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March 27, 2024

The Honorable Thomas J. Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

Re: SB 1124 (Menjivar), Combating Deceptive Practices Impacting Service Member and Veteran Benefits – SUPPORT

Dear Senator Umberg,

I am writing on behalf of the Kern County Board of Supervisors to express our strong support for SB 1124 (Menjivar), which would prohibit “claim sharking” and make it a crime for individuals to charge fees that exceed limits the U.S. Department of Veterans Affairs (VA) has established for representing a veteran with a benefits claim. The bill would also make it a crime for unaccredited benefits representatives to access the VA claims system using veterans’ login information.

California veterans who need assistance with filing an initial claim for benefits can receive assistance at no charge from their county veteran service office or from another VA accredited representative. The VA accredits attorneys and claims agents who can represent veterans before the VA and assist with benefit claims. VA-accredited agents have to pass a certification exam that tests their knowledge, have to pass a background check, and complete ongoing training. The fees that VA-accredited attorneys and agents can charge are capped by law, and they are subject to discipline – including revocation of their accreditation – if they don’t represent their clients competently and in accordance with the law.

In contrast, claims sharks are individuals and organizations that are not accredited, but still charge veterans for help with their benefits claims. While some unaccredited individuals and organizations are well-intentioned, many charge exorbitant fees for subpar or worthless services, and operate outside of the VA accreditation system and the oversight and consumer protections that it provides to veterans.

SB 1124 explicitly prohibits any person from being paid for work related to the preparation, presentation, or prosecution of any claim for federal benefits unless they are accredited by the VA as an attorney or claims agent. The legislation also makes it a crime for unaccredited individuals to access VA computer systems using a veterans’ login information and makes it illegal to charge a fee for assistance that exceeds the amount that can be lawfully charged per current VA standards.

This legislation takes meaningful action to protect those who have sacrificed so much in service of our nation. The VA bureaucracy itself already causes much consternation for our veterans. Enhancing the law to protect the personal information, financial interests, and health of our veterans from individuals that seek to defraud them should be met with a sense of urgency by this Committee.

For these reasons, the Kern County Board of Supervisors strongly supports this legislation and respectfully asks that you vote **YES on SB 1124**.

Sincerely,



David Couch, Chairman
Kern County Board of Supervisors

cc: Honorable Members, Senate Judiciary Committee
Honorable Members, Kern Legislative Delegation
California State Association of Counties
Kern County Veterans Service Department
Shaw Yoder Antwih Schmelzer & Lange