taxable. **CRSC** is not taxable. CRSC is based on those service connections that are considered combat related (see below).

To draw CRSC they must have the following service connections

- 10% or higher for any injury associated with a Purple Heart
- 10% or higher battlefield related condition that can be linked by evidence to the battlefield, these will be decided upon by DOD based on evidence

**Editor's Note:** Agent Orange exposure in Vietnam is considered a battlefield related condition, no Purple Heart is involved.

**CRSC** must be applied for. There is an open season at the beginning of every calendar year. When a veteran applies for CRSC it is supposed to be computed and compared to CR. The veteran is supposed to be able to elect the one that is higher.

The veteran will always receive the amount that is higher between CR and CRSC if they are a combat injured veteran. However, CRSC must be applied for. The details on this are given below.

As originally projected this was going to be a 10 step incremental increase for retirees to receive their full VA and DoD payments. There have been many changes and updates to Concurrent Pay over the last few years. It is best to get with DFAS to discuss your individual case.

## **Who is not eligible for CR payments?**

Retirees who have non-battlefield related service connected disabilities that are rated 40% or lower.

**Editor's Note:** There are many terms being tossed around so let us go slowly here.

Below are three cases, all are military retirees, one is not eligible for CRSC under current law:

- Purple Heart battlefield injury: A gunshot wound in Vietnam (for example).
- A non-Purple Heart battlefield injury: Agent Orange exposure in Vietnam.
- A non-battlefield injury: A veteran stationed in California breaks their ankle in a basketball game and ends up with a 10% service connected disability.

As public law is currently written the last veteran (the broken ankle in California example) drawing military retirement cannot draw compensation on top of the retirement pay. Their percentage is not high enough to invoke CR pay, and the cause does not make them eligible for CRSC pay. The individual may choose to take their full retiree payment from DOD, or waive a portion of the military pay in favor of (VA) compensation. Waiving retired pay for compensation is appealing because Compensation is tax-free. In this case a retiree who is 10% Service Connected would waive roughly 100 dollars of their retirement pay and draw this 100 dollars tax free from the VA.

It is possible that a person receiving compensation for Post Traumatic Stress Disorder, PTSD, can claim it is battlefield related. They must submit evidence that shows that the stressors causing PTSD are battlefield related.

To file for CRSC a veteran must apply through the branch of service that they saw duty. The following are the contact numbers:

|               |                                  |
|---------------|----------------------------------|
| Army          | 1-866-281-3254                   |
| Navy and USMC | 1-877-366-2772                   |
| Air Force     | 1-800-616-3775 or 1-210-565-1600 |

At the time of revision of this booklet the request was filled out on a DD 2860. This form can be found at the following website (if another source is used, be sure it is the September 2009 version of the form):

<http://www.dtic.mil/whs/directives/infomgt/forms/efoms/dd2860.pdf>

Individual Unemployability: Beginning Oct. 1, Section 642 of the 2008 National Defense Authorization Act expanded the eligibility requirements for the Concurrent Retirement Disability Payment, or CRDP.

Retirees who were rated by the Department of Veterans Affairs as individually unemployable, or IU, and are receiving VA disability compensation as a result of IU status, are eligible to receive full concurrent receipt of both their VA compensation and retired pay.

Chapter 61: In the 2008 National Defense Act those veterans who were medically discharged from the service due to combat injuries became eligible for CRSC on a pro-rated basis. This means that their time in service affects the percentage of full CRSC payments. A veteran who served 10 years and was medically boarded out of the military would receive half as much as a veteran who was of the same rank and medically boarded out at 20 years.

Not all individuals injured in the service were medically boarded. Some, especially during World War 2 were just released. Your discharge must reflect the Medical Boarding process

(Chapter 61) or you are not eligible. Also, you must have combat injuries. A motor vehicle accident in theater may not be sufficient if no Purple Heart was awarded.

One final note on CRDP: An individual with a combined VA compensation and Civil Service retirement is subject to different eligibility and should check with their service branch on eligibility.

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## **2-5 DOD Retirement Due to Disability**

It is possible for a veteran to draw disability retirement from DOD due to injury that occurred on active duty. Though the rating process and procedure is exactly the same as the VA, the results are not always identical. Plus, the calculation of disability pay is in part based on rank and time in service, with no additional money for dependents. It is to the advantage of the individual to file a claim with the VA and compare which of the disability payments (VA or DOD) is higher. Based on this information the individual can select which source to draw payment from.

A veteran on DOD Disability with over 20 years of active duty should definitely consider filing for VA compensation. They should also be entitled to the CR payments (if their disability is 50% or more) in addition to compensation. And, depending on the cause they may be eligible for CRSC payments.

