



Minnesota Association of County Veterans Service Officers

March 19, 2025

Testimony in Support of HF 1855 Minnesota House of Representatives

Co-Chairs Bliss and Xiong, Members of the Committee,

Thank you for the opportunity to testify in support of HF 1855. My name is John Baker. I am retired from the U.S. Marine Corps, retired Professor at St. Cloud State University, attorney and currently the Executive Director of the Minnesota Association of County Veterans Service Officers (MACVSO). I represent about 165 accredited County Veterans Service Officers (CVSOs) throughout the State of Minnesota. There is at least one CVSO in all 87 counties in the State. Many counties have more than one CVSO. Our CVSOs are all accredited through the Federal VA Office of General Counsel. Their accreditation process is very rigorous and requires annual education credits. We work with the Minnesota Department of Veterans Affairs (MDVA) and the National Association of County Veterans Service Officers (NACVSO) in that certification process. Our CVSOs are held to a very high standard including accountability through their accreditation.

The services a CVSO provides is completely free to the veteran and their families. There are no wait times to see a CVSO and a veteran can see any one of the CVSOs in the State. They don't need to go to their county. No veteran or family member will be turned away. Our CVSOs help veterans with their initial VA Benefits Claims but they also can connect veterans with a wide variety of services available at the State and Federal levels. Our CVSOs also have relationships with our partners at the Legion, VFW, DAV and all the other non-profits in the State. They also work with homeless, and justice involved veterans. Just like a doctor at a VA Hospital who knows how to connect the dots with a veteran, our CVSOs can do the same. Our CVSOs will "walk" with a veteran their entire life and will be there for family members at the end.

There are almost 300 accredited Veteran Service Officers (VSOs) in the State of Minnesota available to a veteran and their family members that can provide services for

free. There are also almost 50 accredited attorneys in the State available for veterans. Veterans and their family members have many different choices in the State. We just want to ensure that they have informed choices.

I am here today to urge you to support this important legislation, which will require accreditation to work with a veteran and their family members. I prefer to call this bill the ***Veteran Anti-Fraud Claim Bill***, because that is really what we are asking the Legislature to do – ensuring our veterans and family members are free from fraud.

Minnesota has always been a leader in caring for our veterans and their family members, and passing HF 1855 will ensure that we continue to uphold those values. This bill is not just about policy—it is about people. It is about ensuring that we continue to take care of our veterans.

I urge you to support HF 1855 and to stand with the individuals and communities that will benefit from its passage. Thank you for your time and consideration. I am happy to answer any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Baker", with a long horizontal flourish extending to the right.

John D. Baker, J.D.
MACVSO Executive Director
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(651) 214-0853

Greetings Chair and Members,

I am Ross LaCourt, a retired United States Marine Corps Gunnery Sergeant. I retired in July of 2023 and since have become an active member of the American Legion (where I am currently a Vice Commander for the 3rd District), Disabled American Veterans (DAV) (where I am presently the adjutant for Chapter 30), the Eagle Group of Minnesota Veteran's, and Veteran of Foreign Wars. Through these organizations, I have had the opportunity to travel throughout the state and even to Washington, DC, to meet with, learn from, and advocate for my fellow veterans and lawmakers at every level. One topic that is consistently being brought up is the topic of claim sharks. I heard Secretary Collins and some of the members of the House of Representatives Committee on Veteran Affairs speak out against such practices, which is a step in addressing this issue (identifying the problem). Some states have taken action to protect the veterans who call their state home. Minnesota is one of the few states that has prioritized helping and protecting veterans by ensuring that each county has accredited veteran services officers that do so much more than disability claims.

