



**NVLSP**  
NATIONAL VETERANS LEGAL SERVICES PROGRAM

## **FAQs**

**on**

**H.R. 7105, Johnny Isakson and David P. Roe, M.D.  
Veterans Health Care and Benefits Improvement Act of  
2020**

**(Current as of March 30, 2021)**

**Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits  
Improvement Act of 2020 FAQs**

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## **I. Education**

### **Who is eligible now for the Edith Nourse Rogers STEM Scholarship program?**

Individuals enrolled in dual degree programs with an undergraduate college degrees are eligible for the Edith Nourse Rogers STEM Scholarship program. Those who have earned a post-secondary degree in the following fields: biological or biomedical science, physical science, science technologies or technicians, computer and information science and support services, mathematics or statistics, engineering, engineering technologies or an engineering-related field, a health profession or related program, a medical residency program, an agriculture science program or a natural resources science program, or other subjects and fields identified by the Secretary of Veterans Affairs as meeting national needs and enrolled in a covered clinical training program are eligible for assistance. These benefits will not count toward the limits on allowance or assistance. [Sec. 1001.](#)

### **Who is eligible now for the Fry Scholarship?**

A child or spouse of an individual who, on or after September 11, 2001, died while serving on duty other than active duty and a child or spouse of a Selected Reserve member who, on or after September 11, 2001, died while a member of the Selected Reserve from a service-connected disability are eligible for the Fry Scholarship. These individuals will become eligible after August 1, 2021. [Sec. 1002.](#)

### **When must an individual elect to receive benefits under the All-Volunteer Educational Assistance program?**

Individuals may elect to receive educational assistance under the All-Volunteer Educational Assistance program during the 90-day period, which begins on the day that is 180 days after the date the individual enters initial training. If an individual fails to make an election during this time period, payment is reduced. The All-Volunteer Educational Assistance program is only available to those who entered active duty during the period between July 1, 1985 and September 30, 2030. [Sec. 1003, 1004.](#)

### **How has the eligibility for in-state tuition changed for veterans discharged or released after 90 days of service?**

Veterans who were discharged or released after 90 days of service in the active military, naval, or air service may qualify for in-state tuition for longer than a three year period. The Secretary of Veterans Affairs will provide updated eligibility requirements on Veterans Affairs' website. [Sec. 1005.](#)

### **What qualifies now as a work-study activity?**

Beginning on August 1, 2021, qualifying work-study activity for the purposes of educational assistance programs will include the distribution of benefits information and processing of documents for claims conducted at a Member of Congress' office. [Sec. 1006.](#)

### **How are entitlements handled for permanently closed educational institutions?**

Payments of assistance for rehabilitation programs are restored in a case where an educational institution permanently closed. In addition, for purposes of awarding a monthly housing stipend or subsistence allowance, following a permanent closure of an educational institution, the stipend is limited to a specific time period related to the closing. [Sec. 1007.](#)

### **Will the VA cover costs outside of the educational assistance program?**

The VA may cover tuition and fees not covered by the educational assistance program if the Secretary of Veterans Affairs enters into an agreement with colleges and universities to cover tuition and fees not covered by the educational assistance program. [Sec. 1008.](#)

### **How many days on active duty are required to qualify for educational assistance?**

Educational assistance is now payable for those who are on active duty for more than 30 days. This takes effect August 1, 2022. [Sec. 1009.](#)

### **What are the new requirements for receiving Post-9/11 Educational Assistance benefits?**

For Post-9/11 Educational Assistance benefits, the Secretary of Veterans Affairs is required to verify that all recipients are enrolled in a qualifying course. Individuals will be required to verify that they are enrolled in a course every month. If an individual does not submit the required verification, the individual risks losing payment. This requirement will begin August 1, 2021. [Sec. 1010.](#)

### **Who can an individual transfer their benefits to under the Post 9/11 Educational Assistance Program?**

An individual who is approved to transfer educational assistance can transfer their educational assistance to eligible dependents or a combination of eligible dependents. An eligible dependent is a spouse, a child who is under 21, a child who is under 23 and enrolled in a full-time course at an institution approved by the Secretary of Veterans Affairs, a child who is under 23 and dependent on the individual for over one-half of child support, a child who is incapable of self-support due to mental or physical incapacity, or an unmarried individual. [Sec. 1011.](#)

