

2024 Regular Session

SENATE BILL NO. 159

BY SENATOR CATHEY

VETERANS. Creates the Preserving Lawful Utilization of Services for Veterans Act. (gov sig)

1 AN ACT

2 To enact R.S. 29:296, relative to services for veterans; to provide for restrictions on services
3 provided to veterans for compensation; to provide for definitions; to provide for
4 disclosures; to provide relative to violations; to provide for an effective date; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:296 is hereby enacted to read as follows:

8 **§296. Preserving lawful utilization of services for veterans**

9 **A. For the purposes of this Section, the following terms shall have the**
10 **following meanings:**

11 **(1) "Compensation" means any money, thing of value, or economic**
12 **benefit conferred on, or received by, any person in return for services rendered,**
13 **or to be rendered, by a person.**

14 **(2) "Person" means any natural person, corporation, trust, partnership,**
15 **incorporated or unincorporated association, or any other legal entity.**

16 **(3) "Veterans' benefits matter" means the preparation, presentation, or**
17 **prosecution of any claim affecting any person who has filed or expressed an**

1 intent to file a claim for any benefit, program, service, commodity, function,
2 status, or entitlement to which is determined to pertain to veterans, their
3 dependents, their survivors, or any other individual eligible for such benefits
4 under the laws and regulations administered by the United States Department
5 of Veterans Affairs or the Louisiana Department of Veterans Affairs.

6 B.(1) No person shall receive compensation for referring any individual
7 to another person to advise or assist the individual with any veterans' benefits
8 matter.

9 (2) No person shall receive any compensation for any services rendered
10 in connection with any claim filed within the one year presumptive period of
11 active-duty release unless the veteran specifically acknowledges in writing at the
12 initiation of the services agreement that the veteran is within the one-year
13 presumptive period.

14 C.(1) A person seeking to receive compensation for advising, assisting,
15 or consulting with any individual in connection with any veterans' benefits
16 matter shall, before rendering any services, memorialize the specific terms
17 under which the amount to be paid will be determined in a written agreement
18 signed by both parties. Compensation must be purely contingent upon an
19 increase in benefits awarded, and if successful, compensation shall not exceed
20 five times the amount of the monthly increase in benefits awarded based on the
21 claim. No initial or nonrefundable fee shall be charged by a person advising,
22 assisting, or consulting an individual on a veterans benefit matter.

23 (2) A person seeking to receive compensation for advising, assisting, or
24 consulting with any individual with any veterans' benefits matter shall not
25 utilize a medical professional with whom it has an employment or business
26 relationship for a secondary medical exam.

27 D. No person shall guarantee, either directly or by implication, a
28 successful outcome or that any individual is certain to receive specific veterans'
29 benefits or that any individual is certain to receive a specific level, percentage,

1 or amount of veterans' benefits.

2 E.(1) No person shall advise, assist, or consult for compensation with any
3 individual concerning any veterans' benefits matter without clearly providing
4 at the outset of the business relationship the following disclosure both orally and
5 in writing:

6 "This business is not sponsored by, or affiliated with, the United States
7 Department of Veterans Affairs or the Louisiana Department of
8 Veterans Affairs, or any other federally chartered veterans' service
9 organization. Other organizations including but not limited to the
10 Louisiana Department of Veterans Affairs, a local veterans' service
11 organization, and other federally chartered veterans' service
12 organizations may be able to provide you with this service free of charge.
13 Products or services offered by this business are not necessarily
14 endorsed by any of these organizations. You may qualify for other
15 veterans' benefits beyond the benefits for which you are receiving
16 services here."

17 (2) The written disclosure shall appear in at least twelve-point font and
18 shall appear in a readily noticeable and identifiable place in the person's
19 agreement with the individual seeking services. The individual shall verbally
20 acknowledge understanding of the oral disclosure and sign the document in
21 which the written disclosure appears to represent understanding of these
22 provisions. The person offering services shall retain a copy of the written
23 disclosure while providing veterans' benefits services for compensation to the
24 individual and for at least one year after the date on which the service relations
25 terminate.

26 F. Businesses engaging in the preparation of an initial claim for a fee
27 shall not do any of the following:

28 (1) Utilize international call center or data centers for processing
29 veterans personal information.

