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April 24, 2024

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol, Room 412
Sacramento, CA 95814

**Re: SB 1124 (Menjivar) – Deceptive practices: service members and veterans.
As Introduced February 13, 2024 – SUPPORT**

Dear Senator Caballero,

On behalf of the California State Association of Counties (CSAC), representing all 58 counties in California, I write in support of Senate Bill (SB) 1124 by Senator Menjivar. This measure would strengthen state law protections for veterans by prohibiting any person not accredited by the Department of Veterans Affairs (VA) from charging a veteran for help with a benefits claim, increases penalties for those who obtain unauthorized access to veterans’ data on VA computer systems, and prohibits the charging of fees that exceed what a VA-accredited attorney or claims agent could legally charge to assist a veteran with a benefits claim.

Veterans’ benefits are a crucial support system for those who have served this country in the armed forces. As with other government benefits, applicants may need assistance in applying for these critical benefits. California veterans who need assistance with filing a claim for disability benefits can get help at no charge from their VA-accredited county veteran service office (CVSO) or from nonprofit veterans service organizations (VSOs) like the Veterans of Foreign Wars (VFW). CVSOs are county agencies established to assist veterans and their families in obtaining benefits and services accrued through military service. In addition to CVSOs and nonprofit VSOs, which provide assistance free of charge, the VA also accredits attorneys and claims agents to represent veterans and assist with benefit claims. The VA accreditation program exists to ensure that veterans receive competent and fair representation on their VA benefits claims. Accredited attorneys and claims agents cannot charge money for assistance with an initial claim for veteran’s benefits, but, subject to limits set and enforced by the VA, they can charge for other services. Members of the public can apply to the VA for accreditation as a claims agent, and lawyers can apply for accreditation as an attorney.

Congress amended a federal law in 2006 that established a process for organizations, attorneys, and additional claims agents to become accredited to assist veterans in applying for, preparing, presenting, and prosecuting their claims for federal benefits. It eliminated important prohibitions that made it a crime to assist veterans with benefits claims without being accredited. This had the unintentional effect of driving the creation of an unregulated industry of businesses that charge veterans for assistance with benefits without being accredited.

Prohibiting unaccredited claims agents and lawyers from charging a veteran for help with an initial benefits claim not only protects veterans, but it also ensures that counties continue to play a crucial role in connecting their resident veterans with benefits and services available to them. County governments often collaborate with federal and state agencies, as well as local nonprofit organizations, to ensure that veterans are aware of and have access to the benefits they are

entitled to. By working with veterans and their families, counties can ensure that those who have served their country receive the support and assistance they deserve.

It is for these reasons that CSAC supports SB 1124 and respectfully requests your “AYE” vote. Should you have any questions regarding our position please do not hesitate to contact me at kdean@counties.org.

Sincerely,

A handwritten signature in cursive script that reads "Kalyn Dean".

Kalyn Dean
Legislative Advocate

cc: The Honorable Caroline Menjivar, California State Senate District 20
Members, Senate Appropriations Committee
Lenin Del Castillo, Consultant, Senate Appropriations Committee