

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which
3 was referred House Bill No. 103 entitled “An act relating to prohibited
4 practices for services involving veterans’ benefits” respectfully reports that it
5 has considered the same and recommends that the bill be amended by striking
6 out all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 20 V.S.A. chapter 88 is added to read:

8 CHAPTER 88. PROTECTION OF VETERANS’ BENEFITS

9 § 1751. LEGISLATIVE INTENT

10 It is the intent of the General Assembly to regulate the practices of persons
11 seeking to receive compensation for advising, consulting, or assisting any
12 individual regarding a veterans’ benefits matter, as defined in this chapter, and
13 to protect veterans, their dependents, and survivors from unfair and deceptive
14 practices.

15 § 1752. DEFINITIONS

16 As used in this chapter:

17 (1) “Compensation” means payment of money, a thing of value, or a
18 financial benefit.

19 (2) “Person” means any natural person, corporation, partnership, or
20 other legal entity but, for purposes of this chapter, “person” does not include an
21 accredited representative of a recognized organization or an accredited agent or

1 attorney pursuant to 38 C.F.R. § 14.629 (requirements for accreditation), as
2 amended, or individuals working within their capacity as employees of the
3 Vermont Office of Veterans Affairs or the Vermont Veterans' Home.

4 (3) “Veterans’ benefits matter” means the preparation, presentation, or
5 prosecution of a claim affecting an individual who has filed or expressed an
6 intent to file a claim for a benefit, program, service, commodity, function, or
7 status, entitlement to which is determined under the laws and regulations
8 administered by the U.S. Department of Veterans Affairs or the U.S.
9 Department of Defense pertaining to veterans, their dependents, their
10 survivors, and any other individual eligible for such benefits.

11 § 1753. PROHIBITED CONDUCT

12 The following conduct is prohibited:

13 (1) No person shall act as an agent or attorney with respect to a
14 veterans’ benefits matter unless such person has been recognized for such
15 purpose by the Secretary of the U.S. Department of Veterans Affairs.

16 (2) No person shall receive compensation for referring any individual to
17 another person for advice, consultation, or assistance with regard to any
18 veterans’ benefits matter.

19 (3) No person shall guarantee, either directly or by implication, that any
20 individual is certain to receive specific veterans’ benefits or that any individual

1 is certain to receive a specific level, percentage, or amount of veterans'
2 benefits.

3 (4) No person shall use an individual's personal login, username, or
4 password information to access an individual's medical, financial, or
5 government benefit information.

6 § 1754. DISCLOSURE; MEMORIALIZATION OF TERMS;

7 COMPENSATION

8 (a) Any person advising, assisting, or consulting with an individual on a
9 veterans' benefits matter shall provide the individual with the following
10 written disclosure prior to entering into a business relationship:

11 "This business is not sponsored by or affiliated with the U.S. Department of
12 Veterans Affairs, the Vermont Office of Veterans Affairs, or any
13 congressionally chartered Veterans Service Organization. This business does
14 not act as your agent or attorney with respect to your veterans' benefits matter
15 and does not represent you before the U.S. Department of Veterans Affairs.
16 Other organizations, such as the Vermont Office of Veterans Affairs and
17 congressionally chartered Veterans Service Organizations, may be able to
18 provide you with this service free of charge. Products or services offered by
19 this business are not endorsed by the U.S. Department of Veterans Affairs, the
20 Vermont Office of Veterans Affairs, or a congressionally chartered Veterans

1 Service Organization. You may qualify for other veterans’ benefits beyond the
2 benefit for which you are receiving assistance from this business.”

3 (b) The written disclosure required by subsection (a) of this section shall be
4 printed in not less than 12-point boldface type of uniform font, and the
5 individual seeking assistance with a veterans’ benefits matter shall sign the
6 document containing the written disclosure, acknowledging receipt of the
7 disclosure. The person providing the individual with veterans’ benefits matter
8 services shall retain a copy of the signed written disclosure for at least one year
9 following the termination of the service relationship.

10 (c) A person seeking to receive compensation for advising, consulting, or
11 assisting an individual with a veterans’ benefits matter shall, before rendering
12 service, memorialize all terms regarding the amount of payment for services to
13 be rendered in a written agreement, signed by both parties.

14 (d) Compensation for services rendered shall be contingent upon the
15 individual receiving an increase in the amount of veterans’ benefits awarded.
16 A person advising, consulting, or assisting on a veterans’ benefits matter shall
17 not charge an initial fee. A person shall not charge an individual more than
18 five times the amount of the monthly increase in benefits awarded on the
19 veterans’ benefits matter claim.

1 § 1755. BACKGROUND CHECK

2 Any person advising, assisting, or consulting on veterans' benefits
3 matters shall obtain a criminal background check, pursuant to 21 V.S.A.
4 § 495j, for each employee who has access to the medical or financial
5 information of any individual receiving such services prior to the employee
6 having access to such information.

7 § 1756. VIOLATION

8 (a) A violation of this chapter is deemed to be a violation of 9 V.S.A.
9 § 2453.

10 (b) The Attorney General or a State's Attorney has the same authority to
11 make rules, conduct civil investigations, enter into assurances of
12 discontinuance, and bring civil actions, and private parties have the same rights
13 and remedies, as provided under 9 V.S.A. chapter 63, subchapter 1.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2026.

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2 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE