

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2201
OFFERED BY MR. LUTTRELL OF TEXAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Improving VA Train-
3 ing for Military Sexual Trauma Claims Act”.

4 SEC. 2. IMPROVEMENT OF CLAIMS BASED ON MILITARY
5 SEXUAL TRAUMA UNDER LAWS ADMINIS-
6 TERED BY THE SECRETARY OF VETERANS AF-
7 FAIRS.

8 (a) TRAINING FOR EMPLOYEES WHO PROCESS SUCH
9 CLAIMS.—

10 (1) IN GENERAL.—Subsection (c) of section
11 1166 of title 38, United States Code, is amended—

12 (A) in paragraph (1), by striking “mem-
13 bers of teams established under subsection (a)
14 are trained” and inserting “each employee of
15 the Department who processes such a claim,
16 communicates with a claimant regarding evi-
17 dence supporting such a claim, or decides such

1 a claim, receives annual sensitivity training and
2 training”; and

3 (B) by adding at the end the following new
4 paragraphs:

5 “(4) The Secretary shall ensure that training received
6 by an employee under this subsection is appropriate for
7 how much experience the employee has with such claims.

8 “(5) The Secretary shall update training under this
9 subsection not less than once annually.”.

10 (2) REPORT.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of
12 Veterans Affairs shall submit to the Committees on
13 Veterans’ Affairs of the Senate and House of Rep-
14 resentatives a report regarding—

15 (A) training provided under such sub-
16 section before such date; and

17 (B) plans of the Secretary to carry out the
18 amendments made by paragraph (1).

19 (b) EXPANSION OF DUTY TO ASSIST IN OBTAINING
20 RECORDS FOR A COMPENSATION CLAIM.—Section
21 5103A(c) of title 38, United States Code, is amended—

22 (1) by redesignating paragraph (2) as para-
23 graph (3); and

24 (2) by inserting, after paragraph (1), the fol-
25 lowing new paragraph (2):

1 “(2) In the case of a claim under section 1166 of
2 this title, the assistance provided by the Secretary under
3 this section shall include obtaining—

4 “(A) the service personnel record of the claim-
5 ant; and

6 “(B) the service medical record of the claim-
7 ant.”.

8 (c) SENSITIVITY TRAINING FOR CERTAIN CON-
9 TRACTED HEALTH CARE PROFESSIONALS: REPORT; IM-
10 PROVEMENTS.—Not later than 90 days after the date of
11 the enactment of this Act, the Secretary of Veterans Af-
12 fairs shall submit to the Committees on Veterans’ Affairs
13 of the Senate and House of Representatives a report on—

14 (1) sensitivity training required for health care
15 professionals and individuals who communicate with
16 veterans to schedule examinations, contracted under
17 section 504 of the Veterans’ Benefits Improvements
18 Act of 1996 (Public Law 104–275; 38 U.S.C. 5101
19 note), to perform examinations of veterans who
20 make claims under section 1166 of title 38, United
21 States Code; and

22 (2) the plan of the Secretary to—

23 (A) improve such sensitivity training; and

24 (B) ensure that a veteran who makes such
25 a claim is not retraumatized during such an ex-

- 1 amination by such a contracted health care pro-
- 2 fessional.