### **What may now be considered a reason for which a course of education may be disapproved?**

Any program offered by an educational institution that is at risk of losing accreditation will not be deemed approved for purposes of educational benefits. [Sec. 1012.](#)

### **Who now may be eligible for training and rehabilitation programs?**

A veteran who is discharged or released from active military, naval, or air service on or after January 1, 2013 is eligible without limitation. [Sec. 1025.](#)

## **II. Benefits**

### **A. General Benefits**

#### **What is the definition of the Vietnam era for purposes of benefit claims?**

The definition of Vietnam era has been updated to November 1, 1955 through May 7, 1975. Previously the time period was February 28, 1961 through May 7, 1975. [Sec. 2001.](#)

#### **How will the VA improve capacity for medical disability examinations?**

License portability, under a temporary three-year authority, will be available for physicians assistants, nurse practitioners, audiologists, and psychologists to supplement the capacity of employees available to provide medical disability examinations at Veterans Affairs. [Sec. 2002.](#)

#### **What is the new VA life insurance program?**

A service-disabled veterans insurance program granting a veteran whole-life insurance policies will be established. This program is scheduled to begin January 1, 2023 and would apply to service-disabled veterans under the age of 81. [Sec. 2004.](#)

#### **What are the changes to the denial of claims for traumatic injury protection under Servicemembers' Group Life Insurance?**

The Secretary of Veterans Affairs is required to explain any denial of benefits for traumatic injury protection be provided to the applicant. Such explanation is required to include: (a) each reason for that denial, including a description of all the information upon which the denial is based and a description of the applicable laws, regulations, or policies, with appropriate citations, and an explanation of how such laws, regulations, or policies affected the denial and (b) each finding that is favorable to the member. [Sec. 2005.](#)

#### **What are some of the changes to the disability benefit questionnaire forms?**

The Secretary of Veteran Affairs will publish on the VA website the disability benefit questionnaire forms required for the submission of evidence from a non-VA medical provider and the process for submission of such evidence. The forms may be updated by the Secretary if the Secretary determines that updates are required based the Secretary's review of the current forms. [Sec. 2006.](#)

#### **How can a veteran remove a dependent from an award of compensation?**

A veteran will be able to remove a dependent from an award of compensation or pension using the eBenefits, or another VA, system. Veterans Affairs will provide further information in early 2021. [Sec. 2008.](#)

### **How have the eligibility criteria for dependency and indemnity compensation changed?**

Surviving spouses who remarry after age 55 will remain eligible for dependency and indemnity compensation for surviving spouses. [Sec. 2009.](#)

### **What is included in the Veterans Affairs study on exposure by members of the Armed Forces to toxicants at Karshi-Khanabad Air Base in Uzbekistan?**

Veterans Affairs will complete a study within 10 years identifying: (a) the incidents of cancers and other illnesses in members who served in the active military, naval, or air service at Karshi-Khanabad (K2) Air Base in Uzbekistan between October 1, 2001 and September 30, 2005 and (b) a list of toxic substances, chemicals, ionizing radiation, and airborne hazards members may have been exposed to at the Air Base. The study will include: (a) an assessment of the conditions at the Air Base, including identifying toxic substances, chemicals, ionizing radiation, and airborne hazards and (b) an epidemiological study of the health consequences.

The “open burn pit” definition under Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 will include Uzbekistan for purposes of the establishment of an open burn pit registry. In addition, the Secretary of Veterans Affairs will ensure that any member that served at the Air Base within the time period will be covered by the Depleted Uranium Follow-up Programs. [Sec. 2010.](#)

## **B. Housing**

### **How have Veterans Affairs home loan eligibility criteria changed for National Guard members?**

Veterans who performed full-time National Guard duty for a period of not less than 90 cumulative days, which includes 30 consecutive days, are now eligible for VA home loans. [Sec. 2101.](#)

## **C. Burial Matters**

### **Are transportation costs to a veterans’ cemetery covered?**

Secretary of Veterans Affairs will be allowed to pay for the transportation costs associated with the transfer of a deceased veteran for a burial in a covered veterans’ cemetery. This will take effect January 5, 2023. [Sec. 2201.](#)

