

2025-02-27 SB 928 - Support.pdf

Uploaded by: Adam Spangler

Position: FAV

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

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ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement



**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL**

ANTHONY G. BROWN
Attorney General

PETER V. BERNIS
General Counsel

CHRISTIAN E. BARRERA
Chief Operating Officer

February 27, 2025

TO: The Honorable Pam Beidle
Chair, Finance Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 928 – Veterans Benefits Matters - Claim Servicers - Prohibitions
and Requirements - **Favorable**

The Maryland Office of the Attorney General requests a favorable report on **Senate Bill 928** - Veterans Benefits Matters - Claim Servicers - Prohibitions and Requirements. This legislation seeks to protect Maryland's Veterans from unscrupulous actors that take advantage of Veterans seeking assistance with benefits and benefits appeals services.

A Veteran Service Organization (VSO) is an organization that has been approved by the Veterans Administration (VA)¹ to provide assistance to Veterans and their families. Veterans who use VSOs or other accredited representatives cannot be charged for help in filing their initial claim. If the veteran subsequently wants to appeal the VA's decision, the VA limits how much the approved representatives can charge.

Unfortunately, there has been an influx of unapproved/unaccredited individuals and businesses that offer to help Veterans submit their initial claims to the VA for a fee. Sometimes calling themselves "medical consultants" or "coaches," unaccredited individuals and businesses advertise their fee-based services to Veterans, suggesting they can provide quick turnaround times on claims and higher benefit checks than a VSO or other authorized representative. Not only are these fees illegal, but the payment terms can leave Veterans with unaffordable bills for extended periods of time.

¹ 38 C.F.R. §14.628(d) describes the requirements that must be met for recognition.

Of the 280 complaints sent to the VA's Office of General Counsel from 2018 to 2022, 40% were related to unapproved/unaccredited individuals and organizations.² Additionally, according to the VA, there is no statistically significant difference in the average number of days it takes any type of filer to complete a rating-related claim. In the current fiscal year, time frames have ranged from 129.7 days to 139.4 days whether veterans make a claim unassisted (which would include those who use unaccredited representatives) or use VSOs, agents, or attorneys.³

If an unapproved/unaccredited individual or organization would like to provide these types of services to Veterans, they should have to seek accreditation with the VA before doing so. Regulation in this matter is a widely accepted method of protecting the public from unscrupulous actors.

For the foregoing reasons, the Office of the Attorney General requests a favorable report on **Senate Bill 928**.

cc: The Honorable Senator Will Smith
Finance Committee Members

² Michelle Andrews, *Some private companies charge hefty fees to help veterans with disability claims*, WWW.CBSNEWS.COM (2023), <https://www.cbsnews.com/news/veterans-disability-claims-companies-charge-fees/>.

SB928_AnnaForbesTowns_FAV

Uploaded by: Anna Forbes Towns

Position: FAV

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FEBRUARY 25, 2025

THE HONORABLE PAMELA BEIDLE
THE HONORABLE ANTONIO HAYES
MEMBERS OF THE SENATE FINANCE COMMITTEE
3 EAST MILLER SENATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

SUBJECT: SB 928 - URGE A FAVORABLE REPORT

TESTIMONY PRESENTED TO THE MARYLAND SENATE FINANCE COMMITTEE BY
ANNA FORBES TOWNS, VA ACCREDITED ATTORNEY AND
MEMBER OF THE NATIONAL ASSOCIATION FOR BLACK VETERANS, INC.

DEAR HONORABLE PAMELA BEIDLE:

My name is **Anna Forbes Towns**, and I am a VA Accredited Attorney in private practice, representing veterans in both initial claims for benefits and appeals of denied decisions. I am also a proud member of the Montgomery County Chapter of the National Association for Black Veterans, Inc. (NABVETS), an organization dedicated to advocating for and assisting veterans, especially veterans of color, who too often face systemic barriers in securing the benefits they have rightfully earned.

It should be noted that **NABVETS** serves more veterans of color in the initial claims process than any other Veteran Service Organization (VSO) in Maryland. **NABVETS'** extensive work in claims assistance has demonstrated that veterans receive the best possible outcomes when their representatives are properly trained, certified, and held accountable.

I offer my full and unequivocal support for SB 928, as it is a critical step in protecting veterans from fraudulent and predatory claims services. This bill ensures that only certified and accountable individuals should be authorized to provide claims assistance, preventing the exploitation of veterans who deserve honest and competent representation. This bill is essential in preventing unqualified individuals and companies from exploiting veterans, often charging exorbitant fees for services that should be free or provided by trained professionals.

However, while SB 928 is crucial in eliminating fraudulent actors, I urge the committee to also recognize the importance of ensuring that, in the future, veterans have access to a larger pool of qualified and ethical claims agents. The focus must first be on eliminating bad actors, and then on building a strong workforce of trained representatives. The demand for qualified veteran claims representatives far exceeds the current supply, leaving many veterans, particularly veterans of color, without access to competent assistance.

The Need for More Trained and Certified VA Claims Representatives

The process of veterans securing VA benefits is indeed a complex process that requires specialized knowledge of VA regulations, medical evidence, and legal precedent. Veterans who rely on untrained or poorly informed representatives may receive subpar assistance, leading to unnecessary denials or delays in their claims. Currently, the pathways to certification as a claims agent or accredited representative are limited, and many capable individuals, including veterans who wish to serve their fellow service members, face barriers to becoming certified and accredited.