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## **2-6 INCOME FOR SURVIVORS**

When a veteran dies, any benefit that was being received by the veteran from the VA is terminated. Any checks received from the VA or Social Security Administration after death should be returned. If checks are direct deposited to a bank, the bank should be notified to return the check. The survivors will be issued a check that covers the last month of the veteran's life, but the check will be prorated to reflect the date of death in the month.

When a veteran dies the spouse and family may be entitled to certain benefits. To receive survivor benefits the spouse or other dependents must apply for benefits. The following looks at some of these possibilities.

Remember: To receive survivor benefits, the spouse must apply.

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## **2-7 Survivors Benefits Plan (SBP)**

For more information on SBP go to:

<http://www.military.com/benefits/survivor-benefits/survivor-benefit-plan-explained>



Eligibility: Spouse of retired military member.

SPB is a contributory plan that pays the surviving spouse up to 55% of the military member's retirement pay. Deductions are taken from retirement pay. Contributions are made even if the retiree is drawing VA compensation instead of retirement pay.

**Editor's Note:** There is no longer an offset between SBP and Social Security. A surviving spouse receives his or her full entitlements.

Dependency Indemnity Compensation, D.I.C., (see section below) has also caused a dollar for dollar decrease in SBP in the past. Many veterans waived SBP coverage because of this fact. The 2004 law that did away with the Social Security offset did not address Dependency Indemnity Compensation offset, which is still in affect. As part of the 2008 National Defense Act the first offset for SBP – D.I.C. was enacted. This allowed collection of 50 dollars a month, with a slight increase for each of the next 5 years. The amount is not nearly as significant as this being the first step in the total removal of the SBP – D.I.C. drop in payments.

**Note:** This formula was amended and slightly increased by Congress in 2009, with an updated increased total amount. This provision is due to sunset in 2017 unless Congress revisits the matter.

DoD has made past opportunities to buy back into SBP, for those who waived the program. For individuals who have wishing to buy back in at a future date, they will need review the cost and their case to weight the monetary benefit.

For more information on this topic or other information for surviving spouses:

[www.militarywidows.org](http://www.militarywidows.org)

Or you can contact them at:

**Society of Military Widows  
National Headquarters  
5535 Hempstead Way  
Springfield, VA 22151  
1-800-842-3451**

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## **2-8 Dependency and Indemnity Compensation (D.I.C.)**

**Editor's Note:** For more information on D.I.C. go to:

<http://www.vba.va.gov/bln/dependents/spouse.htm>

Covered Under: P.L. 102-568 Veterans Benefit Act of 1992

Eligibility: Spouse of Veteran who dies of a SC disability or who dies of any cause after being permanently and totally disabled due to SC causes for over 10 years. Or, a spouse of a deceased veteran who fits one of the following criteria:

- Married to a veteran getting VA Compensation for total disability continuously since released from active duty and for at least 5 years.

- Married to a veteran who was a former prisoner of war, who was receiving VA Compensation for a total disability for at least one year before death, and died after September 30, 1999.

- Married to a veteran who elected to receive military retirement or disability pay instead of the VA Compensation for permanent and total disability for a period of at least 10 years.

The spouse must be a legal spouse at the time of the veteran's death and was married to the veteran for: one year or more, or any period of time if a child was born of the marriage (or before the marriage). The spouse must prove cohabitation from marriage until death unless the separation was through no fault of the spouse, such as residence in a nursing home.

**Editor's Note:** The one year of marriage represents a recent change in public law, and past cases excluded due to the time requirements may reapply. Further, though the 10 year rule for a veteran rated Permanent and Total allows a survivor to collect D.I.C. for any cause of death (that is not willful), it does not entitle the veteran to Service Connected burial allowances for Non Service Connected causes of death. See section on Burial Allowances below.

Until 2004 remarriage ended spouse eligibility for D.I.C. However, now a spouse over the age of 57 is entitled retain D.I.C. when they remarry. Annulment, divorce or death may reestablish eligibility for a former spouse who does not meet this age criteria. A divorced individual being considered for reinstatement reflects a 1998 change in Public Law. The VA may consider living with someone else remarriage if the state of residence recognizes common law relationships.

If a person applies for D.I.C., they must show proof that the veteran has died, and that the death was due to a service connected cause. If the veteran was rated Permanent and Totally disabled (100%) for more than 10 years (or meets one of the other criteria listed above), non-service connected causes of death are also covered.

**Editor's Note:** Willful or neglectful causes of death might not be covered for D.I.C..

Also, the law covering D.I.C. eligibility on remarriage after age 57 also covers the maintaining of education, home loan, and burial benefits.

