



The Honorable Larry Luick
Chairperson Senate Agriculture and Veterans Affairs
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Re: Veteran Benefits Guide - House Bill 1169 Letter of Support

Dear Chairman Luick and members of the Senate Agriculture and Veterans Affairs Committee,

My name is Josh Smith and I am the CEO and Co-Founder of Veteran Benefits Guide ([VBG](#)) writing to you today to express my **support for House Bill 1169**. VBG provides Veterans with a private, legal and federally compliant service that assists Veterans in navigating the Department of Veterans Affairs (VA) disability claims process to help ensure they receive the full benefits that they have earned.

VBG strongly appreciates Representative Olson's commitment to protecting our Veterans and actually believes that HB 1169 provides the right balance between establishing necessary guardrails to protect Veterans, including disclosure requirements and fee caps, an ensuring that honorable for-profit companies like VBG are allowed to continue serving Veterans.

In addition to being the CEO of VBG, I am also a U.S. Marine Corps Veteran and a former VA employee. At the VA, I served as a Rating Veteran Service Representative, where I reviewed disability compensation applications and assigned disability ratings, determining the amount of benefits Veterans would receive. In that role, I witnessed firsthand that the VA's disability compensation benefits process is inefficient and often running counter to the agency's mission of helping Veterans.

While we were certainly helping some Veterans, far too many were being denied benefits they earned due to an absurdly complicated system. Through no fault of their own, Veterans were receiving lower disability ratings than they deserved or were simply waiting years to receive final determinations on their benefits.

That is why, in 2015, I left the VA and, with my wife, Lauren, created Veteran Benefits Guide to help guide Veterans through the process and ensure they receive the full benefits they earned from their service in a timely manner. Much like a tax service provider, we help Veterans travel through a confusing bureaucracy to get what they are owed.

We are proud to have grown our company and now have more than 200 employees, with offices in Nevada and California. Eighty percent of our employees are Veterans themselves or immediate family members of Veterans. And we have employed former VA personnel, like myself, to keep up-to-date with VA regulations and practice of the VA disability compensation system.

In exchange for our service, we are paid a one-time success-based fee only after the Veteran is paid. Our fee represents a small percentage of the increase in benefits received and is typically around 1% of a Veteran's total lifetime benefits. And if the Veteran's benefit doesn't change, there is no fee.

At VBG, we are committed to putting the Veterans' interests first. All of our clients sign a waiver upfront acknowledging that free services are available. We have never taken a Veteran to small claims court for non-payment and automatically write off 10% of our revenue due to unpaid fees. And we do not offer services around PACT Act claims, which do not require an expert guide.

To date, we have guided more than 35,000 Veterans through the claims process. These Veterans have received an average increase in monthly benefits of \$1,300 benefits they would not have received without our help. Despite their best efforts, Veteran Service Organizations (VSOs), which are intended to represent Veterans in the process, do not have enough resources to keep up with the demand. In fact, more than 70% of our clients first tried navigating the VA benefits process with the help of a VSO representative or on their own. They were either denied their full benefits or felt the process was taking too long.

It is clear that our service is needed. At present, only 5.2 million of 19 million eligible Veterans are receiving benefits. That means there may be millions of eligible Veterans who are not receiving benefits they have earned, either because they aren't aware of their eligibility, have already tried to receive benefits and were wrongly denied, or are too intimidated by the process to even apply.

The opponents of the bill may inaccurately insinuate that organizations such as ours choose not to be accredited. That is inaccurate. VBG would welcome the opportunity to become accredited with the VA but cannot because current law prohibits accredited entities from charging a fee for representation of Veterans on the initial claim. VBG's personnel, medical service provider network and procedures already meet standards required of VA-accredited agents and would meet any reasonable threshold for accreditation set by the VA.

Opponents of the bill may also claim that private services like VBG are violating the law. That is also inaccurate. Federal law states that "no individual may act as an agent or attorney in the preparation, presentation, or prosecution of any claim under laws administered by the Secretary" without first being accredited. I would like to state for the record that:

- We **DO NOT** practice law.
- We **DO NOT** act as the Veteran's agent of record.
- We **DO NOT** present before the VA.

House Bill 1169 preserves freedom of choice, representation, and access to Veteran services, while making it harder for unscrupulous individuals to take advantage of Veterans and the benefits they have earned. As members of the Senate Agriculture and Veterans Affairs Committee, we urge you to support House Bill 1169.

Very Respectfully,



Josh Smith
CEO and Co-Founder
Veteran Benefits Guide