The Need for Establishing a Verification System for VA Claims Representatives

To further protect veterans, representatives who assist with claims and appeals should be required to demonstrate their certification status publicly. **I recommend that a verification system be established so that veterans can confirm that their representative is knowledgeable, certified and accountable.**

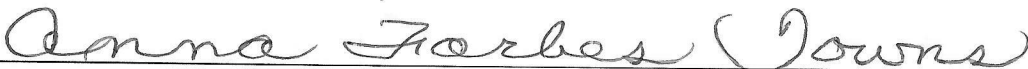
Conclusion: Support SB 928 While Expanding Certification Opportunities

As a VA Accredited Attorney and a member of NABVETS, I strongly support SB 928's goal of protecting veterans from fraudulent claims services. However, I encourage this committee to also address the urgent need for more accessible pathways to training and certification of veteran claims representatives. Without expanding the pool of properly trained representatives, we risk leaving veterans—especially those most in need—without meaningful access to qualified assistance and receipt of the benefits to which they are entitled.

By passing SB 928 and creating more certification opportunities, Maryland can become a national leader in ensuring that veterans receive high-quality, ethical, and effective representation.

Thank you for your time and consideration. **I urge the committee to give SB 928 a favorable report and to explore ways to expand training and certification opportunities for those committed to serving veterans with integrity and expertise.**

RESPECTFULLY SUBMITTED,



ANNA FORBES TOWNS

MEMBER, DC BAR

SB928_AARP_FAV.pdf

Uploaded by: James Campbell

Position: FAV



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**SB 928 – Veterans Benefits Matters – Claims Servicers –
Prohibitions and Requirements
FAVORABLE
Senate Finance Committee
February 27, 2025**

Good afternoon, Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee. My name is Jim Campbell. I am State President Emeritus of AARP Maryland and a former member of the House of Delegates.

On behalf of AARP Maryland and our 850,000 members across the state, I urge the Committee to pass **Senate Bill 928 Veterans Benefits Matters – Claims Servicers – Prohibitions and Requirements** sponsored by Senator Smith.

Nationwide, AARP has 38 million members and, of this total, 6,000,000 have served in the military. Protecting veterans' access to the benefits they are entitled to is one of AARP's priorities.

Last August, the United States Department of Veterans' Affairs (VA) issued a news release about "claims predators". This refers to individuals and companies who charge exorbitant fees for helping veterans and their families get benefits they have earned and are entitled to receive.

According to the VA's release, "More veterans are getting VA health care and benefits than ever before, which also presents opportunities for scammers to commit fraud against veterans and their families. These increased benefits have led to a rise in shady companies and individuals that are not accredited by the VA, offering claims assistance services and charging hefty fees when they do. This expansion of benefits has also attracted individuals and companies who are misleading veterans to think it is okay to exaggerate disability symptoms to get higher disability ratings. It's important that veterans and their families know *they should never pay a fee* to file an initial claim for benefits. In fact, *it's unlawful for anyone to charge a fee* for preparing an initial claim."

SB 928 would ban "claims predators" from charging veterans to process a claim or to appeal a denial of benefits. The bill incorporates federal law into Maryland law by providing that no one may charge fees for claims assistance who is not accredited by the U.S. Department of Veterans Affairs. The bill creates fines for violations and any collected fines are paid to the Maryland Veterans Trust Fund.

Maryland's veterans and their families made tremendous sacrifices to protect our country. **SB 928** provides the opportunity to honor their service by protecting them against bad actors preying on their benefits. For these reasons, we respectfully ask for a favorable report on **SB 928**.

If you have questions for follow up, please contact Tammy Bresnahan, Senior Director of Advocacy at tbresnahan@aar.org or by calling 410-302-8451.

MMC Testimony SB0928 Favorable.pdf

Uploaded by: Jayson Spiegel

Position: FAV



MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

February 25, 2025

The Honorable Pamela Beidle
The Honorable Antonio Hayes
Senate Finance Committee
3 East Miller Seate Office Building

Annapolis, MD 21401

**Re: Request for FAVORABLE Report - SB0928 – Veterans Benefits Matters –
Claim Servicers – Prohibitions and Requirements**

Dear Chair Beidle, Vice Chair Hayes and Members of the Senate Finance Committee:

The Maryland Military Coalition recommends a FAVORABLE report by the Committee on HB0267 – ***Veterans Benefits Matters – Claims Servicers – Prohibitions and Requirements*** sponsored by Senator William Smith.

This critical legislation would ban so-called "claims predators" from preying on veterans by charging veterans to process a claim or to appeal a denial of benefits. HB0267 incorporates federal law into Maryland law by providing that no one may charge fees for claims assistance who is not accredited by the U.S. Department of Veterans Affairs (VA). The bill creates fines for violations and any collected fines are tendered to the Maryland Veterans Trust Fund.