### **Who is now eligible for funeral benefits?**

The payment for the costs of a funeral will be expanded to include a veteran who dies in a VA facility where the deceased veteran was properly admitted for hospital, nursing home, or domiciliary care; a veteran who dies at an institution at which the deceased veteran was at the time of death receiving hospital care from, nursing home care from, or nursing home care for which payments were made by the Department; a veteran who at the time of death received compensation for service-connected disability or death, or receipt of a pension; or a veteran who the Secretary of Veterans Affairs determines to have no next of kin or an individual claiming the

body and where there were not sufficient resources to cover burial and funeral expenses. This will apply to deaths that occur on or after January 5, 2023. [Sec. 2202.](#)

### **When must the Secretary of Veterans Affairs provide outer burial receptacles?**

The Secretary of Veterans will provide an outer burial receptacle for each new grave in an open cemetery under the control of the National Cemetery Administration or a cemetery that is subject to a grant. This will take effect January 5, 2023. [Sec. 2203.](#)

### **When may Veterans Affairs provide an inscription on a headstone or marker following the death of a surviving spouse or dependent child?**

The Secretary of Veterans may replace a headstone or marker to add an inscription following the death of the surviving spouse or eligible dependent child of an individual whose grave is not in a covered cemetery, but has a headstone or marker furnished by the Secretary. This applies to individuals who died on or after October 1, 2019. [Sec. 2204.](#)

### **When may a veteran receive an urn or commemorative plaque in lieu of a headstone or marker?**

The Secretary of Veterans Affairs may, in lieu of furnishing a headstone or marker, provide a qualified deceased individual an urn made of any material to signify the individual's status as a veteran or a commemorative plaque signifying the individual's status as a veteran. A qualified deceased individual means an individual who served in the Armed Forces on or after April 6, 1917, who is eligible for a headstone or marker furnished, and whose remains were cremated and not interred in a veterans' cemetery. This will take effect January 5, 2023. [Sec. 2207.](#)

## **III. Health Care**

### **A. General Health Care**

#### **What are some of the changes to the Veteran Directed Care program?**

The changes made to the Veteran Directed Care Program due to the public health emergency is extended to the period of the public health emergency plus 60 days after the public health emergency is no longer in effect. The Secretary of Veterans Affairs may transfer a veteran who resides in an area covered by the Veteran Directed Care Program to the Program for the duration of the public health emergency plus 60 days if: (a) the veteran is receiving extended care services, such as adult day services or home health aide services, and (b) those services are no longer available due to the public health emergency. [Sec. 3001.](#)

#### **Who can Veterans Affairs not collect a health care copayment from?**

Veterans Affairs may not collect a health care copayment from a veteran who is catastrophically disabled, or an Indian or urban Indian. This takes effect January 5, 2022. [Sec. 3002.](#)

**Are veteran homes on tribal lands considered State Homes for purposes of receiving grants for the care of veterans?**

Homes established for the care of veterans on tribal lands are now considered State Homes for purposes of the program. [Sec. 3004.](#)

**Will Veterans Affairs Women's Health Transition Training program be continued?**

The Women's Health Transition Training program will continue until at least January 5, 2022. [Sec. 3005.](#)

**When would Veterans Affairs cover transportation costs for a newborn child and their parents?**

The Secretary of Veterans Affairs may cover the transportation costs for a newborn child and parents between care settings to meet the needs of a newborn child. This may cover transportation, by ambulance, air ambulance, or other medical transportation, to another health care facility when the current facility is incapable of providing the needed care or a health care facility when there is a medical emergency. The Secretary of Veterans Affairs will establish rates of reimbursement and directly reimburse covered entities for the transportation services. In addition, the Secretary will issue regulations that may waive debt or reimburse expenses associated with transportation costs that were incurred by a veteran between May 5, 2010 and January 5, 2021. [Sec. 3006.](#)

**Will all VA medical facilities have receptacles for the disposal of controlled substances medications?**

The Secretary of Veterans Affairs will ensure that all VA medical facilities have a location for patients to dispose of controlled substances medications. This section takes effect on January 1, 2022. [Sec. 3009.](#)

**How can undergraduate students gain clinical experience at VA medical centers?**

The Secretary of Veterans Affairs will carry out a one-year pilot program, beginning before August 15, 2021, to provide undergraduate students clinical observation experiences at VA medical centers. Students will be able to spend the majority of the 20-40 observational hours observing a health professional and the other hours, in a manner which provides an exposure to the medical system. Priority for selection into the program will be given to students who reside in a health professional shortage area, are first generation college students, are referred by minority serving institutions, are veterans, or indicate an intention to specialize in a health professional field with a staffing shortage. [Sec. 3010.](#)

