

DEPARTMENT OF VETERANS AFFAIRS (VA) | VETERANS BENEFITS ADMINISTRATION (VBA)

# CLAIMS PREDATORS

## COMMUNICATIONS CAMPAIGN

### 2024

**VA**



U.S. Department  
of Veterans Affairs

# AGENDA

- FRAUD AND CLAIMS PREDATORS
- CLAIMS PREDATOR TACTICS
- VA FRAUD PREVENTION
- HOW TO PROTECT YOUR BENEFITS
- RESOURCES
- QUESTIONS



# Fraud and Claims Predators

**Fraud is the intentional misrepresentation of information to gain undeserved payment.**

Veterans and their families need to be aware of fraudster's tactics and stay abreast of methods to protect their benefits and themselves. Recently, the Veteran community has been affected by the growing fraudulent schemes by claims predators.

## **What are claims predators?**

Claims predators are *“bad actors” that try to unlawfully charge Veterans a fee to “help” them process their claims with VA.*

Claims predators advertise their ability to expedite the claim processing times and guarantee higher disability benefits evaluations in exchange for their paid services. These schemes target Veteran's hard-earned benefits and may subject Veterans to unnecessary fees.

# Claims Predators Tactics

Claims predators use aggressive communication via email, phone calls or text messages to entice Veterans to use their services.



## CHARGING HIGH FEES

*Predatory companies charge absurd fees or request you pay a portion of your VA benefits. You should **never** pay anyone a fee to file an initial claim for benefits.*



## MAKING DISHONEST PROMISES

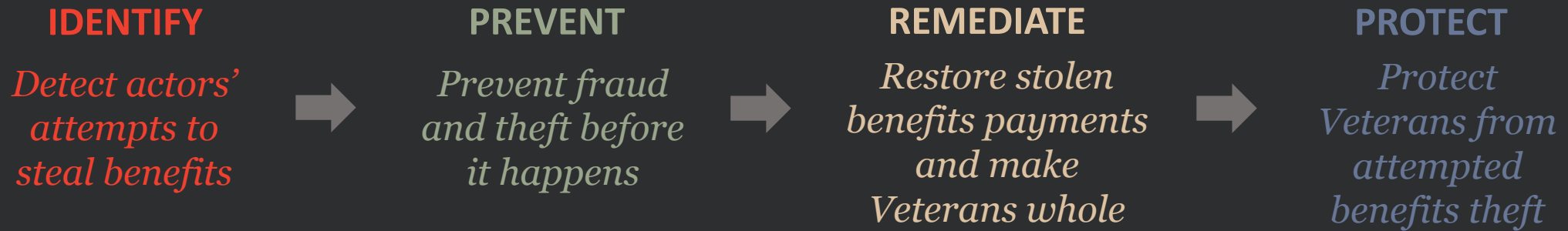
***Do not trust** anyone who claims they can help accelerate the claims process and obtain a 100% disability benefits evaluation. Only VA has the authority to determine disability evaluations.*



## REQUIRING BINDING CONTRACTS

***Never** sign a contract agreeing to pay an unauthorized individual/company a percentage of your benefits payment in exchange for help with your VA claim.*

# VA Fraud Prevention



## How VA is combatting fraud related to claims predators

- Continuing to research and compile information on claims predators as information comes in from Veterans who contact VA
- Developing outreach materials to share with Veterans and their beneficiaries to warn about claims predators and provide resources to safely file benefits claims
- Leveraging partnerships within VA and with our federal partners to share communications materials for dissemination
- Preparing to share insights with OIG in their investigation and prosecution of bad actors

# Filing An Initial Claim

VA encourages Veterans and claimants seeking assistance with their benefits to **ONLY** use VA accredited representatives who are trained and certified by VA laws to navigate the VA benefits system.

## Guidance when filing an initial claim:

- VA accredited Veterans Service Organizations (VSOs), attorneys and claims agents are [available to assist you](#) in filing an initial claim for VA benefits.
- Use the [Office of General Counsel \(OGC\) Accreditation Search Index](#) to find and appoint a [VA accredited representative](#) to help you. Always verify the representative's accreditation credentials before agreeing to representation.
- Fill out a [VA representation form](#). Both you and the VA accredited representative will need to sign the form.
- Submit the form through AccessVA, by mail or bring your form to a [VA regional office](#). You or the VA accredited representative can submit your form.

