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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1855

03/03/2025 Authored by Greenman, Stephenson, Fischer and Bahner
The bill was read for the first time and referred to the Veterans and Military Affairs Division

1.1 A bill for an act
1.2 relating to veterans; requiring federal accreditation of veterans benefit services
1.3 providers; prohibiting veterans benefit services providers from making a guarantee
1.4 of veterans benefits; providing for remedies under the Prevention of Consumer
1.5 Fraud Act; providing for civil penalties; amending Minnesota Statutes 2024, section
1.6 197.6091.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2024, section 197.6091, is amended to read:

1.9 197.6091 VETERANS BENEFITS SERVICES; DISCLOSURE AND
1.10 ACCREDITATION REQUIREMENTS.

1.11 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.12 the meanings given.

1.13 (b)(1) "Advertising" or "advertisement" means any of the following:

1.14 (i) any written or printed communication made for the purpose of soliciting business for
1.15 veterans benefits appeal services, including but not limited to a brochure, letter, pamphlet,
1.16 newspaper, telephone listing, periodical, or other writing;

1.17 (ii) any directory listing caused or permitted by a person and made available by that
1.18 person indicating that veterans benefits appeal services are being offered; or

1.19 (iii) any radio, television, computer network, or similar airwave or electronic transmission
1.20 that solicits business for or promotes a person offering veterans benefits appeal services.

1.21 (2) "Advertising" or "advertisement" does not include any of the following:

2.1 (i) any printing or writing used on buildings, uniforms, or badges, where the purpose of  
2.2 the writing is for identification; or

2.3 (ii) any printing or writing in a memorandum or other communication used in the ordinary  
2.4 course of business where the sole purpose of the writing is other than soliciting business  
2.5 for veterans benefits appeal services.

2.6 (c) "Veterans benefits appeal services" means services that a veteran might reasonably  
2.7 require in order to appeal a denial of federal or state veterans benefits, including but not  
2.8 limited to denials of disability, limited income, home loan, insurance, education and training,  
2.9 burial and memorial, and dependent and survivor benefits.

2.10 (d) "Veterans benefits services" means services that a veteran or a family member of a  
2.11 veteran might reasonably use in order to obtain federal, state, or county veterans benefits.

2.12 (e) "Written disclosure statement" means the written disclosure statement developed by  
2.13 the commissioner of veterans affairs pursuant to section 196.05, subdivision 1.

2.14 **Subd. 2. Advertising disclosure requirements.** A person advertising veterans benefits  
2.15 appeal services must conspicuously disclose in the advertisement, in similar type size or  
2.16 voice-over, that veterans benefits appeal services are also offered at no cost by county  
2.17 veterans service officers under sections 197.603 and 197.604.

2.18 **Subd. 3. Veterans benefits services disclosure requirements.** A person who provides  
2.19 veterans benefits services in exchange for compensation shall provide a written disclosure  
2.20 statement to each client or prospective client. Before a person enters into an agreement to  
2.21 provide veterans benefits services or accepts money or any other thing of value for the  
2.22 provision of veterans benefits services, the person must obtain the signature of the client  
2.23 on a written disclosure statement containing an attestation by the client that the client has  
2.24 read and understands the written disclosure statement.

2.25 **Subd. 3a. Federal accreditation and fee agreement required.** (a) A person who provides  
2.26 veterans benefits services in exchange for compensation must be accredited by the secretary  
2.27 of the United States Department of Veterans Affairs under United States Code, title 38,  
2.28 chapter 59.

2.29 (b) A person who refers, in exchange for compensation, a veteran or a family member  
2.30 of a veteran to a provider of veterans benefits services must be accredited by the secretary  
2.31 of the United States Department of Veterans Affairs under United States Code, title 38,  
2.32 chapter 59.

3.1 (c) A person subject to an accreditation requirement under paragraph (a) or (b), and who  
3.2 provides veterans benefits services may charge a veteran or a family member of a veteran  
3.3 a fee or other form of compensation only as provided in Code of Federal Regulations, title  
3.4 38, section 14.636. Before providing veterans benefits services, a person must provide a  
3.5 veteran or a family member of a veteran a written fee agreement that complies with Code  
3.6 of Federal Regulations, title 38, section 14.636, paragraph (g).

3.7 Subd. 3b. **Guarantee of benefits prohibited.** A person providing veterans benefits  
3.8 services in exchange for compensation must not guarantee, either directly or by implication,  
3.9 that a veteran or a family member of a veteran is certain to receive specific federal, state,  
3.10 or county veterans benefits or any specific level, percentage, or amount of federal, state, or  
3.11 county veterans benefits.

3.12 ~~Subd. 4. **Violations; penalties.** A person who fails to comply with this section is subject~~  
3.13 ~~to a civil penalty not to exceed \$1,000 for each violation. Civil penalties shall be assessed~~  
3.14 ~~by the district court in an action initiated by the attorney general. For the purposes of~~  
3.15 ~~computing the amount of each civil penalty, each day of a continuing violation constitutes~~  
3.16 ~~a separate violation. Additionally, the attorney general may accept a civil penalty as~~  
3.17 ~~determined by the attorney general in settlement of an investigation of a violation of this~~  
3.18 ~~section regardless of whether an action has been filed under this section~~ A violation of this  
3.19 section is an unlawful practice under section 325F.69. A person who violates this section  
3.20 is subject to the remedies provided in section 325F.70. Any civil penalty recovered shall  
3.21 be deposited in the Support Our Troops account established under section 190.19.

3.22 Subd. 5. **Nonapplicability.** This section does not apply to the owner or personnel of any  
3.23 medium in which an advertisement appears or through which an advertisement is  
3.24 disseminated.