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Informational Letter

Section 1

Transmittal:	14-INF-10
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports (CEES)
Date:	November 10, 2014
Subject:	The Treatment of Veterans Aid and Attendance (VA AA) benefits for SNAP
Suggested Distribution:	Supplement Nutrition Assistance Program (SNAP) Directors Temporary Assistance Directors Employment Services Coordinators Staff Development Coordinators
Contact Person(s):	SNAP Bureau: 1-800-343-8859, ext. 3-1469
Attachments:	
Attachment Available On – Line:	<input type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		387.1 387.11 387.12	7 CFR 273.9 (c)(5) 38 CFR 3.351(VA)	SNAP SB Section 11	

Section 2

I. Purpose

The purpose of this Informational letter (INF) is to clarify current policy regarding the treatment of Veterans’ Administration Aid and Attendance (VA AA) benefits in the determination of SNAP eligibility and benefit levels.

II. Background

Veterans’ Administration regulations identify VA AA benefits as a “special monthly dependency pension” and describe it as “increased compensation payable to a veteran....” [38 CFR 3.351].

Depending on the veteran's financial and medical circumstances, this enhanced pension is paid under one of two payment rates, "regular" or "higher." [38 CFR3.352]. Thus, it is not a direct reimbursement of services, and may exceed or fail to cover the actual costs for aid and attendant care for the disabled.

Under PL 111-163, the "Caregivers and Veterans Omnibus Health Services Act of 2010," additional VA AA services are now available to seriously injured post-9/11 veterans and their family caregivers through a new program of Comprehensive Assistance for Family Caregivers (CFAC). The law provides additional assistance to primary family caregivers of eligible post-9/11 veterans and service members.

In accordance with SNAP regulations at 7 CFR 273.9(b)(2)(ii), veterans' benefits, including VA AA benefits, must be fully countable in the determination of SNAP eligibility and benefit amount.

Federal guidance has clarified that the VA AA benefits (including Comprehensive Assistance for Family Caregivers payments) are countable for SNAP for the following reasons:

- VA AA benefits are not specifically cited as excludable income in the Food and Nutrition Act of 2008 (the Act) or SNAP regulations.
- VA AA benefits are not defined as a *reimbursement* for medical expenses in 38 CFR (VA regulations), but are referred to as an *improved pension* intended to financially assist veterans or their family members who require the aid of another person in order to perform basic activities of daily living (38 CFR 3.351).
- VA AA benefits do not function as a reimbursement because the benefit amount is not strictly calculated to equal medical expenses, but could in fact fail to meet or exceed them.

III. Program Implications

VA AA benefits (including Comprehensive Assistance for Family Caregivers payments) are not a reimbursement, but an enhanced pension, or stipend with a regular or fixed pay amount. These payments are fully countable as unearned income in determining SNAP eligibility and benefit levels.

SNAP Excess Medical Deduction: Under both the Act and SNAP regulations, a household member receiving VA Aid and Attendance, including CAFAC, is considered disabled; therefore, they are eligible to deduct unreimbursed monthly medical expenses over \$35, including expenses for aid and attendance, in determining household eligibility and benefit levels.

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