

VIP for Life for Surviving Spouses

Recommendation

That NCVA continue to pressure the minister and departmental officials to review the present policy on the continuation of VIP for Life for surviving spouses with a view to providing this benefit to, at a minimum, all surviving spouses of seriously disabled veterans who are not eligible because the veteran never applied for the benefits.

Recommendation

That the Minister of Veterans Affairs alter the Government's current position so that:

1. The needs of the surviving spouse should determine the benefit required (housekeeping or groundskeeping) instead of the present practice of basing the decisions on the specific VIP benefit the veteran was receiving prior to their death; and
2. Section 16 and Section 16.1 of regulations be amended so as to eliminate the absurd anomaly whereby a surviving spouse who fails to qualify for VIP based on their spouse's VIP status cannot utilize their GIS or DTC eligibility for the purposes of their own VIP entitlement.

It remains a priority issue of NCVA to underline the need to expand the eligibility of VIP to include, at a minimum, those surviving spouses of seriously disabled veterans whose veteran spouses did not apply for VIP prior to their death. Our position continues to be that in many cases the veteran was unable or reluctant to apply for VIP in the years prior to their passing. It is our strong argument that a presumption could be established that, in the event the seriously disabled veteran had applied or was able to apply for VIP, they would have received the benefit given their significant incapacity. It is submitted that the department would have great difficulty in refuting the logic of our argument, and

we remain hopeful that this particular presumption will be of great value to our surviving spouses in achieving VIP benefits.

As a matter of historic development, it will be recalled that the federal budget of 2008 partially expanded the current regulations for the continuation of VIP for Life for surviving spouses, provided the surviving spouse is either in receipt of the Guaranteed Income Supplement or has entitlement to the Disability Tax Credit under the Income Tax Act. It remains our position that this partial expansion is far too restrictive and that the required criteria should be replaced by a form of automatic entitlement with respect to surviving spouses of seriously disabled veterans.