Federal law provides that claims assistance can only be provided by **accredited agents** who are trained, tested, overseen, and, when appropriate, disciplined and punished by the U.S. Department of Veterans Affairs Office of General Counsel. Traditionally, the U.S. Department of Veterans Affairs only accredits **three types of claims representatives**:

- Claims agents
- Attorneys
- Veterans Services Organizations (VSOs), e.g., the Veterans of Foreign Wars and the American Legion

Attorneys and claims agents may charge fees but on a tightly regulated scale set by the U.S. Government. VSOs provide their services for free, as does the Maryland Department of

Subject: **Request for FAVORABLE Report** – SB0928 - Veterans Benefits Matters – Claim Servicers – Prohibitions and Requirements

Veterans Affairs, which employs claims agents.¹ Attorneys are allowed to charge only for the appeal of a disability decision, and not for an original claim.

The number of disability claims being filed has increased significantly because of the passage of the Pact Act. With passage of the Act, the number of predator companies has increased astronomically as companies see filing claims as a way to make money.

Unaccredited claims representatives are explicitly banned from "preparing, presenting or prosecuting" claims, but all penalties for violating the law were repealed in 2006. As a result, unaccredited claims predators who illegally charge veterans for claims services entered the market. A bipartisan coalition of 44 state attorneys general, including Attorney General Anthony Brown, sent a letter to the U.S. Congress asking for reinstatement of penalties against those who illegally charge veterans for claims services.

Unscrupulous unaccredited claims predators have engaged in a multitude of improprieties that exploit vulnerable veterans. These abuses include:

- Offering claims assistance without being accredited, in violation of federal law.
- Failing to disclose that they are not accredited by the VA.
- Charging fees beyond those permitted to be charged by accredited agents.
- Misleadingly stating that they are only offering "consulting" services when they are in fact preparing and processing the claim.
- Requiring the veterans to disclose their VA user ID and password so the claims shark can track the progress of the claim.
- Requiring the veteran to disclose their online banking user ID and password so they can withdraw their fees from the veteran's account as soon as the claim is paid.

These improprieties facilitate the commission of fraud against our veterans. **Veterans reported \$350 million in total fraud losses to the Federal Trade Commission in 2023.**² Maryland ranked fifth nationally in reported fraud and other reports per 100,000 of population and ranked 11th in identity theft reports. In Maryland, identity fraud was tied with credit bureaus, information furnishers and report users for the most prevalent form of fraud in 2023³.

We note that banning unaccredited claims predators from providing services to veterans

¹ <https://www.benefits.va.gov/vso/>

² [https://www.moaa.org/content/publications-and-media/news-articles/2024-news-articles/finance/scams-cost-veterans,-military-retirees-\\$350-million-in-2023/](https://www.moaa.org/content/publications-and-media/news-articles/2024-news-articles/finance/scams-cost-veterans,-military-retirees-$350-million-in-2023/)

³ https://www.ftc.gov/system/files/ftc_gov/pdf/CSN-Annual-Data-Book-2023.pdf

Subject: **Request for FAVORABLE Report** - SB0928 - Veterans Benefits Matters – Claim Servicers – Prohibitions and Requirements

does not violate the First Amendment rights of claims predators. The United States Supreme Court has repeatedly held that states may reasonably regulate commercial speech, and the Government may regulate the provision of legal advice to ensure that those who provide it meet minimum levels of competency and are sworn to uphold the system of fair administration of justice. Regulation of professional speech is subject to a lower level of scrutiny and should be struck down only when it is "unjustified or unduly burdensome." *Zauderer v. Office of Disciplinary Counsel of Supreme Court*, 471 U.S. 626,657 (1985).

States may regulate professional conduct, even though that conduct incidentally involves speech. "[I]t has never been deemed an abridgment of freedom of speech or press to make a course of conduct illegal merely because the conduct was in part initiated, evidenced, or carried out by means of language, either spoken, written, or printed." *Giboney v. Empire Storage & Ice Co.*, 336 U.S. 490, 502 (1949).

Banning claims predators does not limit the options that veterans have to obtain claims assistance. The simple solution would be for those currently providing services in violation of federal law to become accredited. Doing so is not a complicated or onerous process. The objection to obtaining accreditation is that federal law limits the fees that can be charged and claims predators want to charge whatever they can get away with. Second, state law already regulates many professions and limits entry to those who demonstrate qualifications and agree to abide by ethical and other professional practices. Although regulating professions may limit consumer "choice," regulation is universally accepted to protect the public from unscrupulous or unqualified actors.

The New Jersey legislature passed claim predator legislation similar to HB0257. The United States District Court for the District of New Jersey upheld the law, finding that it regulated commercial speech. Oral argument on an appeal to the United States Court of Appeals for the Third Circuit was held in November 2024 and a decision is pending.

The MMC **strongly supports SB0928** and asks the Finance Committee for a **FAVORABLE report**. It is time for our state to take steps to protect our veterans and reign in the perpetrators of the unscrupulous practices outlined above.

The Maryland Military Coalition is a registered non-profit, non-partisan advocacy organization comprised of prominent Maryland-based veteran and military groups, representing over 150,000 service-connected individuals, including those currently serving, veterans, retirees and their families, caregivers, and survivors.

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February 25, 2025

Subject: **Request for FAVORABLE Report** - SB0928 - Veterans Benefits Matters – Claim
Servicers – Prohibitions and Requirements

We want to thank Senator Smith for his commitment to our veterans and the uniformed
services community in Maryland.

Respectfully,

A handwritten signature in black ink, appearing to read "JL Spiegel". The signature is fluid and cursive, with the first name "JL" and the last name "Spiegel" clearly distinguishable.

