



**VETERANS GUARDIAN**  
VA CLAIM CONSULTING

February 27, 2025

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, Maryland 21401

The Honorable Antonio Hayes  
Vice-Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, Maryland 21401

Dear Chairperson Beidle and Vice-Chairperson Hayes,

On behalf of Veterans Guardian VA Claim Consulting LLC (Veterans Guardian), the largest Veteran-owned and operated Veteran disability benefits company in the country, we write respectfully in **favor, with amendments, to Maryland SB 928.**

Attempting to protect Veterans is an honorable endeavor that we all share; unfortunately, the current version of SB 928 misses the mark and would not only deny a Veteran the right to choose how they pursue their own claim, but they also fail to address the full spectrum of the issues at hand. The current SB 928 also fails to address critical issues including: providing additional oversight and protections for the Veteran while preserving their Constitutional rights to petition their government in a manner they see fit, and ensuring Veterans have access to diverse options and effective solutions for decades to come.

Additionally, nearly identical legislation is currently being challenged in other states on First Amendment grounds, including Veterans' right to petition their government – a right they were willing to give their lives for.

Veterans Guardian is a private Veteran disability claim consulting company owned and operated by Veterans, spouses of Veterans, and spouses of active-duty service members. We fully support the goal of ensuring Veterans have access to a diverse set of options to help them secure the benefits they have earned. We proudly serve more than 30,000 Veterans annually. We assist Veterans with receiving the disability benefits they have earned through their honorable service, achieving a success rate of greater than 90%, in an average of 85 days. This is far below the Veterans Administration average processing time of 150 days.

**Veterans Guardian has helped almost 2,600 Veterans in Maryland generating almost \$26 million in additional benefits per year for Veterans in Maryland.**

Trapping Veterans in a backlogged appeals system only benefiting a handful of attorneys is something Veterans Guardian aims to avoid by focusing on getting claims done correctly the first time. The current US Department of Veterans' Affairs (VA) disability benefits system is at best cumbersome and adversarial, and at worst broken to a point where it harms the Veterans for the benefit of a small number of powerful boutique law firms. In fact, in recent

US Congressional testimony, Kenneth Arnold, Acting Chairman of the Board of Veterans' Appeals testified under oath:

**"The [VA] courts clerk annually approved 6,500 to 7,300 attorney fee requests each year, almost all for remanded cases. This generates \$45 to \$50 million in attorney's fees each year, with the majority going to a small number of boutique law firms with relatively few Veterans receiving any increase in their monthly compensation."**

If passed as it is currently written, SB 928 will only exacerbate the problems with the current system and will add to the ever growing backlog of claims processed through VSOs and perversely incentivized attorneys. The current version of SB 928 would rob Veterans of the opportunity to seek expert help with a wide variety of claims and would force them into the Veterans Administration appeals trap.

According to the VA's publicly available data on accredited service officers and agents, the entire state of **Maryland has only 90 VSO representatives to provide assistance to the over 348,459 Veterans** who currently reside in the state. This equates to **each representative being responsible for handling the affairs of 3,871 Veterans**. Even the hardest working and most efficient volunteer would be pressed to give the best possible service to that many Veterans. This further demonstrates how harmful SB 928 will be by forcing Maryland's Veterans to rely on a system that is already overloaded and ineffective.

This is why over 70% of Veterans Guardian clients have turned to us for help after trying the other options available – they, not us, are telling you they prefer our expertly trained professional staff and the services we offer.

There is momentum building at the federal level in the United States Congress to reform the accreditation process for third party actors, like Veterans Guardian, that help Veterans achieve the full disability benefits they have earned. There are more than 18 million Veterans in America, but only 5 million have a disability rating. While actors such as VSOs and law firms also serve Veterans, more options, not less, are needed to effectively meet the demand of American Veterans.

