

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 767

Introduced by Holdcroft, 36.

Read first time January 07, 2026

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to veterans; to adopt the Certified Help
- 2 Options in Claims Expertise for Veterans Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 8 of this act shall be known and may be
2 cited as the Certified Help Options in Claims Expertise for Veterans Act.

3 **Sec. 2.** For purposes of the Certified Help Options in Claims
4 Expertise for Veterans Act:

5 (1) Compensation means any money, thing of value, or economic
6 benefit conferred on, or received by, any person in return for services
7 rendered, or to be rendered, by such person or any other person;

8 (2) Veterans benefits matter means the preparation, presentation, or
9 prosecution of any claim affecting any person who has filed or expressed
10 an intent to file a claim for any benefit, program, service, commodity,
11 function, status, or entitlement for which veterans, their dependents,
12 their survivors, or any other individuals are eligible under the laws and
13 regulations administered by the United States Department of Veterans
14 Affairs, the United States Department of Defense, or the Nebraska
15 Department of Veterans' Affairs pertaining to veterans, their dependents
16 or survivors, or any other individuals eligible for such benefit,
17 program, service, commodity, function, status, or entitlement; and

18 (3)(a) Person means any natural person, corporation, trust,
19 partnership, incorporated or unincorporated association, or any other
20 legal entity.

21 (b) Person does not include:

22 (i) An agent, attorney, or other representative accredited or
23 regulated by the United States Department of Veterans Affairs; or

24 (ii) A state or county veterans service officer.

25 **Sec. 3.** (1) No person may act as a veteran's agent or attorney with
26 respect to a veterans benefit matter unless such individual has been
27 recognized for such purposes by the Secretary of Veterans Affairs of the
28 United States Department of Veterans Affairs.

29 (2) Except as permitted under state or federal law, no person shall
30 receive compensation, directly or indirectly, for referring any
31 individual to another person to prepare, present, or prosecute any

1 veterans benefits matter before the United States Department of Veterans
2 Affairs, the United States Department of Defense, or the Nebraska
3 Department of Veterans' Affairs or to advise, consult, or provide
4 assistance regarding any such matter.

5 (3) Unless a veteran signs a waiver acknowledging that the veteran
6 is choosing to forego free services available to such veteran, a person
7 shall not receive compensation for any services rendered in connection
8 with any claim in a veterans benefits matter that is filed within the
9 one-year presumptive period of active duty release; or

10 (4)(a) A person seeking to receive compensation for advising,
11 assisting, or consulting with any individual in connection with any
12 veterans benefits matter shall, before rendering any services,
13 memorialize the specific terms under which the amount to be paid will be
14 determined in a written agreement signed by both parties.

15 (b) Compensation for such services shall be purely contingent upon
16 an increase in benefits awarded, and if successful, compensation shall
17 not exceed five times the amount of the monthly increase in benefits
18 awarded based on the claim.

19 (c) Such person shall not charge any initial or nonrefundable fee.

20 (d) Such person shall not charge interest on any payment plans
21 agreed to by the parties.

22 (e) If the amount owed for compensation in conformance with this
23 section exceeds the amount of any past-due benefits awarded to the
24 claimant, such person:

25 (i) Shall not require the claimant to pay such total amount in a
26 single payment; and

27 (ii) Shall provide the claimant with an option to pay such total
28 amount in incremental payments not to exceed the amount of the monthly
29 increase of benefits awarded to a claimant pursuant to the claim
30 associated with such fee agreement.

31 **Sec. 4.** A person seeking to receive compensation for advising,

1 assisting, or consulting with any individual in connection with any
2 veterans benefits matter shall not guarantee, either directly or by
3 implication, a successful outcome or that any individual is certain to
4 receive specific benefits or a specific level, percentage, or amount of
5 benefits.

6 **Sec. 5.** (1) Any person advising, assisting, or consulting on
7 veterans benefits matters for compensation shall provide the following
8 disclosure at the outset of the business relationship: "This business is
9 not sponsored by, or affiliated with, the United States Department of
10 Defense, the United States Department of Veterans Affairs, the Nebraska
11 Department of Veterans' Affairs, or any other federally chartered
12 veterans service organization. The Nebraska Department of Veterans'
13 Affairs and other organizations, including local veterans service
14 organizations and other federally chartered veterans service
15 organizations, may be able to provide you with this service free of
16 charge. Products or services offered by this business are not necessarily
17 endorsed by any of these organizations. You may qualify for other
18 veterans benefits beyond the benefits for which you are receiving
19 services here."

20 (2) The written disclosure shall appear in at least twelve-point
21 font in an easily identifiable place in the person's agreement with the
22 individual seeking services.

23 (3) The written disclosure agreement shall contain an acknowledgment
24 that the individual understands its provisions and the individual shall
25 sign such acknowledgment.

26 (4) The person offering services shall retain a copy of the written
27 disclosure while providing veterans benefits services for compensation to
28 the individual and for at least one year after the date on which the
29 service relationship terminates.

30 **Sec. 6.** A person advising, assisting, or consulting on veterans
31 benefits matters for a fee shall:

1 (1) Not utilize international data centers for processing a client's
2 personal information;

3 (2) Not gain direct access to any login, username, or password
4 information for a client's personal medical or financial data or accounts
5 or the client's government benefits;

6 (3) Ensure that any individual who will have access to a client's
7 medical or financial information undergoes a background check prior to
8 gaining such access. Such background check shall be conducted by a
9 reputable source and shall include identity verification and a check of
10 criminal history record information; and

11 (4) Maintain a certification from the National Association for
12 Veterans Rights or an accreditation from the United States Department of
13 Veterans Affairs.

14 **Sec. 7.** A violation of the Certified Help Options in Claims
15 Expertise for Veterans Act shall constitute a deceptive trade practice
16 under the Uniform Deceptive Trade Practices Act and shall be subject to
17 any remedies or penalties available for a violation of such act.

18 **Sec. 8.** Nothing in the Certified Help Options in Claims Expertise
19 for Veterans Act shall be construed to:

20 (1) Prohibit a division of fees between attorneys that is otherwise
21 proper under Nebraska law and the Nebraska Rules of Professional Conduct;

22 (2) Apply to, limit, or expand the requirements imposed on agents,
23 attorneys, or other representatives accredited or regulated by the United
24 States Department of Veterans Affairs; or

25 (3) Apply to state and county veterans service officers.