Pension Poaching FAQ

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This section addressed FAQs related to Pension Poaching.

Question 1: What is pension poaching?

Answer: Pension Poaching is a financial scam targeting Veterans, survivors, and their families who are potentially eligible for VA benefits.

Question 2: What impact can pension poaching have on claimants?

Answer: The financial exploitation can backfire and disqualify claimants from needed benefits or tie up their savings in investments that earn lucrative fees for the advisors.

The advisor may not advise that VA reviews the terms and conditions of any assets the claimant may have transferred in the 3 years before filing the pension claim.

If Pension benefits are approved and VA later determines that eligibility did not exist, the claimant will be required to repay these benefits to the government.

Question 3: Who can assist you with filing a claim for VA benefits and services?

Answer: In addition to seeking assistance from VA with the claims process, VA accredits three types of individuals to assist with filing a claim:

- Representatives of VA recognized
- Veterans Service Organizations (VSOs),
- claims agents, and
- attorneys

VA-recognized VSOs, and their representatives, always provide their services on benefit claims free-of-charge.

VA-accredited attorneys and agents may charge you a fee for their representation in appealing or requesting additional review of an adverse VA decision, but they may not charge for services provided on an initial claim.

Question 4: How do I recognize a scammer?

Answer: A popular scam occurs when an unethical advisor profits by assisting a claimant in artificially qualifying them for VA Pension benefits. The scheme often

involves financial maneuvers such as advising claimants to hide their assets in trusts or annuity products.

The scammers will leave a message like this: *Your VA profile was flagged for two potential benefits to the changes in the VA program. These are time sensitive entitlements. Please call us back at your earliest convenience.*

Question 5: Can an accredited attorney or claims agent, who is also a financial planner, charge a fee for preparing a claim for pension or survivors' benefits?

Answer: No. An accredited attorney or claims agent may generally charge claimants a fee only after a VA Regional Office has issued a decision on a claim, and the attorney or agent has filed a power of attorney and a fee agreement with VA.

Question 6: How do I find an accredited VSO, agent, or attorney?

Answer: A searchable list of accredited VSO representatives, agents, and attorneys is available at the VA Office of the General Counsel website: http://www.va.gov/ogc/apps/accreditation/index.asp

Question 7: Does pension poaching apply to caregivers?

Answer: Yes. Pension Poaching scams could also involve a caregiver who requires that the Veteran or survivor have their benefits deposited into the caregiver's bank account. VA benefits should go directly to the beneficiary (Veteran or survivor), not the caregiver.

Question 8: Should I pay to have my application for benefits and services submitted to the VA?

Answer: No. You should expect to pay nothing.

VA does not charge to process applications for benefits and services, and no one can charge a claimant for preparing or filing an application for benefits with VA without violating the law.

There are also various other ways to obtain assistance directly from the VA, such as the National Call Center (1-800- 827-1000), and public contact offices at the local VA Regional offices.

To find a VA location nearest to you, please visit: https://www.va.gov/find-locations

Question 9: Who can I contact to file a complaint?

Answer:

- Call the Department of Veterans Affairs National Call Center at 1-800-827-1000. (**Hearing Impaired TDD** line 711). **If you need an interpreter:** Call 800-698-2411 and select 0.
- Visit the Federal Trade Commission at ReportFraud.ftc.gov
- Visit https://www.usa.gov/state-attorney-general to find your State Attorney General
- Visit OIG at https://www.va.gov/oig/
- Visit Federal Communications Commission at https://www.fcc.gov/veterans-targeted-benefits-scams