Jayson L. Spiegel
LTC, Army Reserve (Ret.)
President

1 Attachment – Member Organizations of the Maryland Military Coalition

Member Organizations of the Maryland Military Coalition

Air Force Sergeants Association
American Military Society
American Minority Veterans Research Project
Association of the United States Navy
Commissioned Officers Association of the U.S. Public Health Service
Disabled American Veterans
Fleet Reserve Association of Annapolis
Jewish War Veterans of the U.S.A
Maryland Air National Guard Retirees' Association
Maryland National Association of Retired Federal Employees Veterans Committee
Maryland Veterans Chamber of Commerce
Military Officers Association of America
Military Order of the Purple Heart
Military Order of the World Wars
Montford Point Marines of America
National Association of Black Veterans
Naval Enlisted Reserve Association
NOAA Association of Commissioned Officers
Platoon 22
Reserve Organization of America
Society of Military Widows
Veterans of Foreign Wars

2025G_NABVETSBill_0928.pdf

Uploaded by: Lawrence Moses

Position: FAV

**National Association for Black Veterans, Inc.
Southern Maryland
STATEMENT IN SUPPORT OF SENATE BILL 0928**

Veteran Benefits Matters -Claim Services – Prohibitions and Requirements

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

Good afternoon, Chair Beidle

My name is Lawrence (Mike) Moses. I am a Vietnam veteran, the former Maryland State Commander of the National Association for Black Veterans, and an Accredited Veteran Service Officer (VSO) authorized by the Department of Veterans Affairs based on the requirements of the (T.R.I.P.) EXAM Training, Responsibility, Involvement, and Preparation of Claims, IN ADDITION TO HIPAA and the Rules of Behavior Assessment.

Since 2012, I have processed hundreds of veteran claims and organized frequent claims clinics to support veterans and caregivers of all races and genders, particularly Black veterans from across Maryland. However, I have observed an increase in non-accredited veteran claims assistance since COVID-19 and the enactment of the PACT Act, which expands VA health care and benefits. This has cost veterans thousands of dollars for a process that should be free and has led to future reductions in their benefits.

I recently received a mail envelope from an out-of-town law firm (Sokolove Law) in Chicago. The firm informed me that it was aware of my disability records and could assist me in increasing my benefits and compensation. We had an uncomfortable fifteen-minute Q&A. However, for the record, they stated they knew about my disability without my consent.

How they got my information was never revealed.

In closing, I asked those representing the firm ..if they knew what “Presumptive, Secondary & Direct Service connections” were or what the difference was between PTSD and Acquired Psychiatric Disorder.

The phone went silent.

If they WERE VA-accredited, they would have known the answer.

This Senate Bill will help provide generations of Veterans—and their survivors—with the care and benefits they've earned and deserve.

This is why I'm asking you to support SB 0928

SB928 FAV CVA.pdf

Uploaded by: Leslie Frey

Position: FAV



Commission on Veterans Affairs

Michael Wilson, Chair

Testimony on SB928 – Veterans Benefits Matters – Claims Servicers – Prohibitions and Requirements

February 27, 2025

Senate Finance Committee

On behalf of the Montgomery County Commission on Veterans Affairs, I am writing in strong support of Senate Bill 928 that would protect Veterans from claims predators. Unscrupulous businesses, commonly referred to as "claims predators", continue to be an issue across the country affecting numerous military veterans who seek disability benefits, especially since the increase in claims resulting from the PACT Act of 2022, in connection to injuries they suffered while serving in our military.

Oftentimes, these businesses take advantage of veterans by feeding them false information or claim they can either expedite the approval of disability benefits with the U.S. Department of Veterans Affairs (VA) or assistance with winning appeals to claims that have been denied. High pressure tactics are used such as making veterans sign a contract agreeing to pay an individual/company in exchange for help with their initial VA claim. There are cases where veterans have been either charged an exorbitant amount of money up front with a promise of getting their filing approved or a stiff percentage of their future benefits, sometimes ranging between 20-30%, if their filing is approved. A significant number of these businesses are not VA accredited representatives, and thus take advantage of veterans.

As Chair of the Montgomery County Commission on Veterans Affairs, I had a recent encounter with a Gaithersburg, MD resident who is a barber and veteran. He shared with me that he is working with an out of state attorney who had him sign a contract that would provide the attorney up to 20% of his future disability benefits for filing on his behalf. Unfortunately, this resident is concerned with both losing this amount of his future disability benefits as well as the legal challenges of getting out of the contract with this attorney. The veteran explained that he was not aware that the State provides such services through the Veteran Service Officers at no cost. We believe this bill would in fact address this matter head on and protect our veterans who reside in Montgomery County and across the state from these unethical business practices.

This bill incorporates federal law into Maryland law by providing that no one may charge fees for claims assistance who is not accredited by the VA. The bill creates fines for violations and any collected fines are tendered to the Maryland Veterans Trust Fund. We thank you for your support of this critical bill and respectfully urge the committee to issue a favorable report on Senate Bill 928.

EveryMind Testimony in Support for SB928.pdf

Uploaded by: Megan O'Brien

Position: FAV

Dear Chair Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee,

My name is Alyssa Sanders, and I am the Advocacy Director at EveryMind, a leading mental health and wellness organization dedicated to serving our community, including Maryland's veterans. I am honored to submit this testimony in strong support of SB 928 – Claim Servicers – Prohibitions and Requirements, legislation that will protect Maryland's veterans from predatory practices and ensure they receive the benefits they rightfully deserve without financial exploitation.