One of the main responsibilities you all hold is to protect the people of this state and this nation in the form of consumer protection. Specifically, these laws protect people from excessive or unreasonable fees. On a few occasions, I have been approached by these claim sharks stating things like we can get you to 100%, and then they find out that I'm at 90% and say (not in these exact words) well, you would most likely have to pay out of pocket because we won't profit enough. The difference between 90% and 100% is about \$1400/month, and with a "fast claim" taking 6 months, that comes out to over \$12,000, which these claim sharks are saying 10% is not enough. That is an unreasonable fee, especially considering my first claim had 22 separate items that my VSO spent about 4 hours for the initial work, which is the bulk of work on a normal claim. 4 hours of work for \$1200=\$300/hr that is unreasonable.

I will add the second part of consumer protection about false or misleading advertising. These claim sharks say things like "We guarantee to get you to 100%" which should be considered 100% false advertising, but I would settle for misleading. No, they cannot guarantee that outcome because it is dependent on the individual's service and what opportunities were given. This advertisement is, at the very least, misleading, if not outright false. Furthermore, there should not be an increase in compensation for the veterans now facing another financial challenge.

The purpose of Veteran Disability Compensation is to help veterans live with their sacrifices through their bodies and minds for this nation. I implore this body to look closely and act in the best interests of my fellow veterans and immediately pass legislation requiring any claim filed for a veteran in the state of Minnesota to be accredited and recognized by the Veteran Affairs Department and to eliminate the predatory practices of claim sharks by banning for-profit claim sharks that prey on my fellow veterans. No veteran should pay to receive the benefits they have earned through their sacrifice; no one should profit from helping a veteran receive their benefits.

Semper Fidelis,



Ross LaCourt,

United States Marine Corps Gunnery Sergeant (Retired)



Marissa LaCourt
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Greeting Chair and Members,

I am Marissa LaCourt, a County Veteran Service officer with Goodhue County, located in Red Wing, MN. I am a fully accredited service officer and hold accreditations with the National Association of County Veteran Service Officers, Minnesota Department of Veteran Affairs, The American Legion, Disabled American Veterans, and Veterans of Foreign Wars. My OGC number is 51628. I am a Navy Veteran who served for 6 years and I am a disabled veteran.

Claim sharks have been preying on our Minnesota Veterans during the most vulnerable times in their lives. These unethical firms target veterans who are at their most desperate and make false promises to that veteran by saying they can expedite the claim where I am unable to, which is false. With my accreditation, I have more power than these claim sharks. I can send messages and view and monitor claims processing, and I am free of charge. Veteran benefits are earned at the price of our bodies, and no claim shark should be able to make a dollar off of a veteran sacrifice to our country. We are not a quick buck for a claim shark to earn a dollar from frivolous claims that bog down the system.

These predatory practices need to be addressed, and these firms should be ashamed of this type of behavior. I worked with an 87-year-old veteran who was very concerned about money. His spouse was diagnosed with dementia and was in a care facility. We worked on a veteran's pension, which is a monthly entitlement that assists the veteran financially without them being disabled. I filed every form, and the claim was processed; I had expedited the claim due to the veteran's age being greater than 85. My veteran was approached by a firm and promised they could get this pension by the end of the month. The veteran paid this firm \$2,000 and signed over a power of attorney. After 14 days, the claim shark had not processed the power of attorney, but they did take the veteran's money, and the claim was no more expedited than before. This veteran ended up paying 2,000 dollars for nothing, and the claim shark had no intention of doing anything for this veteran other than cash his \$2,000-dollar check.

Claim sharks file frivolous claims that bog down the system, which makes every veteran wait longer for their earned benefits. I have another veteran, a combat-wounded marine, who was desperate for help because he wanted some counseling for mental health. A claim shark charged him over \$6,000 for medical opinions generated by Chat GPT. The physician's assistant who signed the opinion was out of state and never met the veteran. The claim shark filed a claim for 38 conditions, many of which were the same condition, we call this pyramiding. When a claim shark throws a bunch of conditions at the wall, they hope

Find your Good here.



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something sticks. This veteran had to go to 26 exams, many of which were pointless and a waste of the veteran's time and energy. At the conclusion of this claim, the veteran was awarded 40%; for \$6,000, the veteran got minimal benefits. When I worked his claim as an accredited service officer, I filed a claim for 3 conditions; the veteran is now 100% permanent and total. After I got this veteran to 100%, the claim shark demanded payment, stating that they did the work. The claim shark did nothing for this veteran but take his money.

