
SENATE BILL 6287

State of Washington

68th Legislature

2024 Regular Session

By Senators Gildon and Stanford

1 AN ACT Relating to the prohibition of unethical conduct by
2 persons advising or assisting with veterans benefits matters; adding
3 a new chapter to Title 73 RCW; creating a new section; and declaring
4 an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The purpose of this act is to provide a
7 cause of action under state law to prevent unethical conduct and
8 improper collection of fees by persons advising or assisting any
9 individual with the filing of claims for disability benefits before
10 the United States department of veterans affairs.

11 NEW SECTION. **Sec. 2.** (1) No person shall receive compensation
12 for preparing, presenting, prosecuting, advising, consulting, or
13 assisting any individual with regard to any veterans benefits matter
14 before the United States department of veterans affairs, except as
15 permitted under Title 38 U.S.C. and the code of federal regulations.

16 (2) No person shall receive compensation for referring any
17 individual to another person to prepare, present, prosecute, advise,
18 consult, or assist this individual with any veterans benefits matter
19 before the United States department of veterans affairs.

1 (3) Any person who receives compensation for preparing,
2 presenting, prosecuting, advising, consulting, or assisting an
3 individual with regard to any veterans benefits matter before the
4 United States department of veterans affairs shall be held to the
5 same ethical standards as an attorney is held to by the Washington
6 state bar association rules regarding:

7 (a) Advertising;

8 (b) Solicitation of new clients;

9 (c) Confidentiality;

10 (d) Duty of care;

11 (e) Duty of honesty; and

12 (f) Duty to zealously pursue what is in the best interest of
13 their client.

14 (4) The legislature finds that the practices covered by this act
15 are matters vitally affecting the public interest for the purpose of
16 applying the consumer protection act, chapter 19.86 RCW. A violation
17 of this act is not reasonable in relation to the development and
18 preservation of business and is an unfair or deceptive act in trade
19 or commerce and an unfair method of competition for the purpose of
20 applying the consumer protection act, chapter 19.86 RCW.

21 (5) Nothing in this act shall be construed to prohibit the
22 division of fees between lawyers which is otherwise permitted by law.

23 (6) For purposes of this section:

24 (a) "Compensation" means payment of any money, thing of value, or
25 financial benefit.

26 (b) "Person" means an individual, corporation, business trust,
27 estate, trust, partnership, limited liability company, association,
28 joint venture, public corporation, government or governmental
29 subdivision, agency, or instrumentality, or any other legal or
30 commercial entity.

31 (c) "Veterans benefits matter" means the preparation,
32 presentation, or prosecution of any claim affecting any person who
33 has filed or expressed an intent to file a claim for any benefit,
34 program, service, commodity, function, or status, entitlement to
35 which is determined under the laws and regulations administered by
36 the United States department of veterans affairs or the department of
37 defense pertaining to veterans, their dependents, their survivors,
38 and any other individual eligible for such benefits.

1 NEW SECTION. **Sec. 3.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 4.** Section 2 of this act constitutes a new
6 chapter in Title 73 RCW.

7 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of
9 the state government and its existing public institutions, and takes
10 effect immediately.

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