

Effective 5/12/2015

71-13-105 Department responsibilities -- Notification -- Assistance -- Complaints -- Claimant responsibilities.

- (1) The Utah Department of Veterans' and Military Affairs shall notify in writing each veteran for whom the department has contact information that any individual or business offering to assist veterans in applying for benefits shall disclose in writing to the veteran the following:
 - (a) 38 C.F.R. 14.629 and 38 C.F.R. 14.630 require that any individual providing assistance be accredited by the VA;
 - (b) federal law restricts charging a veteran a fee for assisting in the initial application for VA benefits; and
 - (c) the department's website has a list with contact information of VA accredited claim representatives.
- (2) Beginning July 1, 2015, and every three years after the department shall:
 - (a) notify the Insurance Department regarding the federal law governing assistance for VA benefits, and the Insurance Department shall notify all individual producers and consultants licensed by the Insurance Department at the time of initial licensing and upon license renewal of those same federal laws governing assistance for VA benefits;
 - (b) contact the Utah State Bar regarding federal law governing legal assistance for claimants applying for benefits and request that the association provide continuing legal education on federal laws governing assistance; and
 - (c) notify the Department of Health regarding federal law governing the assistance for claimants applying for benefits, and the Department of Health shall notify all assisted living and nursing care facilities of those federal laws.
- (3) The executive director may establish procedures for processing complaints related to assistance regarding a claim for VA benefits.
- (4) For violations by accredited or non-accredited individuals who offer assistance with VA benefits, the executive director may audit selected assisting individuals and referring entities for compliance with this chapter and federal laws which govern the provision of assistance to claimants.

Enacted by Chapter 123, 2015 General Session