I have had multiple veterans call me asking about specific claims sharks, stating that they were approached sitting in the waiting room of a local emergency rooms. This practice needs to stop; this proves that the firms are not there to assist the veteran; they are there to profit off of a veteran's back. Allowing claims sharks to operate in Minnesota is a disservice, and as a state, we should do everything in our power to protect our nation's heroes. We are obligated to our veterans to keep them safe from people who claim to be for the veterans.

I appreciate your time and leave you with the Department of Veteran Affairs Motto, "to care for him who shall have borne the battle and for his widow and his orphan." Abraham Lincoln

Respectfully,

A handwritten signature in black ink, appearing to read "Marissa LaCourt", is written over a printed name.

Marissa LaCourt



Greetings, Chair and members. My name is Dr. Kristy Janigo. I am the legislative chair of The American Legion Department of Minnesota and the Minnesota Association of County Veterans Service Officers (MACVSO). For my day job, I'm an assistant county veteran service officer where I help some of the state's most vulnerable veterans find housing, navigate their involvement with the justice system, and access life changing veteran benefits. The Commander's Task Force of which the Legion is a member, along with seven other Congressionally chartered veterans service organizations, has unanimously chosen this anti-fraud bill as one of their five key legislative priorities this year.

We are asking for greater accountability from those charging veterans for representation and more protection for veterans. Examples of shady tactics unaccredited parties have used include: gaining access to veterans' VA login and password, gaining access to their direct deposit information, promising a certain rating, stating they can speed up a claim, sending veterans to a private physician for a medical opinion while advising them not to see a VA provider, and even submitting an intent to file to establish an effective date while holding back the claim itself until as close to the year deadline as possible to maximize the backpay the agent will take a cut from.

Veterans can receive representation on veteran benefits matters for free through county veterans service officers in all 87 Minnesota counties, claims representatives in the Minnesota Department of Veterans Affairs, and veterans service officers of the Legion, DAV, VFW and other veterans service organizations. Some have insinuated that people who do veteran benefits claims for free are untrained laypeople and are not qualified to represent veterans on claims, but that is simply false. We have many rigorous initial training requirements and then are steeped in exposure to the work, awareness of VA procedures in the M21, and the 38 code of federal regulations. My initial eligibility to do this work was my own lived experience as a veteran and having a DD214. I have five VA accreditations, American Legion, Disabled American Veterans, Minnesota Department of Veterans Affairs, the National Association of County Veterans Service Officers, and the Veterans of Foreign Wars. Those of us who do this work at no cost to the veteran are not motivated by profits. It is a calling for many of us.

You can find me on [va.gov](https://www.va.gov/ogc/apps/accreditation/) forward slash OGC, apps, accreditation under a search of VSO representatives by my name (<https://www.va.gov/ogc/apps/accreditation/>). My work contact information is listed there, and my accreditation number is 53784. In this way, veterans can verify that I am legitimate on VA benefits matters.

To be good at this job, you have to have a keen interest in people and their stories. Veterans' stories are sacred to me. I retell them to the federal government in the form of a lot of paperwork in pursuit of life-changing benefits for veterans who are down on their luck in every way conceivable. I explain to others in short-hand that my job is keeping veterans alive, under roofs, and out of jail. I am not exaggerating. It is just the simple reality of assisting homeless and justice involved veterans on their claims.

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I've also gotten increasingly involved in claims dealing with military sexual trauma, mental health claims with past suicide attempts or even current suicidal ideation, and claims for veterans who are experiencing cognitive decline due to age, TBI, or other conditions. These types of claims take a high level of sensitivity, cultural competency, a trauma informed mindset, kindness, and compassion. And not everyone can do that. I've gone some interesting places to work with veterans on their claims, the Union Gospel Mission men's shelter, the Hennepin County jail, domestic violence shelters, short term stay hotels, veterans' homes, the streets. Chair and members, I love this work.