EveryMind has long been committed to advocating for the well-being of those who have served our country. Through our direct services and outreach programs, we have witnessed firsthand the challenges veterans face when navigating the complex process of filing disability claims. Unfortunately, unscrupulous companies—often operating under misleading pretenses—prey on veterans by charging exorbitant fees for assistance that is legally available for free through accredited service organizations. These deceptive practices not only drain the financial resources of veterans but also create unnecessary obstacles in accessing their rightful benefits.

One of EveryMind's key initiatives supporting veterans is **Serving Together**, a program that connects veterans, active-duty service members, and their families to essential resources, including accredited claims assistance, mental health services, and peer support. Serving Together ensures that Maryland's veterans have access to trustworthy, knowledgeable guidance as they navigate complex benefits systems. The passage of SB 928 will reinforce the work of Serving Together by preventing fraudulent claim servicers from taking advantage of veterans seeking help.

SB 928 strengthens protections for veterans by ensuring they receive fair and transparent assistance with their benefits. It prevents unaccredited individuals or businesses from charging fees for services that accredited organizations provide for free and ensures that even accredited providers follow reasonable fee guidelines.

Maryland has a duty to stand by those who have stood for us. By passing SB 928, the General Assembly will reinforce its commitment to protecting our veterans from financial exploitation and ensuring they receive the support they need to thrive.

I urge this committee to swiftly pass SB 928 and send a strong message that Maryland will not tolerate the exploitation of our nation's heroes. Thank you for your time and consideration.

2025 JVC HB 0267 Claim Shark Bill (2).pdf

Uploaded by: Nigel Forney

Position: FAV



JOINT VETERANS COMMITTEE OF MARYLAND, Inc.

TESTIMONY

HB0267 Veteran Benefits Matters – Claim Servicers – Prohibitions and Requirements

17 January 2025

House Hearing: Economic Matters 21 January 2025 1:00pm

The Maryland Joint Veterans Committee (JVC) **SUPPORTS** HB0267 Veteran Benefits Matters – Claim Servicers – Prohibitions and Requirements for the following reasons:

- Individuals requiring compensation for assisting veterans in filing out and filing benefit claims who are not accredited by the Veterans Administration are taking advantage of veterans
 - These individuals are referred to as “Claim Sharks”
 - Promises include faster claim decisions and high disability percentages
 - Often charge 10% or more of the realized claim
 - Takes advantage of the veteran especially those with severe and life-threatening medical problems
 - Impacts the veteran mentally and physically when the promises are not realized
- VA Accredited Chapter Service Officer and Veteran Service Officers
 - Assist the veteran for free
 - Are trained and know the codes to speed up a claim when necessary
 - It is illegal to accept monetary gifts in exchange for the service
 - Receives training annually
 - Most current information regarding law
 - Increases accuracy and completeness of the claim

The JVC encourages a **FAVORABLE** vote.

The Joint Veterans Committee of Maryland, Inc. is a community of congressionally chartered veteran organizations in the State of Maryland drawn together by strong bonds of respect and mutual ideas and ideals to promote true patriotism, to pursue by legislation and other activities, to advance the welfare of all veterans, their widows, their orphans, and their dependents. JVC is comprised of the following Maryland Veteran Service Organizations: American Veterans (AMVETS), Marine Corps League (MCL), Military Order of the Purple Heart (MOPH), Catholic War Veterans (CWV), Disabled American Veterans (DAV), and the Veterans of Foreign Wars of the US (VFW).

POC:

Deborah C Rey, Maj, USAF (Ret)

JVC Legislative Chair

301-997-4183

Jvcmd2024@gmail.com

SB 928 - Claims Sharks Bill DD Fix 022525.pdf

Uploaded by: Robert Doyle

Position: FAV



**Statement of the Maryland Federation of
National Active and Retired Federal Employees
Senate Finance Committee Hearing, February 27, 2025
On SB 928 – Veterans Benefits Matters – Claims Servicers –
Prohibitions and Requirements**

(Position – FAV)

Good Afternoon, Chair Beidle and Vice-Chair Hayes and members of the Finance Committee. I am pleased to provide our written statement today on behalf of the State Legislative Committee of the Maryland National and Active and Retired Federal Employees Association (NARFE), representing approximately 317,000 federal annuitants and employees in Maryland. For the continuing benefit of the more than 3,100 Veterans who are Maryland NARFE members – and for all Maryland Veterans - we support and ask you for a favorable report on SB 928 – Veterans Benefits Matters – Claims Servicers – Prohibitions and Requirements. We thank Senator William C. Smith, Jr. for introducing this Bill.

SB 928 would address the insidious problem of “Claims Sharks,” the unscrupulous agents who exploit Veterans by charging often exorbitant fees to process claims or benefit denials filed with the Veterans Administration (VA). The bill will incorporate Federal law into MD law by making it illegal for anyone **not accredited with the VA** to charge service fees for claims assistance for a Veteran (fees can be charged in some circumstances discussed below). Such violations would be subject to fines and all fines collected would go to the MD Veterans Trust Fund.

