

VA BURIAL ALLOWANCES

“Did you know that a change made by the Department of Veteran’s Affairs in 2014 resulted in a more streamlined and simplified program for payments to eligible survivors? VA burial allowances are flat rate monetary benefits that are generally paid at the maximum amount that’s authorized by law.”



DANIEL A. DEBRUYCKERE
NEW HAMPSHIRE ESTATE PLANNING ATTORNEY



Many of our clients are veterans who are the epitome of all that's good and brave within our great nation and it's our honor to represent each of them. If you are or if a loved one is a veteran, the information that follows could be of assistance. As always, we invite you to contact our offices to explore the potential veteran's benefits you may be eligible to receive, as well as Medicaid or Medicare eligibility. Often, clients discover they are eligible for benefits they didn't know existed.

Eligible surviving spouses of are paid automatically once notification of a Veteran's death is received. There is no longer the need to submit an official claim. Further, there may be additional benefits available, such as an interment allowance and transportation allowance. These additional benefits do require an approved claim.

DEFINING ELIGIBLE SURVIVORS

If the burial benefit has not been automatically paid to the surviving spouse, Veteran's Affairs will pay a claim to first living person who is qualified to file. This may include:



- The veteran's surviving spouse or the survivor of a legal union* between the deceased veteran and the survivor
- The veteran's children, regardless of age
- The veteran's parents or surviving parent
- The executor or administrator of the estate of the deceased veteran

** Note that “legal union” is defined as a formal relationship between the decedent and the survivor that existed on the date of the veteran’s death. It must be recognized in the state in which the couple formalized the relationship. There must exist a state’s issuance of documentation.*

QUALIFYING CONDITIONS



The VA provides conditions and the veteran must have been discharged in any way but “dishonorable”. The veteran must have also died as a result of a service connected disability or illness, he must have been receiving a pension through VA

or he or she must have been entitled to receive VA pension or compensation, but instead opted for full military retirement or disability pay.

Another qualifying condition might be that disabilities related to military service that lead to monthly, tax free compensation from the VA healthcare system.

PAYMENTS FROM THE VA



If a veteran died on or after September 11, 2001, the maximum burial allowance is \$2,000. If death occurred prior to 9/11/01, the maximum service connected burial allowance is \$1,500. If the veteran is laid to rest in a VA national cemetery,

VA may reimburse some or all of the costs associated with transporting the deceased veteran's remains.

For non service connected deaths on or after October 1, 2014, VA will pay a \$300 burial allowance and \$745 for a plot. If, however, the death occurred before October 1, 2014, VA will pay a \$300 burial allowance and \$734 for a plot. For deaths before October 1, 2012, VA will pay \$300 burial allowance and \$722 for a plot.

HIGHER NON SERVICE CONNECTED DEATH RATES

Effective October 1, 2011, the VA announced higher non-service-connected death rates for those who were hospitalized by VA when he or she died. If the Veteran died on or after October 1, 2014, VA will pay a \$745 burial allowance and \$745 for a plot. If the veteran died on or after October 1, 2013, but before October 1, 2013, VA will make a payment of \$734 as a burial allowance and \$734 for a plot. If the



Veteran died on or after October 1, 2012, but before October 1, 2013, VA will pay a \$722 burial allowance and \$722 for a plot. If the death occurred while the Veteran was properly hospitalized by VA, or under VA contracted nursing home care, some or all of the costs for

transporting the Veteran's remains may be reimbursed.

As you can see, improvements have been made in the collective Veteran's benefits offerings; however, for many, securing approval can sometimes be time consuming and even overwhelming. To learn more about your rights as a veteran, we invite you to contact the experienced lawyers and support staff at DeBruyckere Law Offices. We welcome the opportunity to provide guidance and our expertise to our nation's veterans.



About the Author



Daniel A. DeBruyckere

Attorney DeBruyckere approaches each challenge not just with solid expertise, but also with a passion for helping others plan well for the future. As a husband with three children and two grandchildren, it's his own family experience that provides the motivation to ensure all of his clients are well protected. Besides his extensive background in the issues he specializes in, Dan's clients find that he genuinely cares about them, and that he pays attention to the details that matter to each person and their families.

EXPERIENCE

Attorney Daniel A. DeBruyckere has been practicing law in New Hampshire and Massachusetts since 1998, and has helped hundreds of clients with their estate planning and elder care issues. He is very well respected in the area of estate planning, probate, trust administration, elder law issues, and business planning.

Admitted in Massachusetts and New Hampshire, Attorney DeBruyckere is a former adjunct faculty member of the Massachusetts School of Law and is a member and past president of the Greater Salem Bar Association. He is also a member of the Essex County Bar Association, Massachusetts Bar Association, New Hampshire Bar Association, as well as a member of the National Association of Elder Law Attorneys.

EDUCATION

Attorney DeBruyckere is a graduate of Southern New Hampshire University, summa cum laude, and Massachusetts School of Law, cum laude. He served as editor of the Massachusetts School of Law's Law Review and was a regional finalist in the American Trial Lawyers' Association Trial Advocacy Competition.

LONDONDERRY

One Verani Way
Londonderry, NH 03053
Phone: (603) 894-4141
Fax: (603) 216-2748

NORTH ANDOVER

231 Sutton St, Suite 1B
North Andover, MA
01845
Phone: (978) 686-4645
Fax: (603) 216-2748

NASHUA

20 Trafalgar Sq, Suite
443
Nashua, NH 03063
Phone: (603) 894-4141
Fax: (603) 216-2748

BEVERLY

100 Cummings Center,
Suite 307-G
Beverly, MA 01915
Phone: (978) 969-0331
Fax: (603) 216-2748