

CHAPTER 546B

VETERANS BENEFITS ASSISTANCE — DISCLOSURES

Referred to in §669.14

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546B.1 Definitions.As used in [this chapter](#):1. *a.* “Advertising” or “advertisement” means any of the following:

(1) Any written or printed communication made for the purpose of soliciting, describing, or promoting veterans benefits appeal services, including but not limited to a brochure, letter, pamphlet, newspaper, telephone listing, periodical, or other writing.

(2) Any directory listing caused or permitted by a person to be made available which indicates that veterans benefits appeal services are being offered.

(3) Any radio, television, computer network, or similar airwave or electronic transmission which solicits or promotes a person offering veterans benefits appeal services.

b. “Advertising” or “advertisement” does not include any of the following:

(1) Any printing or writing used on buildings, uniforms, or badges, where the purpose of the writing is for identification.

(2) Any printing or writing in a memorandum or other communication used in the ordinary course of business where the sole purpose of the writing is other than the solicitation or promotion of veterans benefits appeal services.

2. “Veteran” means as defined in [section 35.1](#).

3. “Veterans benefits appeal services” means services which a veteran might reasonably require in order to appeal a denial of federal or state veterans benefits, including but not limited to denials of disability, limited-income, home loan, insurance, education and training, burial and memorial, and dependent and survivor benefits.

4. “Veterans benefits services” means services which a veteran, or a family member of a veteran, might reasonably utilize in order to obtain federal, state, or county veterans benefits.

5. “Written disclosure statement” means the written disclosure statement developed by the department of veterans affairs pursuant to [section 35A.5, subsection 18](#).

[2011 Acts, ch 49, §1](#); [2015 Acts, ch 74, §2](#)**546B.2 Veterans benefits appeal services — advertising disclosure requirements — civil penalties.**

1. A person advertising services to represent or assist veterans in appealing a denial of veterans benefits shall conspicuously disclose in the advertisement, in similar type size or voice-over, that appeal services are also offered at no cost by county commission of veteran affairs offices as maintained pursuant to [section 35B.6](#).

2. A person who fails to comply with the provisions of [this section](#) is subject to a civil penalty not to exceed one thousand dollars for each violation. Civil penalties shall be assessed by the district court in an action initiated by the attorney general. For the purposes of computing the amount of each civil penalty, each day of a continuing violation constitutes a separate violation. Additionally, the attorney general may accept a civil penalty as determined by the attorney general in settlement of an investigation of a violation of [this section](#) regardless of whether an action has been filed pursuant to [this section](#). Any civil penalty recovered shall be deposited in the veterans trust fund created in [section 35A.13](#).

3. [This section](#) does not apply to the owner or personnel of any medium in which an advertisement appears or through which an advertisement is disseminated.

[2011 Acts, ch 49, §2](#); [2015 Acts, ch 74, §3](#)

546B.3 Veterans benefits services disclosure requirements — civil penalties.

1. A person who provides veterans benefits services in exchange for compensation shall provide a written disclosure statement to each client or prospective client. Before a person enters into such an agreement to provide veterans benefits services or accepts money or any other thing of value for the provision of veterans benefits services, the person must obtain the signature of the client on a written disclosure statement containing an attestation by the client that the client has read and understands the written disclosure statement.

2. A person who violates the provisions of [this section](#) is subject to a civil penalty not to exceed one thousand dollars for each violation. Civil penalties shall be assessed by the district court in an action initiated by the attorney general. For the purposes of computing the amount of each civil penalty, each service provided by the person constitutes a separate violation. Additionally, the attorney general may accept a civil penalty as determined by the attorney general in settlement of an investigation of a violation of [this section](#) regardless of whether an action has been filed pursuant to [this section](#). Any civil penalty recovered shall be deposited in the veterans trust fund created in [section 35A.13](#).

[2011 Acts, ch 49, §3](#); [2015 Acts, ch 74, §4](#)

Referred to in [§35A.5](#)