

— FWD ASSIST HQ —

FIELD GUIDE

The Survivors Pension and Aid and Attendance Guide

Sort pension from DIC, document the need
for care, and file with free help.



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A FWD Assist HQ Field Guide

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This guide is education, not representation. It explains how part of the VA system works so you can handle your own business with confidence. It is not legal or claims advice, and reading it does not create any representative relationship between you and the author. The author is not affiliated with the Department of Veterans Affairs, and nothing here is endorsed by the VA.

This guide prints no live VA dollar figures and no rating percentages on purpose, because they change. Before you make a decision based on any number, check the current figure at va.gov. No book can promise you a rating; the evidence in your file decides the result. Help from an accredited Veterans Service Officer is always free.

The Survivors Pension and Aid and Attendance Guide

Sort pension from DIC, document the need for care, and file with free help.

Companion to *What to Do When a Veteran Dies*.

BEFORE YOU READ ONE MORE LINE

If grief or anything else has you in crisis, stop and call the **Veterans Crisis Line**: dial 988, then press 1. You can also text 838255. It's free and confidential, it's open 24 hours a day, and it serves veterans and their loved ones.

This is general education, not legal or claims advice, and not guidance for your specific claim. It cannot promise you a rating or an outcome, and no one can. For help with your own claim, see a free accredited representative (see [the back of this guide](#)). Nothing here creates a representative relationship.

Current as of October 2026. Rules, forms, and figures change. Check current details at va.gov.

THE BEST WAY TO USE THIS GUIDE

The strongest position is to be your own informed advocate and to work with a free accredited representative. An accredited Veterans Service Organization, such as the DAV, VFW, American Legion, or a county or state veterans office, helps at no charge. Accredited claims agents and attorneys can help too. They can't charge for work done before VA issues its initial decision on your claim, and after that they may charge a fee within the limits of 38 CFR 14.636. This guide is here so you understand your own situation and can work with them as a full partner instead of handing it over blind. If you'd rather handle this yourself, and you're comfortable doing that, the guide walks you through every step. Either way, you stay in control.

The Outcome and What You Need Before You Start

The outcome: By the end of this guide you'll be able to tell Survivors Pension from DIC and you'll have your income and care costs written down. You'll also have filed a complete application, with Aid and Attendance or Housebound documented if the survivor needs it.

This guide prepares you for the task. It doesn't and can't promise an outcome, and it won't tell you whether you qualify. VA decides that from the evidence in the file.

WHAT YOU NEED BEFORE YOU START

- ☐ Your veteran's DD214 or other discharge papers.
- ☐ A certified copy of the death certificate.
- ☐ Your marriage certificate, and papers that ended any earlier marriage for either of you.
- ☐ Recent statements for every source of income: Social Security, retirement, wages, interest.
- ☐ Recent bank, investment, and retirement account statements.
- ☐ Receipts for medical and care costs you pay yourself: insurance premiums, prescriptions, an aide, assisted living.
- ☐ The name of the doctor who knows the survivor's daily needs best.

When to start: In the first months. If VA receives the claim within one year of the death, the start date can go back to the first day of the month your veteran died. After that, it's generally the date VA gets the claim.

Start Here: The Basics

Survivors Pension is a needs-based monthly payment for a surviving spouse or unmarried child of a wartime veteran. It looks at the veteran's service and at the survivor's income and net worth. It doesn't ask how the veteran died. DIC is the other survivor benefit. It asks how the veteran died, or about the veteran's rating history, and it doesn't look at a spouse's income at all.

Aid and Attendance and Housebound aren't separate checks. They're added amounts on a survivor's pension or DIC when the survivor needs another person's help with daily life or is stuck at home because of a lasting disability. It's the survivor's own need that counts, not the need of anyone else in the house. VA sets every limit and amount and changes them each year, so check the current figures at va.gov.

Where this sits on the clock: the first 90 days through months three to twelve.

IF YOU'RE HELPING A PARENT

If you're the son or daughter who suspects money is tighter than your parent says, ask plainly and kindly, and offer to sit in on the appointment. Then be the one who stops the salesperson. Don't move, sell, or give away a parent's assets to "qualify" for anything until a free accredited representative has looked at the whole picture.

Where this is written down: 38 U.S.C. § 1541; 38 CFR § 3.3(b)(4), 3.351(a)(5).

The Steps

STEP 1

Sort your papers into three folders: service, death, and money.

Service holds the DD214. Death holds the death certificate and any medical records about the cause. Money holds your income statements, account statements, and medical and care receipts. Pension questions use the service and money folders. DIC questions use the service and death folders.

Done when you have three labeled folders and you know what's missing from each.

STEP 2

Check your veteran's service against the pension rules.