Rather than purposely restricting a Veteran's right to choose how they pursue their claim as the current SB 928 does, a better approach is to implement necessary amendments and reforms that must take place to ensure the integrity of the systems and to protect Veterans from potentially bad actors. Some of these reforms include, but are not limited to:

- o Prohibiting anyone for receiving compensation for referring anyone to another person to assist with a veterans' benefits matter
- o Prohibiting anyone for receiving compensation for services rendered to a Veteran within one year presumptive period of active-duty release unless the Veteran specifically acknowledges in writing at the initiation of the services agreement that the Veteran is within the 1-year presumptive period, and has also been referred to a VSO of their choice
- o Mandating that anyone receiving compensation for assisting with Veterans' benefits must specify the terms under which the amount to be paid will be determined in a written agreement signed by both parties
- o Mandating any fees are purely contingent upon a successful outcome and are not to exceed 5x the monthly increase
- o Prohibiting any initial or non-refundable fees
- o Getting written confirmation from the Veteran they have been informed of their free options
- o Prohibiting the use of international call centers or data centers for processing Veteran's personal information
- o Prohibiting aggressive and direct solicitation
- o Prohibiting advertising or guaranteeing a successful outcome
- o Prohibiting businesses from gaining access to personal medical, financial, or governmental benefits log-in, username, or password information

These amendments will provide SB 928 with true protections that will ensure the Veteran is not taken advantage of, while still preserving their rights to seek expert claims support.

The demand for current services in this space is far too vast for the government and VSOs to handle on their own. This highlights the need for an enhanced system that provides an expanded pathway for accreditation and enhanced oversight. With these amendments, SB 928 can achieve this and we encourage you to support SB 928 with amendments to empower Veterans a choice on how they receive their benefits. Attached at the end of this document is a proposed revision to SB 928 to include these amendments which are critical to Veterans' needs.

I would encourage you or your staff to contact me at [Brian.Johnson@vetsguardian.com](mailto:Brian.Johnson@vetsguardian.com) to set up a meeting to discuss this matter further.

Sincerely,



Brian M. Johnson  
Vice President, Government & Public Affairs  
Washington, DC Office



# SENATE BILL 928

P1, I3

5lr1200  
CF HB 267

---

By: **Senator Smith**

Introduced and read first time: January 28, 2025

Assigned to: Finance

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Veterans Benefits Matters – Claim Servicers – Prohibitions and Requirements**

3 FOR the purpose of establishing prohibitions and requirements regarding compensation  
4 for certain services related to veterans benefits matters; prohibiting a person that is  
5 not V.A. accredited from making certain guarantees; providing for the enforcement  
6 of this Act under the Maryland Consumer Protection Act; repealing certain  
7 advertising and disclosure requirements for veterans benefits services and veterans  
8 benefits appeals services; and generally relating to veterans benefits matters.

9 BY repealing and reenacting, with amendments,  
10 Article – Commercial Law  
11 Section 13–301(14)(xlii)  
12 Annotated Code of Maryland  
13 (2013 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Commercial Law  
16 Section 13–301(14)(xliii) and (15)  
17 Annotated Code of Maryland  
18 (2013 Replacement Volume and 2024 Supplement)

19 BY adding to  
20 Article – Commercial Law  
21 Section 13–301(14)(xliv)  
22 Annotated Code of Maryland  
23 (2013 Replacement Volume and 2024 Supplement)

24 BY repealing  
25 Article – State Government  
26 Section 9–905.1  
27 Annotated Code of Maryland

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
(CAPITALS) INDICATE MATTER DERIVED FROM EXISTING LAW.

**\*sb0928\***

(2021 Replacement Volume and 2024 Supplement)

BY adding to

Article – State Government

Section 9–905.1

Annotated Code of Maryland

(2021 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Commercial Law**

13–301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlii) Section 12–6C–09.1 of the Health Occupations Article; [or]

(xliii) Title 14, Subtitle 48 of this article; or

(XLIV) SECTION 9–905.1 OF THE STATE GOVERNMENT  
ARTICLE; OR

(15) Act or omission that relates to a residential building and that is  
chargeable as a misdemeanor under or otherwise violates a provision of the Energy  
Conservation Building Standards Act, Title 7, Subtitle 4 of the Public Utilities Article.

