

# ACCREDITATION, DISCIPLINE, & FEES PROGRAM OFFICE OF GENERAL COUNSEL

## HOW TO FILE A COMPLAINT



### WHAT A CLAIMANT SHOULD KNOW ABOUT FILING A COMPLAINT AGAINST AN INDIVIDUAL OR ORGANIZATION THAT HAS ASSISTED ON A VA BENEFITS CLAIM



If you believe that an attorney, claims agent, veterans service organization (VSO) representative, or other individual or organization has acted in an illegal or unethical manner, you can file a complaint regarding their conduct. The Office of General Counsel (OGC) of the Department of Veterans Affairs (VA) is authorized to investigate complaints regarding VA-accredited individuals, when appropriate. In addition, OGC may also refer matters to other State and Federal law enforcement authorities for possible inquiry.

#### “I’m ready to file my complaint. Where do I file?”

- If your complaint is about someone assisting with [VA pension benefits](#), you should file your complaint through the [Federal Trade Commission's complaint assistant](#) link on the OGC accreditation and discipline webpage at <https://www.va.gov/ogc/accreditation.asp>. VA OGC will be immediately notified of every complaint filed through this link. However, in addition to possible action by VA, by submitting your complaint through the [Federal Trade Commission](#), it will also be accessible to other Federal and State law enforcement authorities for their possible investigation and prosecution.
- If your complaint involves representation or claims assistance provided on a [VA compensation claim](#) (or another non-pension benefit) and you believe that other State and Federal laws and regulations apart from those involving VA accreditation may have been violated, you may also submit your complaint through the [Federal Trade Commission's complaint assistant](#) link on the OGC accreditation and discipline webpage at <https://www.va.gov/ogc/accreditation.asp>.
- If your complaint is against a VA-accredited attorney, claims agent, or VSO representative (please confirm VA-accreditation status on the accreditation search page at <https://www.va.gov/ogc/apps/accreditation/index.asp>) and you believe that your complaint only involves a violation of the [standards of conduct for VA-accredited individuals](#) or if you do not wish for other law enforcement entities to immediately be notified of your complaint, then you may file your complaint directly with the VA accreditation and discipline program by submitting your written complaint, and a completed [VA Form 3288](#) (this form will allow us to disclose your name and the information contained in the complaint to the VA-accredited practitioner) to:

Office of General Counsel (022D)  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420.

For more information visit OGC's accreditation and discipline website at:  
<https://www.va.gov/ogc/accreditation.asp> or call 202-461-7699.

## Frequently Asked Questions

### 1. ***What are the standards of conduct for VA-accredited practitioners assisting on VA claims?***

#### ➤ ***VA-accredited individuals shall:***

- ✓ Faithfully execute their duties on behalf of a VA claimant;
- ✓ Be truthful in their dealings with claimants and VA;
- ✓ Provide claimants with competent assistance with their benefit claim; and
- ✓ Act with reasonable diligence and promptness in providing claims assistance.

#### ➤ ***VA-accredited individuals shall not:***

- ✓ Circumvent a rule of conduct through the actions of another;
- ✓ Engage in conduct involving fraud, deceit, misrepresentation, or dishonesty;
- ✓ Violate any of the provisions of title 38, United States Code, or title 38, Code of Federal Regulations;
- ✓ Enter into an agreement for, charge, solicit, or receive a fee that is clearly unreasonable or otherwise prohibited by law or regulation;
- ✓ Solicit, receive, or enter into agreements for gifts related to representation provided before VA has issued its initial decision on a claim or claims and a Notice of Disagreement has been filed with respect to that decision;
- ✓ Delay, without good cause, the processing of a claim;
- ✓ Mislead, threaten, coerce, or deceive a claimant regarding benefits or other rights under VA programs;
- ✓ Engage in, or counsel or advise a claimant to engage in acts or behavior prejudicial to the fair and orderly conduct of VA proceedings;
- ✓ Disclose, without the claimant's authorization, any information provided by VA for purposes of representation; or
- ✓ Engage in any other unlawful or unethical conduct.
- ✓ In addition, VA-accredited attorneys shall not engage in behavior or activities prohibited by the rules of professional conduct of any jurisdiction in which they are licensed to practice law.

### 2. ***What will happen after I submit my complaint?***

- OGC will inform you if VA is accepting your complaint for inquiry into the subject's VA accreditation.
- OGC may request that you complete a [VA Form 3288 - Request for and Consent to Release of Information from Individual's Records](#), which permits the disclosure of your complaint to the individual or organization. If you do not complete and sign that form, OGC may be unable to act on your complaint.
- OGC may write a cease-and-desist letter to the individual or organization, if they are acting without VA accreditation.
- OGC may refer the matter to other appropriate law enforcement authorities.