The veteran's discharge can't have been dishonorable, and the service needs at least 1 day in a wartime period VA recognizes. Before September 8, 1980, the rule is at least 90 days of active duty. After September 7, 1980, it's generally 24 months or the full period called to duty, with some exceptions. The service rules can also be met if your veteran was getting VA compensation for a disability from wartime service.

If you aren't sure your veteran's dates fall in a wartime period, **then** check VA's list of periods on the [Survivors Pension page](#) or ask your representative. Vietnam-era dates differ for service in and outside Vietnam.

Where this is written down: 38 U.S.C. § 1541(a), 5303A; 38 CFR § 3.2, 3.3(b)(4).

Done when you've written the service dates next to the wartime period they fall in, or flagged the question for your representative.

STEP 3

Check the survivor rules.

A surviving spouse must not have remarried since the death and generally must have lived with the veteran from the marriage until the death. VA accepts some separations, such as for health or work, or one that was the veteran's fault. You also need one of these: you were married at least 1 year, you had a child together, or you married before the cutoff date for the veteran's war. That date is May 8, 1985, for the Vietnam era and January 1, 2001, for the Gulf War. A child must be unmarried and under 18, under 23 and in an approved school, or unable to support themselves because of a disability that began before 18.

Do not assume the remarriage-at-55 rule you may have heard about applies here. That rule is for DIC and CHAMPVA, not for Survivors Pension.

Where this is written down: 38 U.S.C. § 101(3), 101(4), 103(d); 38 CFR § 3.50(b)(1), 3.53, 3.54(a), 3.57.

Done when you know which survivor rules apply and you have the marriage or birth papers that show them.

STEP 4

Learn how pension and DIC fit together.

VA won't pay both for the same death, and you don't pick between them on the form. Since February 23, 2026, when VA grants DIC to a surviving spouse or child, it denies the pension. The one exception is a surviving spouse with no child who is in a nursing home under Medicaid and who also meets the pension rules. For her, VA pays the pension instead of DIC.

If your veteran may have died from a service-connected condition, or held a total VA rating for years before death, **then** DIC may fit too. File once and let VA look at both. **If** a surviving spouse moves into or out of Medicaid nursing-home care later, **then** ask about switching right away. The rule gives a one-year window to file for the start date to reach back, and your representative can pin down when that year starts. VA may treat that claim as a Supplemental Claim. VA's website says an Intent to File can hold your date for a Supplemental Claim, but the regulation says its Intent to File rule doesn't apply to Supplemental Claims. Don't count on it. Send VA Form 20-0995 itself as soon as you can.

Where this is written down: 38 U.S.C. § 1317, 5503(d); 38 CFR § 3.5(c), 3.152(b)(1)(ii), 3.402(d), as amended at 91 FR 2709 (effective February 23, 2026); 38 CFR § 3.155, 3.2501(d).

Done when you've asked your representative to look at both benefits from the same facts.

STEP 5

List your income and net worth the way VA counts them.

Write down every source of yearly income. Then list what you own and what you owe on it. VA's net worth is your assets plus your yearly income. It doesn't count your home, your car, or most household goods. For a surviving spouse, only your own assets count, not your children's. Compare the totals with the current limits on [va.gov](https://www.va.gov).

If your income looks too high, **then** don't stop here. Unreimbursed medical and care costs can bring countable income down. That's Step 6.

Where this is written down: 38 CFR § 3.271, 3.272, 3.274, 3.275.

Done when you have one page with your yearly income, your assets, and what you owe.

STEP 6

Track the medical and care costs you pay yourself.

Keep a running list of what you pay out of pocket: health insurance and Medicare premiums, prescriptions, dental care, an in-home aide, and assisted living or nursing home costs. Only costs no one else pays you back for count. VA uses VA Form 21P-8416, the Medical Expense Report, for these.

If the aide isn't a licensed health care provider, **then** ask your representative what VA needs. Often it's a doctor's written statement that the care is needed.

Where this is written down: 38 CFR § 3.272(g), 3.278.

Done when you have a dated list of costs with receipts, ready for the 21P-8416.

STEP 7

Leave your money where it is until you've had free advice.

VA looks back 36 months before the claim at assets given away or sold for less than they're worth. A transfer that VA counts can bring a penalty of up to five years with no pension. Buying a product to "qualify" can also tie up savings you may need later.

Do not buy an annuity, set up a trust, or move savings because someone selling help with VA pension or Aid and Attendance tells you to. Free accredited representatives don't sell financial products. Report anyone charging to file a claim to the VA Office of Inspector General at 1-800-488-8244.

Where this is written down: 38 CFR § 3.276.

Done when no money has moved and any offer you've had is written down for your representative.

STEP 8

If the survivor needs daily help or is stuck at home, document it.

