PARTNER CONTENT

# Eric Gang examines the need for balance in VA disability claims as private fees and veteran protections collide

TOM WHITE, IN PARTNERSHIP WITH LAW&CRIME | Dec 29th, 2025, 2:14 pm

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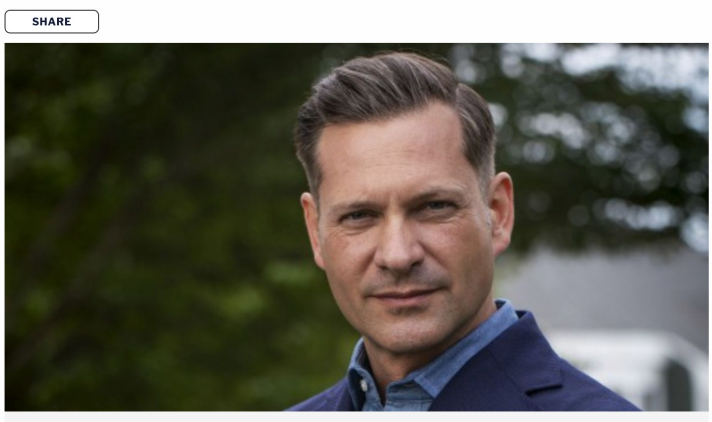

*Eric Gang (Source: Gang & Associates)*

The VA disability benefits framework was designed to provide veterans with structured, lawful access to compensation connected to their service. Over time, as eligibility standards have evolved and awareness has increased, a broader ecosystem of support services has developed alongside the process. This expansion has prompted renewed discussion about how veterans engage with assistance and where appropriate boundaries should exist.

Eric Gang, founder of Gang & Associates, approaches this conversation from a perspective shaped by longstanding work in veterans' disability law and a focus on ethical alignment. According to Gang, the issue is not rooted in the VA disability framework itself, but in how certain private service models operate adjacent to it. He emphasizes that the system was built to function with accredited representation and clear consumer protections, particularly during the earliest stages of a claim.

From Gang's perspective, tension arises when non-accredited firms position themselves as essential intermediaries while charging fees for services that are intended to be available without cost. "These firms often explain their role as consulting or medical evidence preparation, even when their involvement closely mirrors assistance traditionally restricted to accredited representatives," Gang says. "Veterans should always be free to seek help, but that freedom has to be paired with transparency and proportionality."

Under existing federal rules, Gang explains, only accredited agents and attorneys may charge fees, and only after a claim has been denied and has entered the appeals stage. He notes that these protections were established to ensure veterans are not financially burdened while first seeking recognition of service-connected conditions. When firms operate outside accreditation while charging fees similar to formal representation, he notes, ethical questions naturally follow.

According to Gang, fee structures deserve particular scrutiny. "Contingency-based arrangements, where payment is tied to future benefit awards, can create a disconnect between compensation and the actual work performed," he explains. This becomes especially relevant in cases involving presumptive conditions, where eligibility is largely determined by service history and diagnosis rather than legal complexity. "When payment is untethered from time and effort," he explains, "it's difficult for veterans to assess whether the fee reflects the service."

The expansion of presumptive eligibility under the PACT Act has further shaped this landscape. Gang stresses that the legislation itself remains vital for veterans exposed to toxic hazards, but observes that its streamlined standards have unintentionally created incentives for overcharging on relatively straightforward claims. From his perspective, the concern is not increased access, but the pricing models applied around it.

Beyond individual costs, Gang notes broader implications for system trust. Heavy filing strategies and outcome-based medical opinions may contribute to skepticism around evidence and increase administrative strain. He explains that medical opinions, when tied to financial outcomes, risk appearing less objective, which can affect how evidence is evaluated overall. "Medical experts should be independent," he says. "Their role is to inform, not to gamble on outcomes."

Despite these concerns, Gang does not advocate eliminating private assistance altogether. Instead, he outlines a middle-ground approach that preserves consumer choice while reinforcing ethical boundaries. His proposal would allow private firms to operate while prohibiting contingency fees tied to VA disability benefits. Fees would instead be flat or hourly, paid upfront, and clearly correlated to work performed, models already common in other regulated services.

Such an approach, Gang explains, allows market forces to function transparently. Veterans would be able to evaluate costs in advance, determine affordability, and make informed decisions without future benefits serving as leverage. "When pricing is clear and paid upfront," he notes, "the market naturally adjusts to what people can reasonably pay."

Looking forward, Gang encourages legislators to clarify and strengthen existing protections while avoiding rhetoric that frames regulation as anti-business. In his view, thoughtful oversight is consistent with long-standing practices across professional services and reflects respect for veterans as a protected population. "This is not about limiting choice," Gang says. "It's about ensuring integrity, fairness, and respect for the people the system exists to serve."

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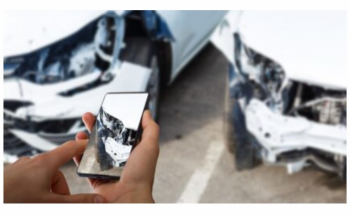

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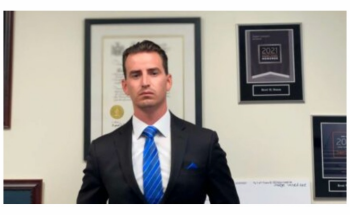
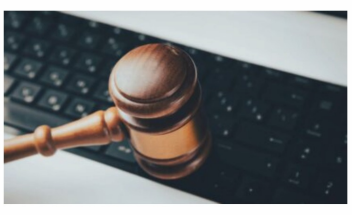
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