Under Federal law, veterans claims assistance can only be provided by VA accredited agents, who fall into three categories: 1) Claims Agents; 2) Attorneys; and 3) Veterans Service Organizations, like the Veterans of Foreign Wars (VFW) or the American Legion (AL). Claims Agents and Attorneys can charge fees on a tightly regulated scale overseen by the VA and are subject to discipline and punishment by the VA for violation of the VA regulations. The VSO Claims Agents at the VFW and AL will provide services for free, as do Claims Agents at the Maryland Department of Veterans Affairs. And of course, free service is available when the Veteran goes directly to the VA.

The MD Department of Veterans Affairs has noted that claim sharks operate by promising a Veteran a guaranteed disability rating in exchange for a cut of their earned benefits. When documentation is thin, the claims sharks will “juice the claim,” sometimes even working with unscrupulous medical professionals to produce fraudulent documentation, opening Veterans up to financial penalties or even criminal prosecution.¹

This fraud against Veterans is a serious problem. Veterans reported \$350 million in total fraud losses to the Federal Trade Commission in 2023.² In 2021, our partner organization AARP conducted a survey to measure the number of scams, fraud and identity theft schemes threatening veterans and active-duty service members. The results showed veterans and military adults are 40% more likely to lose money to scams and fraud than civilians. In addition, 4 out of 5 military/veteran adults were targeted by scams directly related to their military service or the benefits they receive and that almost one in three military/veteran adults reported losing money to service related scams. Of those who lost money, 47% fell victim to benefit buyout scams, where their VA pension and/or disability

¹ Testimony by Tony Banks, Secretary, Maryland Department of Veterans Affairs, in Support of Senate Bill 831, Veterans – Persons Providing Veterans Benefits Services and Veterans Benefits Appeals Services – Fees and Compensation, before the Senate Education, Energy and the Environment Committee, February 29, 2024.

² From FTC Consumer Sentinel Network Report, 2023, <https://www.ftc.gov/reports/consumer-sentinel-network-data-book-2023>

benefits are turned over for a supposed lump-sum payment that never materializes and 32% fell for fraudulent records scams, where they were charged for updated personal military records.³

While the Federal PACT Act⁴ increased the number of disability claims, it also brought on many additional claims servicer companies because, to put it bluntly, the companies see great opportunities to make money at the expense of unsuspecting and vulnerable Veterans. These abuses include offering claims assistance without being accredited, in violation of Federal law, and failing to disclose this to the Veterans, as well as charging fees beyond those permitted to be charged by accredited agents.

These companies are very actively opposing states who are proposing protective legislation and lobbied legislatures in 38 states *against* claim predator legislation. One of the biggest companies, Veterans Guardian, sued both New Jersey and Maine about their legislation, saying that their claim predator laws

³ AARP Report – “Scambush: Military Veterans Battle Surprise Attacks from Scams and Frauds,” <https://states.aarp.org/alaska/veterans-targeted-by-scammers>

⁴ The Sergeant First Class (SFC) Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act, 38 U.S.C. sec. 101 et seq, 38 CFR Part 8. The PACT Act, among other things, expands and extends eligibility for VA health care for Veterans with toxic exposures and Veterans of the Vietnam, Gulf War, and post-9/11 eras, and Adds 20+ more presumptive conditions for burn pits, Agent Orange, and other toxic exposures. <https://www.va.gov/resources/the-pact-act-and-your-va-benefits/>

violate free speech. A federal court denied that suit saying that the law regulates conduct, not speech.⁵ Veterans Guardian appealed that ruling, but a decision has not yet been handed down. In 2024 alone, Veterans Guardian spent \$1,130,000 on lobbyists trying to stop state efforts to protect Veterans from claims predators.⁶

From the Fiscal Note for SB 928, we note that the Department of Veteran and Military Families and the Office of the Attorney General can handle any administrative changes with existing budgets. Thus, SB 928 presents as rare Bill that does not represent any costs to the State.

NARFE sees SB 928 as a way to ensure that when a Veteran seeks assistance, she or he can trust that they will be helped by an accredited claims agent who meets high ethical and professional standards in their claims and/or appeal process. SB 928 provides us a chance to honor Veterans' service by protecting them against claims predators who seek to deprive them of their earned and deserved benefits.

We respectfully ask that you give a favorable report to SB 928.

Thank you.

⁵ Veterans Guardian VA Claims Consulting, LLC v. Platkin, (U.S. Dist. Ct, D. New Jersey, Memorandum Opinion, January 5, 2024.

⁶ <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2024&id=D000089168>, noted in Maryland Military Coalition Alert on HB 267, the companion bill to SB 928.

Robert M. Doyle, Co-Chair
Maryland Federation – NARFE
State Legislative Committee
4226 Carvel Lane
Edgewater, MD 21037
bdoyle47@verizon.net
H (410) 798-0079
C/Text (301) 693-1774

SB928_DVMF_FAV

Uploaded by: Sec. Tony Woods

Position: FAV



**Maryland Department of Veterans and Military Families
Office of the Secretary**

WES MOORE
GOVERNOR

ARUNA MILLER
LT. GOVERNOR

ANTHONY C. WOODS
SECRETARY

**Senate Bill 928 - Veterans Benefits Matters - Claim Servicers - Prohibitions and Requirements
SUPPORT**

February 25, 2025

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

Dear Chair Beidle and Committee Members,

The Maryland Department of Veterans and Military Families (DVMF) is committed to leading veterans and their families through life's transitions, making Maryland the best state for the military-connected communities. DVMF fulfills its mission through five core programs: the Service and Benefits Program, which helps veterans access federal, state, and local earned benefits; Charlotte Hall Veterans Home, offering assisted living and skilled nursing care; the Cemetery and Memorial Program, providing dignified resting places and maintaining memorials honoring Maryland's veterans; the Communications, Outreach, and Advocacy Program, fostering connection and awareness; and the Maryland Veterans Trust Fund, offering financial assistance to veterans and their families in need. These programs reflect Maryland's commitment to honoring and empowering its military-connected community.

