

PROPOSED

SENATE AMENDMENTS TO S.B. 1308

(Reference to printed bill)

1 Page 1, line 5, strike "definition" insert "exception; definitions"

2 Line 6, after "A." insert "EXCEPT AS PROVIDED PURSUANT TO THIS SECTION,"

3 Strike lines 7 through 9

4 Renumber to conform

5 Strike lines 13 through 30, insert:

6 "2. REFERRING AN INDIVIDUAL TO ANOTHER PERSON TO ADVISE, CONSULT OR
7 ASSIST THE INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER.

8 B. A PERSON MAY RECEIVE COMPENSATION FOR ADVISING, CONSULTING OR
9 ASSISTING AN INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER IF, BEFORE
10 PROVIDING ANY SERVICES TO THE INDIVIDUAL, THE PERSON PREPARES A WRITTEN
11 AGREEMENT THAT IS SIGNED BY ALL THE PARTIES INVOLVED AND THAT CONTAINS THE
12 FOLLOWING:

13 1. THE TERMS OF THE AGREEMENT, INCLUDING THE PAYMENT AMOUNT FOR THE
14 SERVICES BEING PROVIDED.

15 2. THE FOLLOWING DISCLOSURE IN TWELVE-POINT FONT PLACED IN A READILY
16 NOTICEABLE AND EASILY IDENTIFIABLE PLACE IN THE WRITTEN AGREEMENT:

17 THIS BUSINESS IS NOT SPONSORED BY, ENDORSED BY OR
18 AFFILIATED WITH THE ARIZONA DEPARTMENT OF VETERANS' SERVICES OR
19 THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR ANY OTHER
20 FEDERALLY CHARTERED VETERANS' SERVICE ORGANIZATION. THE
21 ARIZONA DEPARTMENT OF VETERANS' SERVICES, THE UNITED STATES
22 DEPARTMENT OF VETERANS AFFAIRS, LOCAL VETERANS' SERVICE
23 ORGANIZATIONS OR OTHER FEDERALLY CHARTERED VETERANS' SERVICE
24 ORGANIZATIONS MAY BE ABLE TO PROVIDE YOU WITH THIS SERVICE FREE
25 OF CHARGE.

1 C. A PERSON MAY NOT CHARGE AN INITIAL FEE OR A NONREFUNDABLE FEE FOR
2 ADVISING, CONSULTING OR ASSISTING AN INDIVIDUAL REGARDING A VETERANS'
3 BENEFITS MATTER. ANY COMPENSATION RECEIVED PURSUANT TO THIS SECTION SHALL
4 BE CONTINGENT ON THE VETERAN'S BENEFITS BEING INCREASED. COMPENSATION MAY
5 NOT BE MORE THAN FIVE TIMES THE AMOUNT OF THE VETERAN'S INCREASE IN
6 BENEFITS.

7 D. A PERSON MAY NOT DO ANY OF THE FOLLOWING:

8 1. GUARANTEE, TO AN INDIVIDUAL THE PERSON IS ADVISING, CONSULTING OR
9 ASSISTING REGARDING A VETERANS' BENEFITS MATTER, THAT THE INDIVIDUAL WILL
10 RECEIVE A SPECIFIC VETERANS' BENEFIT OR A SPECIFIC LEVEL, PERCENTAGE OR
11 AMOUNT OF VETERANS' BENEFITS.

12 2. RECEIVE EXCESSIVE OR UNREASONABLE FEES AS COMPENSATION FOR
13 ADVISING, CONSULTING OR ASSISTING AN INDIVIDUAL REGARDING A VETERANS'
14 BENEFITS MATTER.

15 3. RECEIVE COMPENSATION FOR ANY SERVICES PROVIDED REGARDING A
16 VETERANS' BENEFITS MATTER THAT IS FILED WITHIN THE ONE-YEAR PRESUMPTIVE
17 PERIOD OF ACTIVE DUTY RELEASE, UNLESS THE INDIVIDUAL ACKNOWLEDGES IN
18 WRITING BEFORE ANY SERVICES ARE PROVIDED THAT THE INDIVIDUAL IS STILL
19 WITHIN THE ONE-YEAR PRESUMPTIVE PERIOD OF ACTIVE DUTY RELEASE.

20 4. ADVERTISE SERVICES REGARDING VETERANS' BENEFITS MATTERS WITHOUT
21 INCLUDING THE DISCLOSURE PRESCRIBED IN SUBSECTION B, PARAGRAPH 2 OF THIS
22 SECTION. IF THE ADVERTISEMENT IS PRINTED, THE DISCLOSURE SHALL BE PLACED
23 IN A READILY NOTICEABLE AND EASILY IDENTIFIABLE AREA ON THE ADVERTISEMENT.
24 IF THE ADVERTISEMENT IS VERBAL, THE DISCLOSURE SHALL BE STATED CLEARLY.

25 5. USE A MEDICAL PROFESSIONAL WITH WHICH THE PERSON HAS A BUSINESS
26 RELATIONSHIP TO PERFORM A MEDICAL EXAMINATION WHEN ADVISING, CONSULTING OR
27 ASSISTING AN INDIVIDUAL REGARDING A VETERANS' BENEFITS MATTER.

28 6. USE AN INTERNATIONAL CALL CENTER OR DATA CENTER FOR PROCESSING A
29 VETERAN'S PERSONAL INFORMATION.

30 7. GAIN DIRECT ACCESS TO ANY VETERAN'S PERSONAL MEDICAL, FINANCIAL
31 OR GOVERNMENT BENEFITS INFORMATION.

1 E. A VIOLATION OF THIS SECTION IS AN UNFAIR, FALSE, MISLEADING OR
2 DECEPTIVE ACT OR PRACTICE IN THE CONDUCT OF TRADE OR COMMERCE UNDER THE
3 LAWS OF THIS STATE."

4 Reletter to conform

5 Page 1, line 31, strike the comma insert ":

6 1. "COMPENSATION" MEANS ANY MONEY, ITEM OF VALUE OR ECONOMIC BENEFIT
7 CONFERRED ON OR RECEIVED BY AN INDIVIDUAL IN RETURN FOR SERVICES PROVIDED
8 BY A PERSON.

9 2. "PERSON" INCLUDES ANY CORPORATION, TRUST, PARTNERSHIP,
10 INCORPORATED OR UNINCORPORATED ASSOCIATION, OR ANY OTHER LEGAL ENTITY.

11 3."

12 Amend title to conform

WENDY ROGERS

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C: AH