

SB 150 A STAFF MEASURE SUMMARY**Carrier:** Sen. Manning Jr**Senate Committee On Veterans, Emergency Management, Federal and World Affairs****Action Date:** 03/20/25**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-0-1-0**Yeas:** 4 - Manning Jr, Meek, Smith DB, Woods**Exc:** 1 - Thatcher**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Kevin Rancik, LPRO Analyst**Meeting Dates:** 2/27, 3/20**WHAT THE MEASURE DOES:**

The measure prohibits, except as applicable, compensation for preparing or advising with applications for veterans' benefits or appealing decisions on such claims, and for referring veterans to those providing aforementioned services. It prohibits guarantees that receipt of benefits is certain and prohibits excessive or unreasonable fees for such services. It applies these prohibitions to services and functions an eligible claimant may receive at no charge from the Department of Veterans' Affairs (VA) or someone the VA has delegated authority to, and directs the Oregon Department of Veterans' Affairs (ODVA) to conduct outreach, provide education, and disseminate information including county veterans' service officers and Tribal veterans representatives, their facility locations, and the services they provide in order to encourage veterans to seek free advice and assistance with veteran's benefit claims. It states that someone who receives compensation for these services must specify terms and conditions in a written agreement signed by all parties and declares violation of these provisions unlawful. It takes effect on the 91st day after sine die.

ISSUES DISCUSSED:

- Upcoming amendments to address technical issues
- Availability of no-cost claims services
- Differentiation between law-abiding assistance and predatory practice
- Maintaining options for use of claims assistance services

EFFECT OF AMENDMENT:

The amendment spells out the definition of "unreasonable fee" rather than including a reference to the Code of Federal Regulations. It directs the Oregon Department of Veterans' Affairs (ODVA) to conduct outreach, provide education, and disseminate information, including county veterans' service officers and Tribal veterans representatives, their facility locations, and the services they provide in order to encourage veterans to seek free advice and assistance with veteran's benefit claims. It clarifies that ODVA identifies Tribal veterans' service officers as described in Title 38 of the Code of Federal Regulations, 14.629, as it is in effect on the Act's effective date.

BACKGROUND:

Federal law prohibits companies not accredited by the Department of Veterans Affairs (VA) from charging fees for helping veterans file disability claims, though no penalties exist for violating that law. Companies not accredited by the VA sometimes guarantee specific benefits from the VA to clients, or charge fees for assistance and consulting for filing VA claims. These fees sometimes reach thousands of dollars, though the VA and VA-accredited organizations offer assistance for free in some circumstances. These companies are sometimes referred to as

SB 150 A STAFF MEASURE SUMMARY

“claim sharks,” including by the VA, which put out a fraud alert about such operations in November 2023. These companies became more common after passage of the federal Promise to Address Comprehensive Toxics (PACT) Act of 2022, which expanded VA health care and benefits to veterans exposed to burn pits and other toxic substances in recent conflicts, such as in Iraq and Afghanistan.

Senate Bill 150 A prohibits, except as applicable, excessive fees for services and functions that an eligible claimant may receive at no charge from the VA or from a designate of the VA for veterans’ benefits and directs the Oregon Department of Veterans' Affairs to conduct outreach to educate veterans about claims services.