**Article – State Government**

[9–905.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Advertisement” means:

(i) a written or printed communication made for the purpose of  
soliciting business for veterans benefits appeals services;

(ii) a directory listing for a person that is offering veterans benefits  
appeals services; or

(iii) a radio, television, computer network or airwave, or electronic  
transmission that solicits business for or promotes a person offering veterans benefits  
appeals services.

(3) "Veterans benefits appeals services" means any services that a veteran might reasonably require in order to appeal a denial of federal, state, or local veterans benefits, including denials of disability, limited income, home loan, insurance, education and training, health care, burial and memorial, and dependent and survivor benefits.

(4) "Veterans benefits services" means any services a veteran or a family member of a veteran might reasonably use in order to obtain federal, state, or local veterans benefits.

(b) (1) Before entering into an agreement with an individual for the provision of veterans benefits services or veterans benefits appeals services, a person who charges a fee for those services shall:

(i) provide a written disclosure statement to each individual; and

(ii) obtain the individual's signature on the written disclosure statement acknowledging that the individual understands the disclosure statement.

(2) The written disclosure statement shall:

(i) be on a form approved by the Secretary; and

(ii) state that veterans benefits services and veterans benefits appeals services are offered at no cost by the Department and other veterans services organizations accredited by the U.S. Department of Veterans Affairs.

(c) A person who charges a fee for providing veterans benefits appeals services shall provide in any advertisement for appeals services notice that appeals services are also offered at no cost by the Department and other veterans services organizations accredited by the U.S. Department of Veterans Affairs.

(d) (1) A person who violates the provisions of this section is subject to a civil penalty of not more than \$1,000 for each violation.

(2) Civil penalties shall be in an amount ordered by the District Court in an action brought by the Attorney General.

(3) Each day a violation continues is a separate violation.

(4) Any civil penalty collected shall be deposited in the Maryland Veterans Trust Fund.]

**9-905.1.**

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "COMPENSATION" MEANS PAYMENT OF MONEY, A THING OF VALUE, OR A FINANCIAL BENEFIT.

(3) "V.A. ACCREDITED" MEANS AUTHORIZED BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE SERVICES IN ACCORDANCE WITH 38 C.F.R. § 14.629.

(4) "VETERANS BENEFITS MATTER" MEANS A CLAIM OR APPEAL RELATING TO ANY BENEFIT, PROGRAM, SERVICE, COMMODITY, FUNCTION, OR STATUS, TO WHICH ENTITLEMENT IS DETERMINED UNDER THE LAWS AND REGULATIONS ADMINISTERED BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS OR THE U.S. DEPARTMENT OF DEFENSE PERTAINING TO VETERANS, THEIR DEPENDENTS, THEIR SURVIVORS, AND ANY OTHER INDIVIDUAL ELIGIBLE FOR SUCH BENEFITS.

(B) A PERSON THAT IS NOT V.A. ACCREDITED MAY NOT:

(1) EXCEPT AS AUTHORIZED UNDER FEDERAL LAW, RECEIVE COMPENSATION FOR:

(I) PREPARING, PRESENTING, OR PROSECUTING A VETERANS BENEFITS MATTER; OR

~~(II) ADVISING, CONSULTING, OR ASSISTING AN INDIVIDUAL WITH REGARD TO A VETERANS BENEFITS MATTER;~~

(2) RECEIVE COMPENSATION FOR REFERRING AN INDIVIDUAL TO ANOTHER PERSON FOR THE PREPARATION, PRESENTATION, OR PROSECUTION OF A VETERANS BENEFITS MATTER OR ADVICE, CONSULTATION, OR ASSISTANCE WITH A VETERANS BENEFITS MATTER; OR

(3) GUARANTEE, EITHER DIRECTLY OR BY IMPLICATION, THAT AN INDIVIDUAL IS CERTAIN TO RECEIVE:

(I) SPECIFIC VETERANS BENEFITS; OR

(II) A SPECIFIC LEVEL, PERCENTAGE, OR AMOUNT OF VETERANS BENEFITS.

