



Department of Defense, Veterans and Emergency Management
Maine Bureau of Veterans' Services

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Testimony in Support of:

L.D. 2259, "An Act to Prohibit Receiving Compensation for Assisting a Person to Obtain Veterans' Benefits Except as Permitted Under Federal Law"

Joint Standing Committee on Veterans and Legal Affairs

Senator Hickman, Representative Supica, and distinguished members of the Joint Standing Committee on Veterans and Legal Affairs. I'm David Richmond, Director of the Maine Bureau of Veterans' Services and I'm here today to testify in support of L.D. 2259, "An Act to Prohibit Receiving Compensation for Assisting a Person to Obtain Veterans' Benefits Except as Permitted Under Federal Law."

The Maine Bureau of Veterans' Services serves as the primary public advocate for Maine veterans by providing informational services, program assistance, and ensuring our veterans and their dependents are receiving all their earned benefits—including assistance with filing a claim with the VA, all at no cost to the veteran. All our Veterans Services Officers (VSOs) are accredited with the VA and are highly trained in the claims process. Veterans may also choose an accredited VSO from a service organization. Alternately, they may choose an accredited attorney; if they go this route, service from accredited attorneys may result in a cost to the veteran, but these costs are regulated by the VA so they cannot exceed the VA determination of fair compensation for service. It is important to note that accredited VSOs are very capable of successfully negotiating the claims process for free, with all a veterans' potential service-connected disability compensation going to the veteran—hiring an attorney is very rarely required, and for the vast number of successful claims, not necessary at all—but ultimately it is the choice of the veteran.

Unfortunately, there is a growing trend involving misleading advertisements on TV, radio, and online. These advertisements promise outcomes and encourage veterans to work with an agency or attorney to gain access to their benefits. This practice has had an adverse effect on veterans who have inadvertently retained a non-accredited attorney that ultimately garnished far more from the veteran's eventual retroactive compensation award than accredited attorneys may charge. Or the veteran may have entered into a predatory agreement with a non-accredited agency, that eventually garnished a large portion of the veteran's compensation payment.

This bill is a positive step towards addressing these challenges and provides further protection against excessive and unreasonable fees.

The services we provide to veterans are free. Our accredited VSOs at the Maine Bureau of Veterans' Services are paid staff and receive compensation as employees of the state. Our Bureau also compensates three veteran's service organizations that each employ an accredited VSO at Togus in accordance with state statute, but again, these organizations do not charge a veteran to prepare and submit their claim. They also do not require the veteran be a member of their organization to receive this service. In its current form, LD 2259 states: "a person may not receive compensation for preparation, presentation or prosecution of, or advising, consulting or assisting an individual with, a veterans' benefits matter, except as permitted under federal law". It is our hope the language in the bill can make it clear and ensure there is no confusion around how "compensation" is applied in this prohibition.

Thank you for your consideration. I would be happy to answer any questions you may have.

Respectfully Submitted,

David Richmond
Director, Maine Bureau of Veterans' Services