**B. Scheduling and Consult Management**

**How will Veterans Affairs improve the health care appointments system?**

- The Secretary of Veterans Affairs will establish a process and requirements for scheduling appointments related to health care from VA medical facility and a non-VA



health care provider, which participates in the Veterans Community Care Program. [Sec. 3101.](#)

- The Secretary of Veterans Affairs will conduct audits assessing any scheduling or consultations issues at VA medical centers. The audits will examine noncompliance with scheduling policies, the extent to which appointments or consultations are not timely processed, appointment and consultation backlogs, whether consultations are processed appropriately, consultation data, and accuracy of consultation management. The audits will provide recommendations for corrective measures, certification that the medical centers' director are in compliance with the scheduling process and requirements, and measurements of various time periods between referrals to VA medical centers and non-VA medical centers and acceptance of those referrals or performance of services. [Sec. 3102.](#)

#### **IV. Navy Seal Bill Mulder**

##### **A. Service-connection and COVID-19**

##### **What are the changes related to the presumptions for compensation related to a service-connected disability or death?**

If an individual experiences COVID symptoms within the manifestation period, while serving in a qualifying period of duty, the COVID infection will be presumed to have occurred during the qualifying period of duty; COVID shall be presumed to have been incurred during the qualifying period of duty; and if the individual becomes disabled or dies as a result of COVID, it will be presumed that the individual became disabled or died during the qualifying period of duty.

A qualifying period of duty includes a period of active duty performed during a national emergency declared by the President and before January 5, 2024, or Reserve training duty or full-time National Guard duty performed under orders issued on or after March 13, 2020 during the national emergency declared by the President and before January 5, 2024. As it relates to the application for presumptions for training duty, COVID is presumed to have been incurred during a qualifying period of duty. If there are questions whether the symptoms are related to COVID and a medical examination is required, the process is treated the same as it is for an active duty service member. [Sec. 4101.](#)

##### **B. Homeless Veterans Assistance**

##### **What are some the benefits being offered to homeless veterans during the pandemic?**

- During a public health emergency, the Secretary of Veterans Affairs may use funds to provide homeless veterans services such as: assistance for safety and survival (e.g. food and shelter), transportation, communications equipment (e.g. phones), and any other assistance that is needed. The Secretary can collaborate with organizations to manage the use of Veterans Affairs' land for living and sleeping. If the Secretary waives any limits on grant amounts per diem rates due to the public health emergency, the maximum rate

for per diem payments shall be three times the rate authorized for domiciliary care in state homes.

- A grant recipient or entity under the grant and per diem program may use such payments to provide assistance required for safety and survival (e.g. food, shelter, clothing, blanket, and hygiene items) for homeless veterans and formerly homeless veterans residing in facilities who receive such grants. The Secretary may also provide additional amounts for transitional housing beds. If during the public health emergency, a recipient of a grant that was awarded before the emergency is unable to provide services, the recipient will not be subject to any property disposition requirements for the duration of the emergency.
- The Secretary will ensure that homeless veterans have access to telehealth services. The Secretary will ensure that telehealth capabilities are available to veterans, cases managers, and community-based service providers. [Sec. 4201.](#)

### **What grants are available for entities providing legal services for homeless veterans and veterans at risk for homelessness?**

The Secretary of Veterans of Affairs may award grants to entities that provide legal services to homeless veterans and veterans at risk for homelessness. The Secretary is required to establish a criteria for grants and publish such criteria in the Federal Register. In developing the criteria, the Secretary will take into consideration the ability to carry out services in rural communities, on trust lands, and in U.S. territories and possessions. The Secretary will also consult with organizations who provide services to homeless veterans, including Equal Justice Works AmeriCorps Veterans Legal Corps and others. The grant applicants need to be a public or nonprofit private entity with capacity to administer services; demonstrate they have the financial support necessary to carry out services; agree to meet the criteria set forth by the Secretary; and demonstrate the capacity to meet such criteria.

