114TH CONGRESS 1ST SESSION

# H.R. 1607

## AN ACT

- To amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.
  - 1 Be it enacted by the Senate and House of Representa-
  - ${\it 2\ tives\ of\ the\ United\ States\ of\ America\ in\ Congress\ assembled},$

1	SECTION 1. SHORT TITLE.
2	This Act may be cited as the "Ruth Moore Act of
3	2015".
4	SEC. 2. REPORTS ON CLAIMS FOR DISABILITIES INCURRED
5	OR AGGRAVATED BY MILITARY SEXUAL
6	TRAUMA.
7	(a) Annual Reports.—
8	(1) IN GENERAL.—Subchapter VI of chapter 11
9	of title 38, United States Code, is amended by add-
10	ing at the end the following new section:
11	"§ 1164. Reports on claims for disabilities incurred or
12	aggravated by military sexual trauma
13	"(a) Reports.—Not later than December 1, 2015,
14	and each year thereafter through 2019, the Secretary shall
15	submit to Congress a report on covered claims submitted
16	during the previous fiscal year.
17	"(b) Elements.—Each report under subsection (a)
18	shall include the following:
19	"(1) The number of covered claims submitted
20	to or considered by the Secretary during the fiscal
21	year covered by the report.
22	"(2) Of the covered claims listed under para-
23	graph (1), the number and percentage of such
24	claims—
25	"(A) submitted by each sex;

1	"(B) that were approved, including the
2	number and percentage of such approved claims
3	submitted by each sex; and
4	"(C) that were denied, including the num-
5	ber and percentage of such denied claims sub-
6	mitted by each sex.
7	"(3) Of the covered claims listed under para-
8	graph (1) that were approved, the number and per-
9	centage, listed by each sex, of claims assigned to
10	each rating percentage.
11	"(4) Of the covered claims listed under para-
12	graph (1) that were denied—
13	"(A) the three most common reasons given
14	by the Secretary under section 5104(b)(1) of
15	this title for such denials; and
16	"(B) the number of denials that were
17	based on the failure of a veteran to report for
18	a medical examination.
19	"(5) The number of covered claims that, as of
20	the end of the fiscal year covered by the report, are
21	pending and, separately, the number of such claims
22	on appeal.
23	"(6) For the fiscal year covered by the report
24	the average number of days that covered claims take

to complete beginning on the date on which the claim is submitted.

"(7) A description of the training that the Secretary provides to employees of the Veterans Benefits Administration specifically with respect to covered claims, including the frequency, length, and content of such training.

### "(c) Definitions.—In this section:

- "(1) The term 'covered claims' means claims for disability compensation submitted to the Secretary based on a covered mental health condition alleged to have been incurred or aggravated by military sexual trauma.
- "(2) The term 'covered mental health condition' means post-traumatic stress disorder, anxiety, depression, or other mental health diagnosis described in the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that the Secretary determines to be related to military sexual trauma.
- "(3) The term 'military sexual trauma' means, with respect to a veteran, psychological trauma, which in the judgment of a mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harass-

- ment which occurred during active military, naval,or air service.".
- 3 (2) CLERICAL AMENDMENT.—The table of sec-4 tions at the beginning of such chapter is amended 5 by adding at the end the following new item:

"1164. Reports on claims for disabilities incurred or aggravated by military sexual trauma.".

- 6 (3) Initial Report.—The Secretary of Vet-7 erans Affairs shall submit to Congress an initial re-8 port described in section 1164 of title 38, United 9 States Code, as added by paragraph (1), by not later 10 than 90 days after the date of the enactment of this 11 Act. Such initial report shall be in addition to the 12 annual reports required under such section begin-13 ning in December 2015.
- 14 (b) SENSE OF CONGRESS.—It is the sense of Con-15 gress that the Secretary of Veterans Affairs should update 16 and improve the regulations of the Department of Vet-17 erans Affairs with respect to military sexual trauma by—
- 18 (1) ensuring that military sexual trauma is 19 specified as an in-service stressor in determining the 20 service-connection of post-traumatic stress disorder 21 by including military sexual trauma as a stressor de-22 scribed in section 3.304(f)(3) of title 38, Code of

23 Federal Regulations; and

1	(2) recognizing the full range of physical and
2	mental disabilities (including depression, anxiety,
3	and other disabilities as indicated in the Diagnostic
4	and Statistical Manual of Mental Disorders pub-
5	lished by the American Psychiatric Association) that
6	can result from military sexual trauma.
7	(c) Provision of Information.—During the period
8	beginning on the date that is 15 months after the date
9	of the enactment of this Act and ending on the date on
10	which the Secretary updates and improves regulations as
11	described in subsection (b), the Secretary shall—
12	(1) provide to each veteran who has submitted
13	a covered claim or been treated for military sexual
14	trauma at a medical facility of the Department with
15	a copy of the report under subsection (a)(3) or sec-
16	tion 1164 of title 38, United States Code, as added
17	by subsection $(a)(1)$ , that has most recently been
18	submitted to Congress;
19	(2) provide on a monthly basis to each veteran
20	who has submitted any claim for disability com-
21	pensation or been treated at a medical facility of the
22	Department information that includes—
23	(A) the date that the Secretary plans to
24	complete such updates and improvements to
25	such regulations;

1	(B) the number of covered claims that
2	have been granted or denied during the month
3	covered by such information;
4	(C) a comparison to such rate of grants
5	and denials with the rate for other claims re-
6	garding post-traumatic stress disorder;
7	(D) the three most common reasons for
8	such denials;
9	(E) the average time for completion of cov-
10	ered claims;
11	(F) the average time for processing cov-
12	ered claims at each regional office; and
13	(G) any information the Secretary deter-
14	mines relevant with respect to submitting a cov-
15	ered claim;
16	(3) in addition to providing to veterans the in-
17	formation described in paragraph (2), the Secretary
18	shall make available on a monthly basis such infor-
19	mation on a conspicuous location of the Internet
20	website of the Department; and
21	(4) submit to Congress on a monthly basis a re-
22	port that includes—
23	(A) a list of all adjudicated covered claims,
24	including ancillary claims, during the month
25	covered by the report;

1	(B) the outcome with respect to each med-
2	ical condition included in the claim; and
3	(C) the reason given for any denial of such
4	a claim.
5	(d) Military Sexual Trauma Defined.—In this
6	section:
7	(1) The term "covered claim" has the meaning
8	given that term in section 1164(c)(1) of title 38,
9	United States Code, as added by subsection (a)(1).
10	(2) The term "military sexual trauma" has the
11	meaning given that term in section 1164(c)(3) of
12	title 38, United States Code, as added by subsection
13	(a)(1).
14	SEC. 3. LIMITATION ON AWARDS AND BONUSES PAID TO
15	SENIOR EXECUTIVE EMPLOYEES OF DEPART-
16	MENT OF VETERANS AFFAIRS.
17	Section 705 of the Veterans Access, Choice, and Ac-
18	countability Act of 2014 (Public Law 113–146; 38 U.S.C.
19	703 note) is amended by striking the period at the end
20	and inserting the following: ", of which, during fiscal years
21	2016 through 2018, not more than an aggregate amount
22	of \$2,000,000 in each such fiscal year may be paid to em-

- 1 ployees of the Department of Veterans Affairs who are
- 2 members of the Senior Executive Service.".

Passed the House of Representatives July 27, 2015. Attest:

Clerk.

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