

HOUSE No. 3840

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act fraudulent representation of an accredited veterans service officer, accredited agent or attorney.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------|-----------------------|------------------|
| <i>Colleen M. Garry</i> | <i>36th Middlesex</i> | <i>1/17/2025</i> |
| <i>Shirley B. Arriaga</i> | <i>8th Hampden</i> | <i>1/12/2026</i> |

HOUSE No. 3840

By Representative Garry of Dracut, a petition (accompanied by bill, House, No. 3840) of Colleen M. Garry relative to fraudulent representation of an accredited veterans service officer, accredited agent or attorney. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act fraudulent representation of an accredited veterans service officer, accredited agent or attorney.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 —

2 I. A person is guilty of Fraudulent Representation of an Accredited Veterans Service
3 Officer, Accredited Agent or Attorney if, such person does any of the following:

4 (a) Falsely represents themselves as an accredited Veterans Service Officer,, Claims
5 Agent or Attorney to execute claims before the Veterans Administration.

6 (b) Charges any fee for services to assist in a claimant’s preparation, presentation and
7 prosecution of claims for Veterans Benefits. (As defined by 38 CFR § 14.629)

8 (c) Charges any fee for “Consulting Services” relating to a claimant or interested party of
9 the claimant.

10 (d) Solicits applicants of benefits from the Veterans Administration and charges a fee for
11 such services.

12 (e) Knowingly refers applicants to an unaccredited Veterans Service Officer, Claims
13 Agent or Attorney for which the referrer receives compensation either monetary or otherwise for
14 the referral.

15 (f) If authorized to charge a fee as an accredited Claims Agent or Attorney but knowingly
16 charges a fee above the maximum fee allowable by 38 CFR § 14:636.

17 II. Any person prosecuted under this section shall be reported to the Office of General
18 Counsel for the Veterans Administration.

19 III. For the purposes of this section Veterans Administration shall include the following:
20 Disability Compensation, Pension, (including DIC and Aid and attendance), Education, Home
21 Loan, Health Care, Burial, Life Insurance, Small Business Support, Housing Grants,
22 Employment Benefits.

23 IV. For the purposes of this section a claimant shall mean a person who has filed or has
24 expressed to an intention to file a written application for determination of entitlement to benefits
25 provided under title 38, United States Code, and implementing directives.

26 V. For the purposes of this section Consulting Services shall mean a person or
27 organization that gives advice, instruction or review of a claimant's eligibility or injuries as it
28 relates to the filing of benefits before the Veterans Administration regardless if they assist in
29 filing an application for benefits.

30 VI. Exemptions from this law shall apply to lines a through e; Accredited Claims Agents
31 and Accredited Attorneys who have met the qualifications of accreditation by the Veterans
32 Administration and are authorized at the time of the alleged infraction of this law to charge fees.

33 A fine of no less than \$500 shall be imposed for each violation of this law.

34 All proceeds from enforcement shall go to 1410-0012 line item in Annual Budget for
35 Veterans' Outreach Centers Including Homeless Shelters.