In any fiscal year, at least 10% of the amount grants will be appropriated to provide legal services to women veterans. Grants shall be equitably distributed among geographic regions with respect to rural communities, trust lands, Native Americans, and tribal organizations. [Sec. 4202.](#)

### **What are the changes related to grants awarded to recipients or entities that provide services to homeless veterans?**

The Secretary of Veterans Affairs will adjust the rate estimated by the grant recipient or eligible entity to exclude other sources of income, including payment for furnishing services to homeless veterans under programs from other federal departments or agencies, state or local government departments or agencies, and private organizations. For calculating the rate for per diem payments for a homeless veteran who has a minor dependent, each minor is entitled to an amount that is equal to 50% of the daily cost of care of the homeless veteran. The Secretary may adjust the rate of per diem payments if the Secretary finds it is appropriate. Such adjustment may not result in a rate that is lower than on January 5, 2021 or exceed the rate that is 115% of the rate authorized for domiciliary care in state homes. The adjustment may be made based on locality.

In a case where services are furnished to a veteran who is placed in housing that will become permanent upon the termination of the services, the maximum rate of per diem is 150% of the rate authorized for domiciliary care in state homes. The Secretary may reimburse a recipient for fees charged to a grant or per diem payment recipient for the use of the homeless management information system. [Sec. 4204.](#)

**What are the changes to the program of referral and counseling services for veterans at risk for homelessness because they are transitioning from certain institutions?**

The authority to carry out the program of referral and counseling services, such as job training and placement, housing, and health care, for veterans at risk for homelessness because they are transitioning from certain institutions will no longer expire. [Sec. 4205.](#)

**C. Retraining Assistance**

**Who is now eligible to participate in or provide for high technology programs of education?**

The Secretary of Veterans Affairs may treat an individual as eligible for the high technology programs if the Secretary determines that individual will become an eligible veteran fewer than 180 days after the date of such determination. A provider of a high technology program of education is qualified if the Secretary determines that they have instructors who are “experts” in their fields. An eligible veteran is not eligible for the housing stipend related to this program if the veteran became an eligible veteran as noted above. Enrollment in a high technology program will not be considered in the aggregate period calculation for which any individual may receive assistance. [Sec. 4302.](#)

**How has the pilot program for off-base transition training for veterans and spouses been modified?**

The Transition Assistance Program is extended to a veteran or spouse of a veteran at locations other than military installations for a five-year period beginning January 5, 2021. [Sec. 4303.](#)

**What grants for the provision of transition assistance for members of the Armed Forces after separation, retirement, or discharge are available to organizations?**

The Secretary of Veterans Affairs will make grants available for organizations for the provision of transition assistance to members who are separated, retired, or discharged, and their spouses. The grant can be used for services related to resume assistance, interview training, job recruitment training, and other transition services. In order for an organization to be eligible, it must submit an application to the Secretary. [Sec. 4304.](#)

## **V. Deborah Sampson**

### **A. Improving Access for Women Veterans**

#### **How will Veterans Affairs improve access to services for women veterans?**

- The Under Secretary of Veterans Affairs for Health will establish the Office of Women's Health. This office will provide a central office for: (a) evaluating and improving health care services to women veterans, (b) developing and implementing standards of care, (c) monitoring and identifying deficiencies in standards of care medical facilities and remedying these deficiencies, (d) monitoring and identifying deficiencies in standards of care for health care provide through the community and remedying these deficiencies, (e) overseeing distribution of resources and information related to health programming for women veterans, (f) promoting the expansion and improvement of clinical, research, and educational activities of the Veterans Health Administration with respect to the health care of women veterans, (g) providing budget recommendations, (h) providing recommendations for modifying the Veterans Equitable Resource Allocation system to reflect the needs of women veterans, and (i) carrying out any other duties deemed necessary by the Under Secretary for Health. [Sec. 5101.](#)
- VA medical facilities will be retrofitted to support the care of women veterans. [Sec. 5102.](#)
- The Secretary of Veterans Affairs will ensure that women veterans have access to clinically appropriate prosthetic appliances. [Sec. 5108.](#)
- The Secretary of Veterans Affairs will improve the capabilities of women veterans call centers to better respond to requests by women veterans for assistance with accessing health care and benefits. [Sec. 5109.](#)
- The Secretary of Veterans Affairs will conduct a study on infertility services offered by the department. [Sec. 5110.](#)

#### **What are the changes related to the reintegration and readjustment services of veterans and family members in group retreat settings?**

An individual who receives counseling can receive reintegration and readjustment services furnished in group retreat settings. Reintegration and readjustment services include information on reintegration, financial counseling, occupational counseling, information and counseling on stress reduction, information and counseling on conflict resolution, and other information appropriate to assist the individual in reintegration.

