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(202) 461-7600
www.va.gov

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VA implements new fiduciary regulations

Rules provide additional protections to Veterans and family members

WASHINGTON — The U.S. Department of Veterans Affairs (VA) recently updated [regulations](#) related to how it governs the oversight of beneficiaries, who, because of injury, disease, or age, are unable to manage their VA benefits, and the appointment and oversight of fiduciaries for these vulnerable beneficiaries.

Managed by VA's Veterans Benefits Administration (VBA), the new regulations, which took effect in August, update and reorganize fiduciary rules consistent with current law and VA policies, and clarify the rights of beneficiaries and the roles of VA and fiduciaries in the program.

"These new regulations clarify the protections in place for Veterans and family members who apply for or are currently part of our fiduciary care program," said VA Secretary Robert Wilkie. "This furthers our commitment to care for those who have given so much to our country."

Among other things, the new regulations clarify beneficiaries' rights, including the right to appeal fiduciary appointments and other fiduciary decisions, the 4 percent limit on fiduciary fees, and the procedures to remove a fiduciary, for instance, when a beneficiary demonstrates the ability to manage their own funds or when VA determines that the fiduciary misused VA benefits.

This is the first full revision of the Fiduciary Activities regulations since they were first published in 1975.

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