Under the 1992 law all cases of D.I.C. are paid at the same monthly rate. Prior to 1992 rank at time of separation was used in computing rate. D.I.C. is not taxable, and rate paid is not affected by other sources of income.

D.I.C. can allow payments for dependent parents based on their income and the fact that the veteran claimed them as a dependent while still living. A dependent parent must file for D.I.C. payments.

**Editor's Note:** There are two additional levels of payment above the basic D.I.C. rate based on the spouse's health. These levels are Housebound and Aid and Attendance levels. The medical criteria for these are the same as the ones that govern Compensation and Pension payments for veterans. The spouse must open a claim and show proof of health status. There may be a Compensation and Pension exam at a VA facility. Check with RO for rates and requirements.

As of 2005 there is also an additional 250 dollar stipend in D.I.C. for surviving spouses with dependent children under 18.

Those covered under the pre 1993 plan can convert to the current plan. The change is irrevocable so careful study of the benefits of each plan is necessary.

**FINAL NOTE ON D.I.C.:** There may be instances when it is not clear if cause of death is service connected or not. D.I.C. is filed for on a VA Form 21 534, if there is question on the cause of death a spouse may check yes for box 7. The VA will determine if the cause of death is linked to service connection or not. Obvious items, like being struck by lightning there is no way around. Often &Natural Causes& is listed as the cause of death, especially if the official presiding was not a doctor. It may be necessary to obtain a more precise cause of death to identify if the Service Connected disability was a contributing factor to the cause of death.

It is recommended that you use Box 48, Remarks, for additional information on the cause of death. You will also need to include a Death Certificate and other medical information to corroborate your claim.

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## 2-9 Non Service Connected Death Pension

Editor's Note: For more information on Death Pension go to:

<http://www.vba.va.gov/bln/dependents/spouse.htm>

Non Service Connected Pension was discussed earlier. A veteran is eligible if they meet certain criteria. This includes:

- 90 days military service (or more), at least one day during wartime.
- Permanently and totally disabled from work by an NSC medical condition not caused by willful misconduct,
- Income under set limits and an estate that cannot provide adequate maintenance.

And

- Twenty-four months of continuous services, if the service time is after 1980. Or discharge under other than dishonorable conditions (see earlier reference).

There is a counterpart of NSC Pension for survivors. It is often referred to as Death Pension or Non Service Connected Death Pension.

Eligibility is based on income; period of veteran's service time, nature of discharge and the criteria for marriage must be met. With this pension there is also increased payment for increased incapacitation, though the individual (spouse) does not need to be disabled to receive the basic

pension entitlement. There are also benefits for children under the age of 18 (23 if in approved schooling) and physically or mentally incapacitated children if the deficits occurred before the age of 18.

### **Special Notes:**

In initially filing for benefit it is important to file within 45 days of death. This allows back pay to the date of death. Insurance received in this time frame counts as income, but medical costs count towards spending down income. Check with a VBC or Service Officer, each case has unique potential benefits and drawbacks.

Remarriage ends benefits, but a spouse can apply again if second marriage (and subsequent veteran death) is to another veteran fitting the eligibility criteria stated above (and spouse must meet the financial eligibility also).

A 2004 change to the law excludes insurance payments at death as income. When filing it is best to check with RO.

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## **2-10 D.I.C. and SBP**

Presently there is an offset for D.I.C. and SBP referred to as Special Survivor Indemnity Allowance. There is a 50 dollar a month offset initiated in 2008. This means when you collect D.I.C. you may also draw an additional 50 dollars per month from SBP. This is scheduled to increase slightly on a fixed schedule (see below).

In 2009 separate legislation updated the offset. This will eventually raise the rate to a approximately 4000 dollars a year. This law for payment from both D.I.C. and SBP is due to sunset in 2017, and if it is not updated, we will return to the same dollar for dollar reduction that existed prior to the 2008 change.

In 2009 a Federal Court case ruled in favor of a remarried (after the death of the service member) spouse 57 or over retaining D.I.C. and SBP. Any spouse in this situation should check with DFAS on their SBP eligibility.

#### Special Survivor Indemnity Allowance, SSIA

- FY2010 - \$60
- FY2011 - \$70
- FY2012 - \$80
- FY2013 - \$90
- FY2014 - \$150
- FY2015 - \$200
- FY2016 - \$275
- FY 2017 - \$310

SSIA payments terminate after FY2017.

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## 2-11 Social Security

NOTE: All Social Security questions are best answered by the Social Security Administration, do not depend on the information below, which is general in nature, to answer questions in your individual case. You need to speak with an SSA representative.