- Women will be offered the opportunity to receive these services in group retreat settings where there are only women participants.
- For 2021-2025, the maximum number of individuals who can receive reintegration and readjustment services is 1,200.

- An individual who participated in a drug interdiction operation as a member of the Coast Guard may receive such services only if the individual receives services with a family member. [Sec. 5104.](#)

### **How can outside legal services organizations support women veterans?**

The Secretary of Veterans Affairs will enter into at least one agreement with public or private entities to provide legal services to women veterans. The agreement(s) will address unmet needs set forth in the Community Homelessness Assessment, Local Education and Networking Groups for Veterans (CHALENG for Veterans) survey, including child support, prevention of eviction and foreclosure, discharge upgrade, financial guardianship, credit counseling, and family reconciliation assistance. [Sec. 5105.](#)

### **What programs will be available to provide assistance for child care?**

The Secretary of Veterans Affairs will establish a program that provides assistance for child care during the period when the veteran is a qualified veteran and requires travel to and from the health care facility.

To be a qualified veteran, the veteran must be a primary caretaker of a child and:

- receive from Veterans Affairs (a) regular mental health care services, (b) intensive mental health care services, or (c) other intensive health care services the Secretary of Veterans Affairs determines would qualify, or
- is in need of regular or intensive mental health care services and but for lack of child care services, would receive such health care services.

The child care assistance may include (a) stipends for a licensed child care center (for the full cost of child care), (b) direct provision of child care at an on-site facility, (c) payments to private child care agencies, (d) collaboration with facilities of other federal agencies, and (e) other forms found to be appropriate. The program will be carried out before 2026.

The Secretary of Veterans Affairs will carry out a pilot child care assistance program. Under this pilot program, eligible veterans can only receive child care during the period that the qualified veteran receives readjustment counseling and related health care services at a Vet Center.

To be a qualified veteran, the veteran must be a primary caretaker of a child and:

- receive from Veterans Affairs regular readjustment counseling and related mental health services, or
- is in need of regular readjustment counseling and related mental health services and but for lack of child care services, would receive such services.

Forms of assistance for the pilot program can be similar to the methods noted above. The pilot program will be carried out during the two-year period beginning on the date of the commencement of the pilot program. [Sec. 5107.](#)

## **Are Reserve members able to access services related to military sexual trauma?**

The Veterans bill expresses the sense of Congress that Reserve members should be able to access all department health care facilities in order to receive counseling and treatment relating to military sexual trauma. [Sec. 5111.](#)

### **B. Increasing Staff Cultural Competency**

#### **How will Veterans Affairs improve the cultural competency of medical facilities?**

- The Secretary of Veterans Affairs will ensure that each Veterans Affairs medical facility has at least one full-time or part-time women's health primary care provider, whose duties include providing training to other providers on the needs of women veterans. [Sec. 5201.](#)
- There will be an additional \$1 million for each 2021-2025 fiscal year to provide opportunities for primary and emergency care clinicians to participate in the Veterans Affairs Women Veterans Health Care Mini-Residency Program. [Sec. 5202.](#)

#### **What training resources will be available for community providers?**

The Secretary of Veterans Affairs will, no later than January 5, 2022, establish and make available on the Veterans Affairs' website a training module specific to women veterans for community providers. The training module will provide training materials relating to the services for women veterans that are provided by Veterans Affairs. [Sec. 5203.](#)

### **C. Eliminating Harassment and Assault**

#### **Who now has access to Veterans Affairs counseling and treatment for sexual trauma?**

Counseling and care services are accessible for all former members of the Armed Services who have experienced sexual trauma while serving on duty, regardless of duty status or line of duty determination. Services include care for physical health conditions and treatment for conditions which resulted from a sexual trauma. [Sec. 5301.](#)

#### **What will Veterans Affairs do to improve its anti-harassment and anti-sexual assault policies?**

- The Secretary of Veterans Affairs will establish a comprehensive policy to end harassment and sexual assault in Veterans Affairs. The policy will include: a process for reporting incidents of harassment and sexual assault; clear mechanisms on how to report; a process for reporting for those who witness harassment or sexual assault; possible disciplinary actions for witnesses who fail to report incidents of harassment and sexual assault; mandatory bystander intervention training; the distribution of anti-harassment

and anti-sexual assault policies; and prominent display of anti-harassment and anti-sexual assault messages at facilities and on the website.