Aid and Attendance fits a survivor who needs another person's help with things like bathing, dressing, or eating. It also fits one who must stay in bed because of illness, lives in a nursing home because of a disability, or has very limited eyesight. Housebound fits a survivor who is mostly confined to home by a disability that won't go away. You can't get both. A doctor or other medical examiner fills out the exam section of VA Form 21-2680. In a nursing home, the facility also completes VA Form 21-0779.

If the need already exists, **then** send the 21-2680 with the application. The added amount generally can't start before VA has the request or before the need began, whichever is later, except within a pension or DIC award that already reaches back.

Do not settle for a form with a few checked boxes. Ask the doctor to write what help is needed, how often, and why.

Where this is written down: 38 U.S.C. § 1311(c), (d), 1541(d), (e); 38 CFR § 3.351(a)(3) to (a)(5), (c), (f), 3.352(a), 3.402(c).

Done when the doctor's completed 21-2680, and the 21-0779 if it applies, are in your folder.

STEP 9

File VA Form 21P-534EZ with free accredited help.

The form is the Application for D.I.C., Survivors Pension, and/or Accrued Benefits. Fill in the income and net worth sections completely and attach the forms from Steps 6 and 8. File online at va.gov, through an accredited representative, or by mail to Department of Veterans Affairs, Pension Intake Center, PO Box 5365, Janesville, WI 53547-5365. You can also bring it to a VA regional office.

If you need more time to gather papers, **then** submit an Intent to File, VA Form 21-0966, first. It holds your date for one year. **If** bills can't wait for VA, **then** call 2-1-1 or visit 211.org for local help with food, utilities, and rent.

Where this is written down: 38 U.S.C. § 5110(d); 38 CFR § 3.155(b), 3.400(c)(3).

Done when the application is filed and you've saved proof VA received it.

STEP 10

After the decision, report changes and keep your options open.

If VA grants the pension, tell VA promptly when your income, assets, marital status, or household changes. Changes can raise or lower the payment, and late news can create a debt. If VA denies it over income or net worth, you can file again when your situation changes. For any denial, you also have one year from the letter to choose a Supplemental Claim, a Higher-Level Review, or a Board appeal. Start at va.gov/decision-reviews.

Where this is written down: 38 CFR § 3.660(a); 38 CFR § 3.2500(a).

Done when you've read the letter, noted any deadline on your folder, and taken anything unclear to your representative.

Recap Checklist

- ☐ I sorted my papers into service, death, and money folders.
- ☐ I checked my veteran's service against the pension rules.
- ☐ I checked the survivor rules and have the papers that show them.
- ☐ I asked my representative to look at pension and DIC from the same facts.
- ☐ I listed my income and net worth the way VA counts them.
- ☐ I tracked the medical and care costs I pay myself.
- ☐ I left my money where it is until I had free advice.
- ☐ If daily help or being housebound applies, the 21-2680 (and 21-0779) is done.
- ☐ I filed VA Form 21P-534EZ and saved proof VA got it.
- ☐ I know to report changes, and I noted any deadline in the decision letter.

Reminder: rules and rates change. Check any current figure at va.gov. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. This guide prepared you for the task. The evidence in your file decides the result.

Get Free, Accredited Help

For anything about your own claim, talk to an accredited representative. Help from an accredited Veterans Service Organization is free. Accredited claims agents and attorneys can't charge for work done before VA issues its initial decision on your claim. After that, they may charge a fee within the limits of 38 CFR 14.636. Free help is available through Veterans Service Organizations such as the DAV, VFW, and American Legion, and through county and state veterans offices.

To find one near you, visit va.gov/get-help-from-accredited-representative. Representation begins only when you sign VA Form 21-22 (for a Veterans Service Organization) or 21-22a (for an individual agent or attorney). With one rare exception for a single unpaid case, only accredited people can represent you before the VA, and only an accredited agent or attorney can charge you a fee. Nothing in this guide creates that relationship.

A warning about claim sharks. Anyone who offers to file your initial claim for a fee, or who guarantees you a rating or a percentage, is selling something you shouldn't buy. Accredited Veterans Service Organizations help at no charge, and accredited claims agents and attorneys may charge only after VA issues its initial decision, within the limits of 38 CFR 14.636. Report predatory companies to the VA Office of Inspector General at 1-800-488-8244.

Keep Going: The Full Guide

This field guide is the short, do-this-now companion to the book *What to Do When a Veteran Dies*. See every FWD Assist HQ title that is out now at fwdassisthq.com/books.

Current as of October 2026. Rules, forms, and figures change. Check current details at va.gov.

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J. Erickson is a service-disabled Air Force veteran. He served as a military firefighter and as a veteran service officer, where he spent years walking veterans through the same claims process he writes about now. He holds an MBA and writes plain-language guides for veterans who want to understand the system without a translator.

He writes the For the Rest of Us series at fwdassisthq.com. This guide is published by FWD Assist HQ as a veteran education resource. It is not affiliated with or endorsed by the Department of Veterans Affairs.