

**NINETY-SIXTH NATIONAL CONVENTION  
OF  
THE AMERICAN LEGION  
Charlotte, North Carolina  
August 26, 27, 28, 2014**

**Resolution No. 255: Allow Beneficiaries to Retain \$90 of their Benefits While in Medicaid-covered Nursing Homes**

**Origin: Illinois**

**Submitted by: Convention Committee on Veterans Affairs & Rehabilitation  
(Consolidated with Resolution No. 15 (GA))**

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

WHEREAS, When a veteran without dependents in receipt of pension benefits is covered by Medicaid for nursing home care, Department of Veterans Affairs (VA) pension is reduced to \$90 for incidental expenses; and

WHEREAS, However, when a veteran without dependents who is receiving compensation benefits and is similarly covered by Medicaid, only \$30 a month is allowed for incidentals; and

WHEREAS, When a helpless child who is in receipt of pension or Dependency and Indemnity Compensation (DIC) and is similarly covered by Medicaid, there is no provision for VA to reduce the individual's award for incidental expenses; and

WHEREAS, When a surviving parent who is in receipt of Parents' DIC and is similarly covered by Medicaid, there is no provision for VA to reduce the individual's award for incidental expenses; and

WHEREAS, Under current VA and Medicaid statutes, the service-disabled veteran, helpless child and surviving parent are financially disadvantaged; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Charlotte, North Carolina, August 26, 27, 28, 2014, That The American Legion shall sponsor and support legislation to authorize veterans in receipt of Department of Veterans Affairs (VA) compensation, or a helpless child in receipt of VA pension or Dependency and Indemnity Compensation (DIC), or a surviving parent in receipt of VA Parents' DIC, to keep up to \$90 of their monthly VA benefits for incidental expenses while in a Medicaid-covered nursing home.**