CVSOs walk with a veteran on the journey of their claim. We also help veterans in need apply for emergency funding through MDVA or VSO programs such as the Minnesota Veterans and Family Assistance Fund with The American Legion Department of Minnesota. I do not just file a claim and walk away. I surround the veteran with supports for as long as they need it or until I have exhausted all the available possibilities.

I recognize that some veterans may choose to pay an attorney or a claims representative for a certain result. But what bothers me, chairs and members, are when vulnerable veterans sign up to pay these fees. I have worked with homeless veterans who had signed a contract with a private attorney. I ask you, is it ethical for a private attorney or business to profit off a homeless veteran? This bill will not solve that, but it may help to serve as a deterrent. Another thing that gets in the way of my work is the distortion of the facts that are created by aggressive advertising online and other platforms that have misled veterans and sewn misinformation. Just this weekend, I did a google search about veteran benefits and when I scrolled on Facebook afterward, I saw eight advertisements from parties seeking to charge me for assistance with my benefits. Asking me if my rating was too low. And so, there's no surprise that in this work, I've had to debunk misinformation claim sharks have perpetuated about the speed of claims, with veterans believing an attorney or private business could get them through it faster and to a 100% rating. That is unequivocally false. No matter who represents a veteran on federal benefits matters, it is not possible to speed up the VA or guarantee a 100% combined rating.

I could say so much more, but from the bottom of my heart, thank you for hearing this bill.

-Dr. Kristy Janigo

A handwritten signature in black ink, appearing to read "Kristy Janigo". The signature is fluid and cursive, with a horizontal line underlining the name.

Appendices: USDVA Office of Inspector General Fraud Alert September 2023; AG Ellison Scam Stopper November 8, 2024; USDVA Fact Sheet "How to Apply for Accreditation"

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FRAUD ALERT



US DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL

Public Disability Benefits Questionnaire (DBQ) Fraud Schemes

The VA Office of Inspector General (OIG) seeks your help in preventing DBQ fraud schemes targeting veterans.

Public DBQs are medical forms that veterans submit to their healthcare provider (within VA or in the community). The information from the healthcare provider helps VA evaluate disability benefit claims from veterans. DBQ fraud schemes include attempts to obtain payment from veterans for assistance with getting DBQs completed by physicians and filing the related claim, even though **free services are offered through VA and its accredited individuals**.

All veterans should be aware that no-cost assistance is available for filing an initial application for benefits. (Note, however, that fees may properly be charged for appeals of VA initial decisions.) It is not appropriate for any unaccredited "claims consultants" or representatives to charge veterans a percentage of future payments or fees to assist with filing initial benefit claims. Veterans should decline assistance from anyone proposing such an arrangement. These unaccredited individuals may improperly promise to send veterans to private healthcare providers that will increase the chance for successful decisions or higher benefits, or inappropriately advise veterans to avoid exams from a VA provider. Veterans should never agree to have their VA benefit payments directly deposited into the bank account of a claims consultant.



- Individuals or businesses charge veterans a fee or a percentage of monthly benefits for assistance in getting public DBQs completed by healthcare providers or for submitting the resulting claim for VA benefits.
- Unaccredited individuals guarantee a large increase in the veteran's military service-connected disability rating that would lead to larger monthly monetary benefits. Only VA can determine disability ratings.
- Healthcare providers charge a fee with promises they can find a diagnosis or exaggerate an existing medical condition to secure a successful claims decision or a higher rating than the evidence warrants.

Take Action:

- Search VA's [database](#) to ensure you are using an accredited representative.
- Work with the identified accredited representative when submitting public DBQs to physicians or claims to VA.
- Verify with accredited representatives in advance any potential charges (such as those related to filing an appeal). Accredited representative fees that seem excessive may be challenged by filing a motion to review with VA ([Accreditation, Discipline, & Fees Program - Office of General Counsel \(va.gov\)](#)).
- Ensure only accurate information regarding your disability claim is provided to VA. Knowingly providing, or having false information provided to VA on your behalf, may be a violation of federal law.