(C) (1) A PERSON MAY NOT RECEIVE EXCESSIVE OR UNREASONABLE FEES, ~~AS DETERMINED IN ACCORDANCE WITH 38 C.F.R. § 14.636(E),~~ AS COMPENSATION FOR PREPARING, PRESENTING, OR PROSECUTING A VETERANS



1 BENEFITS MATTER OR ADVISING, CONSULTING, OR ASSISTING AN INDIVIDUAL WITH  
2 A VETERANS BENEFITS MATTER. FOR AGENTS AND ATTORNEYS ACCREDITED BY THE  
DEPARTMENT OF VETERANS AFFAIRS AND REGULATED BY THAT AGENCY, THE  
FACTORS SET OUT IN 38 CFR 14.636(E) SHALL BE USED TO DETERMINE WHAT IS  
REASONABLE. FOR ADVISERS AND CONSULTANTS NOT ACTING AS AGENTS OR  
ATTORNEYS AND NOT ACCREDITED BY THE DEPARTMENT OF VETERANS AFFAIRS, A  
REASONABLE FEE SHALL BE ONE THAT IS PURELY CONTINGENT ON AN INCREASE IN  
BENEFITS AWARDED AND DOES NOT EXCEED FIVE (5) TIMES THE AMOUNT OF THE  
MONTHLY INCREASE IN BENEFITS AWARDED, IN COMPLIANCE WITH SECTION C(3).

3  
4 (2) A PERSON SEEKING TO RECEIVE COMPENSATION FOR  
5 PREPARING, PRESENTING, OR PROSECUTING A VETERANS BENEFITS MATTER OR  
6 ADVISING, CONSULTING, OR ASSISTING AN INDIVIDUAL WITH A VETERANS BENEFITS  
7 MATTER SHALL, BEFORE RENDERING ANY SERVICES, ENTER INTO A WRITTEN FEE  
8 AGREEMENT, SIGNED BY BOTH PARTIES, THAT ADHERES TO ALL  
APPLICABLE CRITERIA  
9 SPECIFIED IN 38 C.F.R. § 14.636.

(3) FOR PERSONS NOT ACTING AS AGENTS OR ATTORNEYS BUT SEEKING TO  
RECEIVE COMPENSATION FOR ADVISING, ASSISTING, OR CONSULTING WITH  
ANY INDIVIDUAL IN CONNECTION WITH ANY VETERANS' BENEFITS MATTER,  
THE FEE AGREEMENT REQUIRED UNDER SECTION (2) MUST PROVIDE FOR  
FEES THAT ARE PURELY CONTINGENT UPON AN INCREASE IN BENEFITS  
AWARDED, AND IF SUCCESSFUL, COMPENSATION MUST NOT EXCEED FIVE (5)  
TIMES THE AMOUNT OF THE MONTHLY INCREASE IN BENEFITS AWARDED  
BASED ON THE CLAIM. NO INITIAL OR NONREFUNDABLE FEE MAY BE  
CHARGED BY A PERSON ADVISING, ASSISTING, OR CONSULTING AN  
INDIVIDUAL ON A VETERANS' BENEFIT  
MATTER.

(4) ANY PERSON ADVISING, ASSISTING, OR CONSULTING ON VETERANS'  
BENEFITS MATTERS FOR COMPENSATION UNDER A FEE AGREEMENTS  
DESCRIBED IN SECTION (C)3 SHALL PROVIDE THE FOLLOWING DISCLOSURE AT  
THE OUTSET OF THE BUSINESS RELATIONSHIP:

