ONE-HUNDREDTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Minneapolis, Minnesota
August 28, 29, 30, 2018

Resolution No. 73: Allow Beneficiaries To Retain $90 Of Their Benefits While In Medicaid-Covered Nursing Homes
Origin: Illinois
Submitted by: Convention Committee on Veterans Affairs & Rehabilitation
(As Amended)

WHEREAS, The American Legion is a national organization of veterans who have dedicated themselves to the service of their community, state and nation; and

WHEREAS, When a veteran without dependents is in receipt of non-service connected pension benefits and is in a nursing home and Medicaid is paying some or all of the monthly cost, the veteran's (Department of Veterans Affairs (VA)) pension is reduced to $90 for what is known as a "personal needs allowance"; and

WHEREAS, When a veteran without dependents who is receiving service-related compensation benefits and is similarly covered by Medicaid, only $60 (this rate varies from state to state) a month is allowed for their "personal needs allowance"; and

WHEREAS, When a surviving spouse who is in receipt of Dependency and Indemnity Compensation (DIC) and is similarly covered by Medicaid, only $60 (this rate varies from state to state) a month is allowed for their "personal needs allowance"; and

WHEREAS, When a helpless child who is in receipt of pension or Dependency and Indemnity Compensation and is similarly covered by Medicaid, only $60 (this rate varies from state to state) a month is allowed for their "personal needs allowance"; and

WHEREAS, When a surviving parent who is in receipt of parents' DIC and is similarly covered by Medicaid, only $60 (this rate varies from state to state) is allowed for their "personal needs allowance"; and

WHEREAS, Under current VA and Medicaid statutes, the service-connected disabled veteran, surviving spouses, helpless children and surviving parents who receive DIC benefits are financially disadvantaged when compared to single veterans receiving non-service connected pension benefits; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Minneapolis, Minnesota, August 28, 29, 30, 2018, That The American Legion shall support legislation to authorize veterans in receipt of Department of Veterans Affairs (VA) compensation, and surviving spouses, helpless children and surviving parents in receipt of VA Dependency and Indemnity Compensation, to keep up to $90 of their monthly VA benefits for their "personal needs allowance" while in a Medicaid-covered nursing home.