The Maryland Department of Veterans and Military Families supports SB 928 - Veterans Benefits Matters - Claim Servicers - Prohibitions and Requirements.

SB 928 is a vital piece of legislation that seeks to prohibit unaccredited actors and businesses ("claim sharks") from exploiting veterans and their families by charging them for services that are illegal at the federal level. Although federal law strictly prohibits unaccredited individuals from assisting, advising, or representing veterans in VA claims, criminal penalties for violating these laws were removed in 2006. This has enabled bad actors, often based in other states - to take advantage of vulnerable Maryland veterans.

Claim sharks' lucrative, but illegal enterprise allows them to make millions of dollars off of veterans by operating outside the federal regulatory system created to protect veterans from economic exploitation. There's nothing stopping them from becoming accredited, except their own financial interest in avoiding regulation and oversight.

THE WINELAND BUILDING, FOURTH FLOOR
16 FRANCIS STREET, ANNAPOLIS, MARYLAND 21401

TOLL FREE: 866-793-1577 • ANNAPOLIS: 410-260-3838 • FAX: 410-216-7928

veterans.maryland.gov
TTY USERS CALL VIA MD RELAY

While we wait for federal legislation to reinstate the criminal penalties removed in 2006, it is vital we pass this bill to fill the gap and protect Maryland veterans and their families from bad actors who seek to profit from their service benefits.

For this, I respectfully ask the Committee for a favorable report on SB 928 to ensure that we can protect Maryland veterans and their families from bad actors and end the claim shark feeding frenzy.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Woods". The signature is written in a cursive, flowing style.

Anthony C. Woods
Secretary

SB928_DVMF_SecWoods_FAV

Uploaded by: Sec. Tony Woods

Position: FAV

DVMF Secretary Tony Woods
TESTIMONY IN SUPPORT OF Senate Bill 928
Maryland General Assembly Economic Matters Committee
February 27, 2025

Thank you, Chair Beidle, and members of the committee.

I am Tony Woods, Secretary of the Maryland Department of Veterans and Military Families, and I respectfully ask the Committee for a favorable report on SB928.

No veteran or family member should ever have to pay for a claim to access their earned veterans benefits. SB928 extends consumer protections to Maryland veterans and ensures that only accredited assistance is available for navigating the VA benefits system, safeguarding veterans from predatory practices.

As VA benefits expand, so too does the need to guard against bad actors who prey on veterans with high-pressure tactics, false promises, and exploitative fees, also known as “claims sharks” or “claims predators.”

The VA accredits individuals and organizations that seek to assist veterans in accessing their benefits and upholds those organizations to a certain standard, notably offering FREE assistance.

Maryland meets that standard by providing an accredited program that last year alone secured nearly \$45 million in VA payments for Maryland veterans at no cost to them. Trusted organizations like the American Legion, VFW, and Disabled American Veterans also adhere to these standards.

“Claims sharks”, on the other hand, operate outside of these protections. Their business model preys on veterans, exploiting their earned benefits for profit rather than supporting their well-being.

I urge this Committee to send a clear message that Maryland stands with its veterans-not with those who seek to profit at their expense. A favorable report on SB928 will protect our veterans, safeguard their earned benefits and affirm our commitment to those who have served our nation.

MD SB 928 Support with Amendments Veterans Guardia

Uploaded by: Bernie Marczyk

Position: FWA



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 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.**

SB928_VeteransGuardian_FWA

Uploaded by: Hank Boatright

Position: FWA



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
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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

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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.**



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 Chairman Wilson and Vice-Chairman Crosby:

On behalf of Purple Heart Homes (PHH), a North Carolina-based 501(c)(3) nonprofit dedicated to serving Veterans across the nation, we are writing to express our support to **Maryland Senate Bill 928 with amendments**.

Purple Heart Homes was founded in 2008 by Veterans John Gallina and the late Dale Beatty, both of whom served together in Iraq and returned with life-altering injuries. Inspired by the unwavering support of their community, they established PHH to honor fellow Veterans. Today, PHH provides housing solutions to service-connected, disabled, and aging Veterans of all eras across the United States, reflecting our core commitment to supporting Veterans and their rights.

Attempting to protect Veterans is an honorable endeavor that we all share; unfortunately, the current form 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 bill 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.

Rather than purposely restricting a Veteran's right to choose how they pursue their claim as the current version of 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 amendments 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

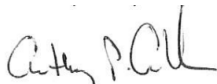
- o Prohibiting any initial or non-refundable fees
- o Getting written confirmation from the Veteran they have been informed of their free options
- o Prohibiting the use of international call centers or data centers for processing Veteran's personal information
- o Prohibiting aggressive and direct 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 offer the true protections that will ensure the Veteran is not taken advantage of, while still preserving their rights to seek expert claims support.

