

118TH CONGRESS  
2D SESSION

# H. R. 8879

To amend title 38, United States Code, to improve claims, made under laws administered by the Secretary of Veterans Affairs, regarding military sexual trauma, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2024

Mrs. KIM of California (for herself and Ms. BUDZINSKI) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve claims, made under laws administered by the Secretary of Veterans Affairs, regarding military sexual trauma, and for other purposes.

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 “Improving VA Train-  
5 ing for Military Sexual Trauma Claims Act”.

1 **SEC. 2. IMPROVEMENT OF CLAIMS BASED ON MILITARY**  
2 **SEXUAL TRAUMA UNDER LAWS ADMINIS-**  
3 **TERED BY THE SECRETARY OF VETERANS AF-**  
4 **FAIRS.**

5 (a) TRAINING FOR EMPLOYEES WHO PROCESS SUCH  
6 CLAIMS.—

7 (1) IN GENERAL.—Subsection (c) of section  
8 1166 of title 38, United States Code, is amended—

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

17 (B) by adding at the end the following new  
18 paragraph:

19 “(4) The Secretary shall update training under this  
20 subsection not less than once annually.”.

21 (2) REPORT.—Not later than 90 days after the  
22 date of the enactment of this Act, the Secretary of  
23 Veterans Affairs shall submit to the Committees on  
24 Veterans’ Affairs of the Senate and House of Rep-  
25 resentatives a report regarding—

1 (A) training provided under such sub-  
2 section before such date; and

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

5 (b) EXPANSION OF DUTY TO ASSIST IN OBTAINING  
6 RECORDS FOR A COMPENSATION CLAIM.—Section  
7 5103A(c) of title 38, United States Code, is amended—

8 (1) by redesignating paragraph (2) as para-  
9 graph (3); and

10 (2) by inserting, after paragraph (1), the fol-  
11 lowing new paragraph (2):

12 “(2) In the case of a claim under section 1166 of  
13 this title, the assistance provided by the Secretary under  
14 this section shall include obtaining the service personnel  
15 record and service medical record of the claimant.”.

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

22 (1) sensitivity training required for health care  
23 professionals, contracted under section 504 of the  
24 Veterans’ Benefits Improvements Act of 1996 (Pub-  
25 lic Law 104–275; 38 U.S.C. 5101 note), to perform

1 examinations of veterans who make claims under  
2 section 1166 of title 38, United States Code; and

3 (2) the plan of the Secretary to—

4 (A) improve such sensitivity training; and

5 (B) ensure that a veteran who makes such  
6 a claim is not retraumatized during such an ex-  
7 amination by such a contracted health care pro-  
8 fessional.

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