"THIS BUSINESS IS NOT SPONSORED BY, OR AFFILIATED WITH, THE UNITED  
STATES DEPARTMENT OF VETERANS' AFFAIRS OR THE MARYLAND  
DEPARTMENT OF VETERANS' AFFAIRS, OR ANY OTHER FEDERALLY  
CHARTERED VETERANS' SERVICE ORGANIZATION. OTHER ORGANIZATIONS  
INCLUDING BUT NOT LIMITED TO THE MARYLAND DEPARTMENT OF  
VETERANS' AFFAIRS, A LOCAL VETERANS' SERVICE ORGANIZATION, AND  
OTHER FEDERALLY CHARTERED VETERANS' SERVICE ORGANIZATIONS MAY BE  
ABLE TO PROVIDE YOU WITH THIS SERVICE FREE OF CHARGE. PRODUCTS OR  
SERVICES OFFERED BY THIS BUSINESS ARE NOT NECESSARILY ENDORSED BY  
ANY OF THESE ORGANIZATIONS. YOU MAY QUALIFY FOR OTHER VETERANS'  
BENEFITS BEYOND THE BENEFITS FOR WHICH YOU ARE RECEIVING SERVICES  
HERE."

(I)THE WRITTEN DISCLOSURE MUST APPEAR IN AT LEAST TWELVE (12) POINT  
FONT IN AN EASILY IDENTIFIABLE PLACE IN THE PERSON'S AGREEMENT WITH  
THE INDIVIDUAL SEEKING SERVICES.

(II)THE INDIVIDUAL MUST SIGN THE DOCUMENT IN WHICH THE WRITTEN  
DISCLOSURE APPEARS TO REPRESENT UNDERSTANDING OF THESE



**PROVISIONS.**

**(III) THE PERSON OFFERING SERVICES MUST RETAIN A COPY OF THE WRITTEN DISCLOSURE WHILE PROVIDING VETERANS' BENEFITS SERVICES FOR COMPENSATION TO THE INDIVIDUAL AND FOR AT LEAST ONE (1) YEAR AFTER THE DATE ON WHICH THE SERVICE RELATIONS TERMINATE.**

**5) ANY PERSON ADVISING, ASSISTING, OR CONSULTING ON VETERANS' BENEFITS MATTERS FOR COMPENSATION UNDER A FEE AGREEMENTS DESCRIBED IN SECTION (C)3 MUST ABIDE BY THE FOLLOWING:**

**(I) MAY NOT UTILIZE INTERNATIONAL CALL CENTERS OR DATA CENTERS FOR PROCESSING VETERANS' PERSONAL INFORMATION;**

**(II) MAY NOT USE A VETERAN'S PERSONAL LOG-IN, USERNAME, OR PASSWORD INFORMATION TO ACCESS THAT VETERAN'S MEDICAL, FINANCIAL, OR GOVERNMENT BENEFITS INFORMATION; AND**

**(III) SHALL ENSURE THAT ANY INDIVIDUAL WHO HAS ACCESS TO VETERANS' MEDICAL OR FINANCIAL INFORMATION UNDERGOES A BACKGROUND CHECK PRIOR TO HAVING ACCESS TO THAT INFORMATION. THE BACKGROUND CHECK MUST BE CONDUCTED BY A REPUTABLE SOURCE AND INCLUDE IDENTITY VERIFICATION AND A CRIMINAL RECORDS CHECK.**

**(IV) MAY NOT RECEIVE ANY COMPENSATION FOR ANY SERVICES RENDERED IN CONNECTION WITH ANY CLAIM FILED WITHIN THE ONE (1) YEAR PRESUMPTIVE PERIOD OF ACTIVE-DUTY RELEASE, UNLESS THE VETERAN ACKNOWLEDGES BY SIGNING A WAIVER THAT THEY ARE WITHIN THIS PERIOD AND CHOOSING TO DENY FREE SERVICES AVAILABLE TO THEM.**

10           **(D)   (1)   A VIOLATION OF THIS SECTION:**

11                           **(I)    IS AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE**  
12   **WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND**

13                           **(II)   IS SUBJECT TO THE ENFORCEMENT AND PENALTY**  
14   **PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

15                   **(2)    ANY CIVIL OR ADMINISTRATIVE PENALTY COLLECTED BY THE**  
16   **ATTORNEY GENERAL IN AN ACTION UNDER THIS SECTION SHALL BE DEPOSITED IN**  
17   **THE MARYLAND VETERANS TRUST FUND.**

18           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
18   **October 1, 2025.**