- ✓ [VA OIG fraud toolkit](#)
- ✓ [Accredited Representatives Information](#) (for information on their role in claims process)

VA OIG

Online: va.gov/oig/hotline

Phone: (800) 488-8244 | Fax: (202) 495-5861

Mail: VA Inspector General Hotline (53H)
810 Vermont Avenue, NW
Washington, DC 20420

**BE A
VOICE FOR
VETERANS
REPORT WRONGDOING**

September 2023

Contact: Kristy Janigo, Minnesota Association of County Veteran Service Officers Legislative Chair, **Phone:** 612-708-9029 **Email:** Kristy.janigo@gmail.com

SCAM STOPPER: Attorney General Ellison warns of claim sharks on Veterans Day

November 8, 2024 (SAINT PAUL) — In advance of the upcoming Veterans Day holiday on November 11, Attorney General Ellison today warned Minnesota's veterans about claim shark companies that prey on veterans and family members who are seeking Veterans Affairs (VA) benefits. The warning is part of the Attorney General's monthly *Scam Stoppers* series, aiming to protect Minnesota consumers from common scams.

How the scams work

A claim shark is an individual or company that illegally charges fees to "assist" or "consult" veterans with filing their VA benefit claims. Claim sharks are *not* VA-accredited as required by federal law. They target veterans or family members of veterans with aggressive and deceptive advertising. They then convince the veteran or family member to sign contracts with deceptive or unfair terms that require payment of large fees or even a percentage of benefit increases from claims, sometimes including claims that were filed with the VA before the contract with the claim shark was even signed. They make dishonest promises that they can accelerate the claims process or guarantee a veteran will obtain a certain disability rating when only the VA can determine disability rating levels.

"It's unacceptable when scammers target any Minnesotan," said Attorney General Keith Ellison. "It's particularly galling when scammers go after Minnesota's veterans, who have risked and sacrificed so much on our behalf. It is important that Minnesota veterans know they have the right to select their own representation in pursuing benefit claims with the VA so long as the organization or individual has been authorized to practice before the VA. Anyone who prepares claims without authorization is breaking the law and taking advantage of veterans."

How to spot a claim shark

Claim sharks prey on veterans by taking a portion of their benefits or charging up-front fees. There are several common warning signs to look out for when dealing with companies or individuals who claim to provide assistance with veteran services benefits. For example, claim sharks are likely to:

- Claim their services are superior to free services offered by accredited veteran service officers;
- Promise or guarantee increased disability rating or percentage increase;
- Use high pressure sales tactics to convince a veteran to sign a contract;
- Fail to make disclosures required under Minnesota law that require the veteran to acknowledge that they are entitled to free assistance with their benefits;
- Present their services as "coaching" or "consulting" in order to avoid federal laws;
- Require a veteran to provide their VA systems logins and passwords to submit claims on their behalf; or
- Instruct veterans not to inform the VA they are receiving assistance from the company.

Contact: Kristy Janigo, Minnesota Association of County Veteran Service Officers Legislative Chair, **Phone:** 612-708-9029 **Email:** Kristy.janigo@gmail.com

How to protect your veteran benefits from claims predators

Veterans do not have to pay to apply for their VA benefits — they are entitled to free assistance from VA accredited attorneys, claims agents, and VSO representatives. In Minnesota, companies offering veteran benefit services or appeal services are required by law to disclose this fact before accepting payment from a veteran. [The VA provides information online about how to find a VA-accredited representative.](#)

In order to protect VA benefits, veterans should only share sensitive information with VA-accredited attorneys, claims agents, and Veterans Service Organization representatives. They should never provide login credentials to access personal information such as those for VA.gov. Veterans should always review forms and should not work with someone who will not sign a VA representation form (21-22 or 21-22a).