**You should never pay a fee to file an initial claim for VA benefits.**

**It is unlawful for anyone to charge a fee for preparing an initial claim.**

# Assistance With A Denied Claim

If a claim is denied and the Veteran wants further review of that decision without submitting additional evidence, they should request a higher-level review. If a claim is denied and the Veteran wants to submit new evidence, they should file a supplemental claim or appeal the decision to the Board of Veterans Appeals.

## Guidance for a denied claim:

- A VA accredited VSO representative or attorney or claims agent can help you gather evidence or [request a decision review](#).
- VSO representatives will never charge any fees for their services. If you obtain assistance outside a VSO, you should only engage with a VA accredited attorney or claims agent.
- VA accredited attorneys or claim agents may charge a reasonable fee for services provided for a denied claim.
- You never have to make fee payments yourself. You can use a [direct payment fee agreement](#) where VA will send a portion of past-due benefits awarded to the claimant to pay the representative for you.

# How To Protect Your Benefits

To avoid falling prey to claims predators' scams, VA is here to support you. VA advises you and your beneficiaries to understand the following guidance when seeking assistance with your VA benefits claims:

- **You DO NOT NEED TO PAY A FEE to file an initial claim for VA benefits:** It is unlawful for anyone to charge a fee for preparing an initial claim. Be on the lookout for aggressive claim predators trying to steal your benefits.
  - **Seek reputable assistance:** VA is here to help you [file a claim for benefits](#). If you choose to work with an outside representative VA urges you to work with only trusted VA accredited attorneys, claims agents, or Veterans Service Organization representatives when seeking [help with the VA benefits process](#). Use the Office of General Counsel (OGC) accreditation tool to find a VA accredited representative or [verify an individual's accreditation](#) before agreeing to representation.
  - **Only VA accredited entities can lawfully assist you and your beneficiaries, or charge a reasonable fee for a denied claim to:**
    - Consult or advise VA claimants
    - Collect evidence for a claim
    - Prepare and file an initial or supplemental claim
    - Submit requests for higher level review
    - [Submit an appeal](#) to the Board of Veterans Appeals
- Report claims predators:**
- If you suspect a representative acted unlawfully or unethically while assisting you in filing a VA benefits claim, file a report and learn more, visit [www.vsafe.gov](http://www.vsafe.gov) or call 833-38V-SAFE.
  - **Share Claims Predator Information:** Help VA spread awareness of the rising threat of claims predators and the proper guidance to protect Veterans benefits.



# Resources

**VA is committed to educating Veterans and their beneficiaries about these fraudulent schemes by claims predators while providing the necessary resources and tools to help Veterans claim benefits safely.**

- **To report a Claims Predator:**
  - If you suspect a representative acted unlawfully or unethically while assisting you in filing a VA benefits claim, file a report and learn more, visit [www.vsafe.gov](http://www.vsafe.gov) or call 833-38V-SAFE.
- **For more information on how to protect your benefits, visit:**
  - [Protecting Veterans From Fraud | Veterans Affairs \(va.gov\)](#)
  - [Financial Literacy - Veterans Benefits Administration \(va.gov\)](#)
- If you miss a VA benefits payment, identify a payment discrepancy or find suspicious activity with your direct deposit account, contact VA immediately at 1-800-827-1000. If you or a loved one has been the victim of fraudulent activity, immediately [file a complaint with the Federal Trade Commission](#).

# References

- File a claim for benefits: <https://www.benefits.va.gov/BENEFITS/Applying.asp>
- VA Regional Offices: <https://www.benefits.va.gov/benefits/offices.asp>
- Get help from a VA accredited attorney, claims agent or VSO representative: <https://www.va.gov/get-help-from-accredited-representative/>
- Verify accreditation using the Accreditation Tool : <https://www.va.gov/get-help-from-accredited-representative/find-rep/>
- VA accredited representatives FAQs: <https://www.va.gov/resources/va-accredited-representative-faqs/>
- VA representation Form: <https://www.va.gov/find-forms/about-form-21-22/>
- Learn more about the Direct Payment Fee Agreement: [direct-payment fee agreement](#)
- VA Decision Reviews And Appeals: <https://www.va.gov/decision-reviews/>
- Report Claims Predators: [www.vsafe.gov](http://www.vsafe.gov) or call 833-38V-SAFE.