Up until 2007 rises in cost of MEDICARE were not supposed to be greater than the amount of Social Security increase in a given year. This changed in 2007. There will be a scale of contribution range to MEDICARE based on income. The target income threshold for 2007 is 80,000 dollars. Also, for consideration is that some individual pay into MEDICARE Part D (prescription drugs). This contribution also adds to the cost of MEDICARE premiums for individuals enrolled in MEDICARE Part D.

The following is an overview of benefits with 2006 dollar amounts. You need to check with Social Security for current amounts.

Widow - Currently there is a \$255 dollar lump sum payment upon death of a spouse. Other monthly payment is dependent on age, work history and other conditions.

Working - You are covered by your own Social Security plan. Retirement age and needed quarters of work is gradually increasing. Check with your company or Social Security for you target amounts and date of eligibility.

In cases where the husband worked and the wife was non-working, Social Security is based on the husband's work record. The following categories apply:

Non Working Women - You can receive benefits on spouse's record if.

1. He gets retirement payments and you are 62 or older
2. Receives payments because of disability and you are 62 or older
3. Receives retirement or disability payment and you regardless of age are caring for spouse's under age 16 (or disabled) child who is entitled to benefits.

Widow With Young Children - You can receive a widow's benefit at any age if you are caring for a (deceased's) child under age of 16, older if disabled, who is entitled to benefits. Your unmarried children under the age of 18 (19 if in high school) can receive monthly benefits also.

Remarried Widow - If you receive widows or widower's benefits, checks are no longer terminated or reduced if you remarry at age 60 or above. A disabled widow may remarry at age 50 with no change to benefits. This is relatively in the law.



Divorcee - If you are divorced at 62 or older, you can receive benefits on your spouse's Social Security record for the next year provided that you have been married for at least 10 years.

Divorcee who's Ex Husband Dies: If you are the surviving divorced spouse benefits can start as early as age 60 or 50 if disabled. Again, the 10 year rule is in place.

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## 2-12 Other Social Security Programs

Social Security runs two programs that assists visually impaired (defined as legally blind) individuals:

Social Security Disability (SSD): Disabled workers under 65 and their families are eligible for Social Security Disability payments provided that the worker has worked long enough to be insured and is no longer gainfully employed.

Supplemental Security Income (SSI): For blind and disabled and for people over the age of 65, SSI is valuable for those who have little or no income and very limited resources.

SSI is not counted as income by the VA in Means testing or against NSC Pension eligibility. Pension does affect eligibility for SSI in some instances. SSI is often linked to MEDICAID eligibility – so be careful in applying for NSC Pension if you are dependent on MEDICAID health benefits. Speak with Social Security Office to ensure that NSC Pension will not ruin your MEDICAID eligibility (if you are on MEDICAID).

The VA does count SSD as income. This can be a problem with means testing.

**Editor's Note:** There has been talk of keeping MEDICAID benefits as a disabled person transitions into higher income. You need to check current laws if you are affected. This can be done at the Social Security Office.

The rules on disability and working changed substantially in 2001. Congress passed the “Ticket to Work and Work Incentives Improvement Act of 1999”, which substantially expands opportunities for people with disabilities.

Thirteen states started the “Ticket to Work” program in 2001. By the end of 2003 the entire United States was scheduled to be covered by the program.

For more information call the MAXIMUS Ticket to Work Help Line:

**1-866-968-7842** (TTY 1-866-833-2967).

If you do not live in a ticket state but would like more information about the law, you may call the Social Security toll-free number, **1-800-772-1213**, and ask for the fact sheet:

The Ticket to Work and Work Incentives Improvement Act of 1999.

There are additional rules and benefits for Blindness. For more information request the following booklet:

If You Are Blind Or Have Low Vision—How We Can Help (Publication No. 05-10052).

Excellent online source for reviewing Social Security disability programs and procedures are:

[www.ssa.gov/disability/professionals/bluebook/](http://www.ssa.gov/disability/professionals/bluebook/)

[http://www.yourtickettowork.com/program\\_info](http://www.yourtickettowork.com/program_info)

If you are applying for Social Security Benefits for the first time, they will ask you for the following:

- Proof of death-either from funeral home or death certificate;
- Your Social Security number, as well as the number of the deceased family member;

- Your birth certificate;
- Your marriage certificate if you're the widow or widower;
- Your divorce papers if you're applying as a surviving divorced spouse;
- Dependent children's Social Security numbers, if available;
- Deceased worker's most recent W-4 forms or federal self-employment tax return;
- The name of your bank and your account number so your benefits can be directly deposited into your account.

Public records like your birth certificate and marriage or divorce records must be the originals or copies certified by the issuing agency.