

VFW Post Benefits Advisor Training

Training & Facilitator Guide
Based on the 2025 PBA Guide

Course Objectives

- Understand the role of the Post Benefits Advisor (PBA)
- Learn ethical and legal boundaries
- Recognize major VA and VFW benefits
- Identify when to refer veterans to accredited representatives
- Build local veteran resource awareness

The Role of the PBA

- Serve as local ambassadors for veterans
- Provide general benefits information
- Connect veterans with resources
- Refer claims immediately to accredited representatives
- Protect veteran privacy and confidentiality

Section 3: Why Accreditation Is Important

- VA accreditation
- Duties of accredited representatives
- Why it protects veterans

Accreditation and Representation

- VA accreditation is legal authority to represent veterans before VA
- Applies to veterans, dependents, and survivors
- Required for formal VA representation

Why Accreditation Exists

- Protects veterans from fraud
- Reduces misinformation
- Prevents predatory practices
- Promotes proper claim preparation

What Accredited Representatives Must Do

- Demonstrate good character and fitness
- Complete specialized training
- Maintain knowledge of VA laws and procedures
- Follow strict ethical standards
- Undergo ongoing oversight and review

Ongoing Accountability

- VFW National Veterans Service reviews accreditation every five years
- Confirms continued qualification
- Supports compliance and professional standards

What Accredited Representatives Do

- Advise on benefits
- Prepare and submit claims
- Complete VA forms
- Monitor and communicate with VA
- Review decisions
- Assist with appeals

PBAs Are Not Accredited

- PBAs can educate and refer veterans
- PBAs cannot prepare, submit, or prosecute VA claims
- Claims matters must be referred to an accredited representative

Real-World Example

- Veteran asks for PTSD claim help
- PBA explains resources
- PBA makes referral
- Accredited representative handles the claim

Scenario Exercise

- Veteran gives DD214, medical records, and denial letter to a PBA
- Discuss policy concerns
- Discuss proper handling

Correct Response

- Refer immediately
- Do not retain records
- Protect privacy

Main Point

- Accreditation is a safeguard for veterans
- Ensures competent, ethical, and legally authorized representation
- Protects veterans throughout the claims process

Intent to File (ITF)

- Preserves effective date for up to 1 year
- Can significantly increase retroactive benefits
- Only one active ITF allowed at a time
- Veterans should confirm ITF status with VA or DSO

Service Connection Basics

- Direct Service Connection
- Secondary Service Connection
- Aggravation
- Presumptive Conditions
- Always refer complex claims to accredited representatives

Compensation Basics

- VA ratings range from 0% to 100%
- Monthly tax-free compensation
- Additional benefits tied to rating levels
- Dependents may increase compensation

SECTION 5 —

Dependents & Survivor Benefits

- DIC
- Survivors Pension
- CHAMPVA
- DEA Chapter 35
- Burial & memorial benefits

Claim Sharks & Ethics

- Predatory companies charge veterans for claims help
- VFW assistance is FREE
- Never promise outcomes or faster decisions
- Protect veteran privacy and trust

CLAIM SHARKS

Protecting Veterans from Predatory VA Claims Agents

KNOW THE LAW

• KNOW YOUR RIGHTS

• KNOW WHO TO TRUST



What Is a Claim Shark?



DEFINITION

An unlicensed or unaccredited individual or company that **charges veterans fees** to file or manage VA disability claims.



EXPLOITATION

They **exploit veterans** who are unfamiliar with the free VA claims process — targeting those frustrated with denials or delays.



FALSE PROMISES

They often promise **inflated ratings, fast approvals, or insider access** — none of which they can guarantee.



FEDERAL LAW

Federal law makes most fee-charging arrangements for VA claims assistance illegal — violators face serious consequences.



Veterans are legally entitled to FREE claims assistance.

Federal Laws That Protect Veterans



ACCREDITATION STATUTE

38 U.S.C. §§ 5901–5905

VA Claims Agent Accreditation statutes — requires **anyone representing veterans** before the VA to be accredited.



FEDERAL REGULATION

38 C.F.R. Part 14

VA regulations governing **accreditation, conduct, and discipline** of claims agents and attorneys.



KEY PROTECTION

38 U.S.C. §5904

Limits attorney/agent fees — only allowed **AFTER a favorable VA decision**; must be VA-approved.



FRAUD & ENFORCEMENT

18 U.S.C. § 1033 / State Laws

Federal and state fraud statutes may apply when predatory agents **make false promises** or charge illegal fees.





Veterans Guardian charged veterans thousands of dollars for claims assistance — services the VA provides for free.”

— FTC & STATE ATTORNEY GENERAL COMPLAINTS | VETERANS GUARDIAN ENFORCEMENT CASE

📄 THE CASE

Veterans Guardian VA Claim Consulting — a **for-profit company** — charged veterans fees ranging from **hundreds to thousands of dollars** to manage VA disability claims they could have filed for free.

Complaints were filed with the **FTC** and **multiple state attorneys general**, alleging deceptive marketing practices and illegal fee arrangements under federal VA law.