PHH also supports Veterans' rights to choose reliable and expert assistance, whether through private entities or traditional Veterans Service Organizations. Veterans deserve the freedom to access the support they need without undue restriction or compromise, and these amendments serve as an important step in that direction.

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 accomplish this, and we encourage you to support this amended legislation to empower Veterans a choice in how they receive their benefits.

Thank you for your dedication to Maryland's Veterans.



Paul Cockerham
Chief Development Officer
Purple Heart Homes



BLACK VETERANS EMPOWERMENT COUNCIL INC.

909 Rose Ave. Suite 400 North Bethesda, Maryland 20852

www.bvecinc.org

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

February 27, 2025

Dear Chairperson Beidle and Vice-Chairperson Hayes,

On behalf of Black Veterans Empowerment Council (BVEC), one of the Nation's largest Black Veterans groups, I am writing to respectfully express **support for Maryland SB 928 with amendments**.

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 bill as currently written 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.

Rather than purposely restrict 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 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 offer the 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 an amended version of SB 928 to empower Veterans a choice on how they receive their benefits.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Deadwiler', with a long horizontal line extending to the right.

Shawn L. Deadwiler
Chairman of the Board and President



Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Tony D. Cardwell
President

Dale E. Bogart, Jr.
Secretary-Treasurer

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 The Teamsters Rail Conference, the Brotherhood of Maintenance of Way Employees (BMWED-IBT), and our Veteran members in Maryland, I write today to support **Maryland SB 928 with amendments.**

The BMWED-IBT is proud to offer and encourage private expert support to our Veteran members. Our members are armed with all the information available to them and appreciate the ability to make the best choice for them and their families. We have been working closely with Veterans Guardian to educate our members on the full range of options available free of charge and for a fee. We are proud to ensure that our Maryland Veteran members and brothers and sisters nationwide are well-informed and choose the best options for them.

As a Veteran myself and the Director of Government Affairs for the BMWED-IBT, I used Veterans Guardian to help me achieve an increase in my rating. Unfortunately, years of navigating the complicated Veterans Affairs process frustrated me. I tried the free services offered by Veteran Service Organizations, but while well-intentioned, they failed to meet my needs. Free doesn't always mean better, and I have the choice to decide who helps me with my claim.

While the current version of Maryland SB 928 might be well-intentioned, this issue has nuances and complications that require far more understanding. Rather than purposely restrict 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.

Maryland Veterans deserve a choice, and the BMWV members in Maryland deserve the option to use companies like Veterans Guardian.

The current version of SB 928 is trying to accomplish a noble effort, and with amendments it can empower Veterans a choice in who they receive support from. I strongly urge you to support these amendments to MD SB 928, to protect our Veterans and give them the best assistance possible.

Sincerely,

A handwritten signature in black ink, reading "Jeff Joines". The signature is fluid and cursive, with the first name "Jeff" and last name "Joines" clearly distinguishable.

Jeff Joines
Director of Government Affairs



555 Marshall Drive
Saint Robert, MO 65584
Support@United-Veteran.com
www.United-Veteran.com
(573) 412-5100

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

February 27, 2025

Dear Chairperson Beidle and Vice-Chairperson Hayes,

As one of the founding members of United Veteran Benefits Agency, LLC a majority-Veteran owned and operated organization, I am writing in **support, with amendments, of Maryland SB 928.**

Attempting to protect Veterans is an honorable endeavor that we all share; unfortunately, in the way it is currently written, 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. MD 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.

United Veteran Benefits Agency LLC, as I mentioned above, is a Veteran owned and operated organization. Our staff is comprised 100% of Veterans, Veteran spouses and family, and spouses and family members of active-duty service members who understand the medical and mental health difficulties Veterans live with and the complexities of the VA disability process. We have a success rate of 90%, which means fewer appeals bogging down the system. Our goal is to do it right the first time, keeping the process moving through the VA system efficiently, preventing appeals and providing the Veteran with the benefits they have earned in a timely fashion. Passing the current form of MD SB 928 will only inflate the backlog that occurs within the VA system and as stated before, strip away a Veteran's choice in how they pursue their VA disability claims.

As a consulting firm, our goal is to assist every Veteran who comes to us requesting help in a manner that is tailored to them and their family. We ensure the Veterans we work with understand their options including free services. And, if they choose to go in that direction, but aren't sure where to go, we help provide them with the service that is nearest to them. Since the inception of our business, we have served over 3500 Veterans. Many of them have called us crying from joy and relief after receiving their new VA disability rating stating they've been trying to navigate the system for months with no success. Others have written to us stating we "changed their lives".

Rather than purposely restricting a Veteran's right to choose how they pursue their claim as the current form of SB 928 does, a better approach is to implement necessary amendments and reforms to SB 928 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 are true protections that will ensure the Veteran is not taken advantage of, while still preserving their rights to seek expert claims support.

UVBA also supports Veterans' rights to choose reliable and expert assistance, whether through private entities or traditional Veterans Service Organizations. Veterans deserve the freedom to access the support they need without undue restriction or compromise, and these amendments serve as an important step in that direction.

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. An amended SB 928 can accomplish this, and we encourage you to support this legislation and amendments to empower Veterans a choice in how they receive their benefits.

Thank you for your dedication to Maryland's Veterans.

Sincerely,

A handwritten signature in cursive script that reads "Connie Jones".

Connie Jones

A Founding and Managing Member