

**Effective 5/12/2015**

**71-13-103 Disclosure requirement for assisting a claimant.**

- (1) Each person offering to assist veterans in applying for benefits shall:
  - (a) be accredited, in compliance with the provisions of C.F.R., Title 38, Pensions, Bonuses, and Veterans' Relief, or, if under the supervision of an accredited attorney meet the provisions of C.F.R., Title 38 pertaining to authorized claim representation under an attorney; and
  - (b) disclose in writing, in a format approved by the department that the claimant can retain, the federal laws, regulations, and rules governing assistance for VA benefits.
- (2) The disclosure required by Subsection (1)(b) shall specifically include:
  - (a) the individual's name;
  - (b) the individual's business address;
  - (c) the individual's business phone number;
  - (d) the individual's registration number from the VA;
  - (e) a statement of the claimant's rights regarding the assistance for VA benefits, including that there is no charge to the claimant or a member of the claimant's family for assistance with the initial benefits application; and
  - (f) a statement that if, as a result of the individual providing assistance for a claim, income is accrued to the assisting individual from the sale of a product or other services to the claimant, the income is both justified and reasonable as compared with income from similar products and services available in the state.
- (3) No provisions of the form may be struck out or designated as nonapplicable.
- (4) Disclosure forms, when completed, shall be:
  - (a) signed by both the individual providing assistance and the claimant; and
  - (b) retained for three years by the assisting individual.
- (5) Copies of the disclosure form shall be provided to:
  - (a) the veteran on the day the form is completed and signed; and
  - (b) the department within five working days.

Enacted by Chapter 123, 2015 General Session