

Veterans Services- June 2025 Ex-officio Report

Veteran Services updates:

I want to ensure it is known that the Veteran Services Office will be closed for training on three (3) Tues. in June, beginning last Tue. June 10th, 2025. As I explained in the last meeting, there will not be any Veteran Service Representatives (VSR's) available to assist walk in clients on the remaining training dates, which are, 06/17/25 & 06/24/25. This training also affects the appointments in South Lake Tahoe (SLT). On Tues. 06/10 & 06/17 there will not be a VSR in SLT. We have scheduled client appointments for both Thursdays the same weeks to make sure there are no breaks in services. The dates for these appointments are 06/12 & 06/19.

Also, June 19th & 20th 2025, I will be out of the office for additional training. VSOs from all over CA, and I will be meeting in Sacramento to discuss best practices, and how to better assist our clients. Along with many other topics such as, the differences between large and small counties, and how to address those differences.

Legislative Updates:

Under current regulations, claims agents and attorneys—often referred to as "Claim Sharks"—are strictly prohibited from charging veterans or receiving any form of compensation, including gifts, for assisting in the filing of an original claim with the U.S. Department of Veterans Affairs (VA).

Compensation for such services is only permitted after the VA has issued an initial decision. At that point, claims agents and attorneys may charge a fee for

reviewing the decision and, if necessary, pursuing an appeal on behalf of the claimant.

The California Association of County Veteran Service Officers (CACVSO) has been actively working to limit the influence of for-profit representatives within the state. These individuals often exploit veterans by making misleading promises of achieving 100% disability ratings while selectively choosing cases that maximize their financial gain. Veterans, who have already sacrificed so much in service to our nation, should not be subjected to predatory practices when seeking the benefits they have rightfully earned. The proposed legislation, HR-3132, poses a significant threat to these protections. If enacted, it would override existing state laws designed to prevent exploitative claims practices, allowing claim agents and attorneys to operate freely, regardless of state-imposed restrictions. Additionally, HR-3132 could negatively impact funding for veteran service offices and impose additional financial burdens on claimants. Under this bill, claim agents and attorneys would be authorized to charge veterans exorbitant fees—potentially up to \$12,500 or five times the veteran's monthly award—even though these services are currently provided at no cost by local veteran service offices. El Dorado County Veteran Services remains committed to advocating for the rights of veterans and ensuring they receive fair, transparent, and cost-free assistance in navigating the VA claims process. Legislative efforts such as HR-3132 must be carefully scrutinized to prevent harm to those who have honorably served our country.

I have attached paperwork to my report that better explains the issue. Please read, and if you have time, reach out to your congressional representatives and

express your concerns about HR-3132. You can call, email, or schedule meetings with their offices to discuss how the bill negatively impacts veterans.

May 2025 VSO Summary:

124 Walk In clients

74 Scheduled Appointments

257 Phone calls

South Lake Tahoe Update:

VSR II Tisha Holy returned to in person services in SLT on the second & third Tue. of each month beginning May 13, 2025. However, as stated above, this month she will be in SLT on Thursday 06/12 & 06/19 due to training.

Bill Analysis Form

CURRENT LAW:

An attorney or a claims agent may not charge a veteran or receive a fee or a gift from a veteran for assistance with preparing and filing an initial VA benefits claim.

Per Title 38 U.S.C. 5904(c)(1): Except as provided in paragraph (4), in connection with a proceeding before the Department with respect to benefits under laws administered by the Secretary, a fee may not be charged, allowed, or paid for services of agents and attorneys with respect to services provided before the date on which a claimant is provided notice of the agency of original jurisdiction's initial decision under section 5104 of this title with respect to the case. This limitation does not apply to fees charged, allowed, or paid for services provided in proceedings before a court.

Charging a fee or accepting a gift on an initial claim, including for assistance with gathering necessary documents and filling out forms, is a violation of the VA Standards of Conduct, 38 C.F.R. § 14.632(c)(5) and (6), and is grounds for cancellation of VA accreditation.

However, once a claimant receives an initial decision on a claim or claims, an attorney or claims agent may charge a fee for assisting the claimant in seeking review of those claims. See 38 C.F.R. § 14.636(c).

BILL SUMMARY:

H.R. 3132, referred to as the CHOICE for Veterans Act of 2025, would amend Title 38 to provide a legalized pathway for currently unaccredited agents or representatives to pursue certification and become accredited claimants' representatives.

The bill requires the VA to notify veterans of free and accredited assistance, provide a public list of accredited representatives, and establish a system for reporting unaccredited representatives. It also mandates that warnings about fees be included in the online claims portal.

It would create a formal and conditional accreditation process for agents and attorneys, including a \$500 application fee. The bill would authorize when fees may be charged, prohibit fees in limited cases, mandate fee audits, and cap fees at \$12,500 or five times the monthly benefit.

The bill would reinstate penalties for unauthorized representation or unauthorized fees, including fines, revocation, and disqualification. It also requires the GAO to evaluate and report on the VA's agent and attorney recognition process within one year.

Finally, the bill includes a federal preemption clause that would override any inconsistent state laws related to fees or the accreditation of claims representatives.

OPERATIONAL OR FISCAL IMPACT:

MVA staff report instances of having to correct the work of unaccredited representatives. Even when County staff rectify these errors, veterans are still bound by contracts that require payment for services, some of which are corrected by MVA and California CVSOs.

MVA uses the initial claims interaction to assess veterans' needs and ensure they access all available benefits. When veterans are initially ineligible for VA services, MVA staff work to connect them to county and state resources while also addressing eligibility issues.

MVA and CVSOs receive part of their funding through subvention based on submitted claims. Additionally, the State implements cost avoidance strategies that increase funding for CVSOs based on successful transitions from state to federal benefits.

An influx of new for-profit representatives could result in veterans being connected to services for which they are charged fees, without their holistic needs being addressed. This could require intervention from MVA and VPAN.

LEGAL ISSUES:

The bill would preempt state law. This is notable because state legislation is currently being discussed to more strictly regulate claims representatives.

DEPARTMENT'S RECOMMENDATION:

MVA recommends opposing H.R. 3132. It does not align with the Board's legislative priorities to ensure equitable outcomes for historically marginalized communities, who could be further exploited by for-profit representatives.

The proliferation of such agents could create new silos that make it more difficult for vulnerable veterans, such as those experiencing homelessness, to connect with the County and MVAs holistic connection to services.

SUPPORT / OPPOSITION:

Oppose

COMMENTS:

There is concern that vulnerable veterans may be exploited and charged for services that the County currently provides for free. Given the financial backing of unaccredited representatives, their efforts could undermine the County's work in supporting veterans equitably.

If enacted, this bill could set a precedent of federal policy that commercializes access to government benefits while overriding state and local protections.