

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1607
OFFERED BY MS. TITUS OF NEVADA**

Strike all after the enacting clause and insert the following:

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:

1 “(1) The number of covered claims submitted
2 to or considered by the Secretary during the fiscal
3 year covered by the report.

4 “(2) Of the covered claims listed under para-
5 graph (1), the number and percentage of such
6 claims—

7 “(A) submitted by each sex;

8 “(B) that were approved, including the
9 number and percentage of such approved claims
10 submitted by each sex; and

11 “(C) that were denied, including the num-
12 ber and percentage of such denied claims sub-
13 mitted by each sex.

14 “(3) Of the covered claims listed under para-
15 graph (1) that were approved, the number and per-
16 centage, listed by each sex, of claims assigned to
17 each rating percentage.

18 “(4) Of the covered claims listed under para-
19 graph (1) that were denied—

20 “(A) the three most common reasons given
21 by the Secretary under section 5104(b)(1) of
22 this title for such denials; and

23 “(B) the number of denials that were
24 based on the failure of a veteran to report for
25 a medical examination.

1 “(5) The number of covered claims that, as of
2 the end of the fiscal year covered by the report, are
3 pending and, separately, the number of such claims
4 on appeal.

5 “(6) For the fiscal year covered by the report,
6 the average number of days that covered claims take
7 to complete beginning on the date on which the
8 claim is submitted.

9 “(7) A description of the training that the Sec-
10 retary provides to employees of the Veterans Bene-
11 fits Administration specifically with respect to cov-
12 ered claims, including the frequency, length, and
13 content of such training.

14 “(c) DEFINITIONS.—In this section:

15 “(1) The term ‘covered claims’ means claims
16 for disability compensation submitted to the Sec-
17 retary based on a covered mental health condition
18 alleged to have been incurred or aggravated by mili-
19 tary sexual trauma.

20 “(2) The term ‘covered mental health condition’
21 means post-traumatic stress disorder, anxiety, de-
22 pression, or other mental health diagnosis described
23 in the current version of the Diagnostic and Statis-
24 tical Manual of Mental Disorders published by the

1 American Psychiatric Association that the Secretary
2 determines to be related to military sexual trauma.

3 “(3) The term ‘military sexual trauma’ means,
4 with respect to a veteran, psychological trauma,
5 which in the judgment of a mental health profes-
6 sional, resulted from a physical assault of a sexual
7 nature, battery of a sexual nature, or sexual harass-
8 ment which occurred during active military, naval,
9 or air service.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of such chapter is amended
12 by adding at the end the following new item:

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

13 (3) INITIAL REPORT.—The Secretary of Vet-
14 erans Affairs shall submit to Congress an initial re-
15 port described in section 1164 of title 38, United
16 States Code, as added by paragraph (1), by not later
17 than 90 days after the date of the enactment of this
18 Act. Such initial report shall be in addition to the
19 annual reports required under such section begin-
20 ning in December 2015.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the Secretary of Veterans Affairs should update
23 and improve the regulations of the Department of Vet-
24 erans Affairs with respect to military sexual trauma by—

1 (1) ensuring that military sexual trauma is
2 specified as an in-service stressor in determining the
3 service-connection of post-traumatic stress disorder
4 by including military sexual trauma as a stressor de-
5 scribed in section 3.304(f)(3) of title 38, Code of
6 Federal Regulations; and

7 (2) recognizing the full range of physical and
8 mental disabilities (including depression, anxiety,
9 and other disabilities as indicated in the Diagnostic
10 and Statistical Manual of Mental Disorders pub-
11 lished by the American Psychiatric Association) that
12 can result from military sexual trauma.

13 (c) PROVISION OF INFORMATION.—During the period
14 beginning on the date that is 15 months after the date
15 of the enactment of this Act and ending on the date on
16 which the Secretary updates and improves regulations as
17 described in subsection (b), the Secretary shall—

18 (1) provide to each veteran who has submitted
19 a covered claim or been treated for military sexual
20 trauma at a medical facility of the Department with
21 a copy of the report under subsection (a)(3) or sec-
22 tion 1164 of title 38, United States Code, as added
23 by subsection (a)(1), that has most recently been
24 submitted to Congress;

1 (2) provide on a monthly basis to each veteran
2 who has submitted any claim for disability com-
3 pensation or been treated at a medical facility of the
4 Department information that includes—

5 (A) the date that the Secretary plans to
6 complete such updates and improvements to
7 such regulations;

8 (B) the number of covered claims that
9 have been granted or denied during the month
10 covered by such information;

11 (C) a comparison to such rate of grants
12 and denials with the rate for other claims re-
13 garding post-traumatic stress disorder;

14 (D) the three most common reasons for
15 such denials;

16 (E) the average time for completion of cov-
17 ered claims;

18 (F) the average time for processing cov-
19 ered claims at each regional office; and

20 (G) any information the Secretary deter-
21 mines relevant with respect to submitting a cov-
22 ered claim;

23 (3) in addition to providing to veterans the in-
24 formation described in paragraph (2), the Secretary
25 shall make available on a monthly basis such infor-

1 mation on a conspicuous location of the Internet
2 website of the Department; and

3 (4) submit to Congress on a monthly basis a re-
4 port that includes—

5 (A) a list of all adjudicated covered claims,
6 including ancillary claims, during the month
7 covered by the report;

8 (B) the outcome with respect to each med-
9 ical condition included in the claim; and

10 (C) the reason given for any denial of such
11 a claim.

12 (d) **MILITARY SEXUAL TRAUMA DEFINED.**—In this
13 section:

14 (1) The term “covered claim” has the meaning
15 given that term in section 1164(c)(1) of title 38,
16 United States Code, as added by subsection (a)(1).

17 (2) The term “military sexual trauma” has the
18 meaning given that term in section 1164(c)(3) of
19 title 38, United States Code, as added by subsection
20 (a)(1).

