

## **New Regulations for VA Pension Impose Gifting Penalty and Other Significant Changes Effective October 18, 2018**

Under new regulations, the VA is implementing a 36 month look-back for VA Pension and other needs-based benefit applicants who transfer assets for less than fair market value. The penalty period created by the transfer cannot exceed 5 years. Transfers that happen prior to the effective date of October 18, 2018 are not subject to penalty.

The new regulations create a clear net worth limit of \$123,600, and address a number of other eligibility criteria, including primary residences, trusts and annuities, and calculations for medical expenses.

If you are considering applying for VA benefits, please feel free to contact our office as soon as possible to determine if you should consider any actions before October 18, 2018 and to discuss how these new rules may impact your long term care planning.