⚖️ THE OUTCOME

The **FTC launched an investigation**; enforcement actions were pursued. The company faced intense scrutiny for **deceptive marketing** and **illegal fee arrangements** violating 38 U.S.C. § 5904.

Multiple veterans reported **paying fees and receiving little to no benefit** beyond what accredited VSOs provide completely free of charge.





Red Flags: How to Spot a Claim Shark

\$ Asks for **upfront payment** or monthly fees before VA decision

✂ Claims to have "**VA insider**" connections or special access

🛡 **Cannot prove VA accreditation** when asked directly

🌐 **Advertises aggressively** on social media targeting veterans

🎯 **Promises a specific** disability rating or outcome

🕒 **Pressures you** to sign contracts quickly without reading them

🔒 Asks you to sign a **Power of Attorney** giving them total control

👁 Cannot provide **references** or verifiable credentials



Ask every representative: "Are you VA-accredited?" — then verify instantly at va.gov/ogc/apps/accreditation

The **Predatory Playbook**: How Claim Sharks Operate

STEP 01

TARGETING

Identify veterans through social media ads, community events, or word-of-mouth. Target those frustrated with VA denials or delays.

STEP 03

THE CONTRACT

Pressure veterans to sign complex contracts with large upfront fees or **percentage cuts of retroactive back pay**.

STEP 05

KEEP THE MONEY

Even if claims are denied or results are poor, fees are kept. **Veterans have little legal recourse** once contracts are signed.



STEP 02

THE PITCH

Promise inflated ratings, faster decisions, or guaranteed approvals. Create urgency and fear of missing out on benefits.



STEP 04

MINIMAL SERVICE

File basic paperwork that veterans could file themselves for free. Provide little ongoing support or follow-through.



The Real Cost to Veterans

Financial literacy about the VA system is the best defense against predatory claim sharks.

SLIDE 7 OF 10

Know the Law.
Know Your Rights.
Know Who to Trust.

\$

\$15K–\$50K

Average retroactive back pay at risk when signing percentage-fee contracts

👥

300,000+

Veterans use free VSO representatives successfully each year

🛡️

\$0

Legal cost to file a VA disability claim with an accredited VSO

🏆

100%

Of your back pay you keep when using free, accredited representation



The VA claims system is designed to be veteran-friendly and free.

Claim sharks profit by exploiting confusion about that system.



**KNOW
YOUR
RIGHTS**

Claim Shark **vs.** Accredited Representative

CLAIM SHARK

-  Charges upfront fees or a % of back pay
-  Not required to be VA-accredited
-  Cannot legally represent you before the VA in most cases
-  May make false promises about outcomes
-  Contracts may be legally unenforceable
-  No accountability to the VA or any professional body

vs

ACCREDITED VSO / AGENT

-  Always FREE to veterans — zero cost
-  VA-accredited and subject to discipline
-  Legally authorized to represent you before the VA
-  Bound by ethical rules and VA regulations
-  Thousands of locations nationwide
-  Accountable — can be reported to the VA OGC



The choice is clear — always verify accreditation first.



YOUR OPTIONS

Safe, **Free** Alternatives to Claim Sharks

Every resource below
is **100% free** and
legally authorized to
help you file your VA
disability claim.



Veterans Service
Organizations (VSOs)
FREE
DAV, VFW, American
Legion, AMVETS —
accredited claims
help with offices in
virtually every
county nationwide.



State Veterans
Agencies **FREE**

Missouri Veterans
Commission — free,
state-funded claims
assistance with
offices across
Missouri.



VA Accredited Attorneys

May charge fees
ONLY after a
favorable VA
decision, with VA
approval. Never
upfront. Always
verify accreditation.



VA.gov / eBenefits
FREE

File and track your
own claim online at
va.gov/disability
— no middleman
needed.



VA Regional Offices
FREE

Free in-person
assistance from VA
employees. Find your
nearest office at
va.gov.



Legal Aid
Organizations
FREE

Many nonprofits
provide free veterans
legal services for
appeals and complex
cases — no cost to
you.

TAKE ACTION — PROTECT YOURSELF AND FELLOW VETERANS

If you or a veteran you know has been targeted by a predatory claims agent — **report it immediately.**



MISSOURI AG CONSUMER PROTECTION

1-800-392-8222

Report predatory claims agents in Missouri

 FREE HOTLINE



VA ACCREDITATION LOOKUP

va.gov/ogc/apps/accreditation

Verify any representative before signing anything

 30-SECOND CHECK



FTC COMPLAINT CENTER

reportfraud.ftc.gov

Report deceptive practices to the Federal Trade Commission

 FEDERAL RESOURCE

You earned your benefits. **Don't let anyone take them from you.**

Closing

- PBAs are often the first point of contact for struggling veterans
- Compassion and professionalism matter
- When in doubt — refer to an accredited representative
- Thank you for serving veterans and their families

Every veteran deserves competent, ethical, and accredited representation.

PBA's are the bridge that connects veterans to the trained advocates who can help them obtain the benefits they earned through service.