

116TH CONGRESS
2D SESSION

H. R. 8813

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide to a member of the uniformed services who is denied a traumatic injury protection claim under Servicemembers' Group Life Insurance certain information related to that denial.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 24, 2020

Mr. KILDEE (for himself and Mr. BERGMAN) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide to a member of the uniformed services who is denied a traumatic injury protection claim under Servicemembers' Group Life Insurance certain information related to that denial.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Transparency for
5 Wounded Warriors Act".

1 **SEC. 2. DENIAL OF CLAIMS FOR TRAUMATIC INJURY PRO-**
2 **TECTION UNDER SERVICEMEMBERS' GROUP**
3 **LIFE INSURANCE.**

4 Section 1980A of title 38, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(1)(1) If a claim for benefits under this section is
8 denied, the Secretary concerned shall provide to the mem-
9 ber at the same time as the member is informed of such
10 denial a description of the following:

11 “(A) Each reason for that denial, including a
12 description of all the information upon which the de-
13 nial is based and a description of the applicable
14 laws, regulations, or policies, with appropriate cita-
15 tions, and an explanation of how such laws, regula-
16 tions, or policies affected the denial.

17 “(B) Each finding that is favorable to the mem-
18 ber.

19 “(2) Any finding favorable to the member as de-
20 scribed in paragraph (1)(B) shall be binding on all subse-
21 quent reviews or appeals of the denial of the claim, unless
22 clear and convincing evidence is shown to the contrary to
23 rebut such favorable finding.”.

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