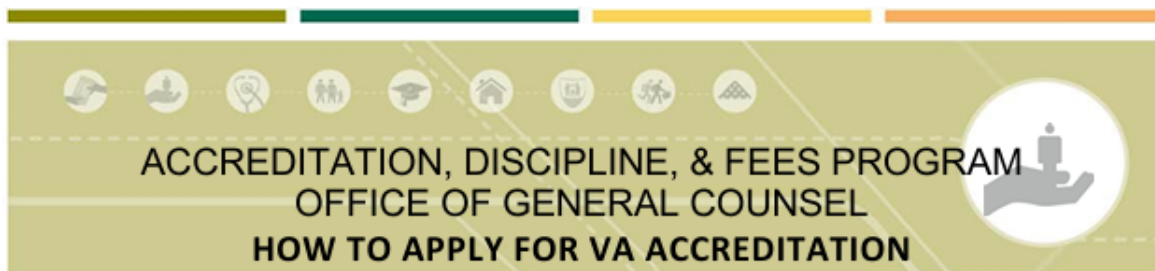
If a scam happens to you

Attorney General Ellison asks that Minnesota veterans report scams to his office immediately. To better assist veterans and service members, [the Minnesota Attorney General's Office has created a form to help veterans, service members, and their families report companies and individuals claiming to provide veterans benefits assistance.](#) If you or someone you know was possibly scammed by a company or individual claiming to assist with securing veterans benefits, please complete this form. Many people feel embarrassed when a scam happens to them, but the truth is that con artists and scammers are professionals with years of experience. They are good at what they do, and they count on people feeling too embarrassed to protect others by speaking out. If a scam happens to you, please report it right away.

Reporting a scam

If you believe you are the target of a scam, file a complaint with the [Office of the Attorney General Keith Ellison online](#). You can also contact the Attorney General's Office by calling (651) 296-3353 or (800) 657-3787.

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WHAT AN APPLICANT SHOULD KNOW ABOUT APPLYING FOR DEPARTMENT OF VETERANS AFFAIRS (VA) ACCREDITATION AS AN ATTORNEY OR CLAIMS AGENT

What is the VA accreditation program?

- The VA accreditation program exists to ensure that Veterans and their family members receive appropriate representation on their VA benefits claims. VA accreditation is for the sole and limited purpose of preparing, presenting, and prosecuting claims before VA.

When is VA accreditation required?

- An individual generally must first be accredited by VA to assist a claimant in the preparation, presentation, and prosecution of a claim for VA benefits—even without charge.¹ VA accredits three types of individuals for this purpose:
 - Representatives of VA-recognized veterans service organizations (VSO)²
 - Attorneys (accredited in their individual capacity, not through a law firm)
 - Claims agents (accredited in their individual capacity, not through an organization)

How do I apply to become a VA-accredited attorney or claims agent?

Step 1: > Complete VA Form 21a

- Be sure to fill out all portions of the form.

Step 2: > It is recommended that you attach any necessary documents to VA Form 21a

- We recommend that you attach a recently dated certificate of good standing from all state bars, courts, or Federal or state agencies to which you are admitted. (This applies to both attorneys and claims agents).
- On VA Form 21a, if you answer “yes” to question 13A, 14A, 15A, 16, 17, 18, 20, 22, 23A or 24A, please attach a detailed explanation of the surrounding circumstances.

Step 3: > Submit your VA Form 21a and any attachments to OGC (Please only choose 1 method of submission):

- Mail: Office of the General Counsel (022D), 810 Vermont Avenue, NW, Washington, DC20420.
- Fax: (202) 495-5457.

¹ VA regulations allow a one-time exception to this general rule, which allows VA to authorize a person to prepare, present, and prosecute one claim without accreditation. The assistance must be without cost to the claimant, is subject to the laws governing representation, and may not be used to evade the accreditation requirements.

² To apply for accreditation as a VSO representative, please contact the organization's certifying official.