- The Secretary of Veterans Affairs will designate various points of contact to receive reports of harassment and sexual assault and establish a policy to ensure that appropriate actions are taken in facilities that experience five or more incidents of sexual harassment and/or sexual assault in a year. The in-take process will include questions such as (a) whether the veteran feels safe at the facility and whether any events at the facility caused such feeling and (b) whether the veteran wants to be contacted later by the department with respect to such safety issues.
- The Secretary of Veterans Affairs will establish a working group that will help carry out these policies. The working group will have representatives from veterans service organizations, state/local/tribal veterans agencies, and any other individuals the Secretary finds appropriate. The working group will develop and implement an action plan for reducing instances of harassment and sexual assault, standardized media for veterans service organization and others to use with respect to reducing harassment and sexual assault, and bystander intervention training for veterans. [Sec. 5303.](#)

#### **What initiatives will Veterans Affairs take to better understand partner violence and sexual harassment?**

- The Secretary of Veterans Affairs will carry out a pilot program for two years to assess the feasibility and advisability of assisting former members of the Armed Forces who have experienced or are experiencing intimate partner violence or sexual assault in accessing benefits. This will be done in collaboration with intimate partner violence shelters and programs, rape crisis centers, state intimate partner violence and sexual assault coalitions, and health care or other providers that serve this group. The pilot program will provide training for community-based services on connecting individuals with services, assistance to service providers to ensure access to intimate partner violence and sexual assault emergency services, and other outreach. [Sec. 5304.](#)
- The Secretary of Veterans Affairs will conduct a study to examine the scope of intimate partner violence and sexual assault among veterans and spouses and intimate partners of veterans. The study will include a literature review, an examination of the prevalence of violence, and recommendations to address the findings. [Sec. 5305.](#)
- The Secretary of Veterans Affairs will establish, and lead, a national task force, with the Attorney General and Secretary of Health and Human Services, to develop a national program to address intimate partner violence and sexual assault among veterans. The task force will consult with representatives from veterans and military organizations; representatives from national or state intimate partner violence prevention, response, or advocacy organizations or coalitions; and representatives, representing underserved and ethnic minority communities, from national or state intimate partner violence prevention, response, or advocacy organizations or coalitions. The task force will review services and policies to develop a national program to address intimate partner violence and sexual assault prevention, response, and treatment; review the ability to expedite the



process to secure emergency, temporary benefits for veterans who are experiencing intimate partner violence or sexual assault; review and make recommendations on the ability to establish dedicated, temporary housing assistance for veterans experiencing intimate partner violence or sexual assault; review and make recommendations related intimate partner violence assistance or sexual assault response and services that are not being met; to review and make recommendations regarding the ability to provide direct services or contracting for community-based services for veterans in response to a sexual assault; to review and make recommendations related to the availability of counseling services; and to review and make recommendations to expand services available for veterans at risk of perpetuating intimate partner violence. [Sec. 5305.](#)

#### **D. Data Collection and Reporting**

##### **What types of studies will Veterans Affairs conduct on access to certain benefits?**

- Veterans Affairs will study the barriers for women veterans in receiving health care from the department. Elements of the study will include, among many things, the barriers associated with seeking mental health, the availability of transportation to medical facilities, effect of access to care, availability of child care, gender sensitivity of health care providers, and effectiveness of outreach to women veterans. [Sec. 5402.](#)
- Veterans Affairs will study the feasibility and advisability of expanding the Parenting STAIR program, a five-session, parenting-specific treatment protocol based on skills training in affective and interpersonal regulation, which is a cognitive behavioral therapy for treating post-traumatic stress disorder among individuals with co-occurring disorders, to all medical centers and including the program as part of care for military sexual trauma for affected members and former members of the Armed Forces. The study will review the staffing needs of the program, any additional infrastructure or resources needs for the expansion, and other factors the Secretary finds appropriate. [Sec. 5403.](#)

#### **E. Benefits Matters**

##### **How will Veterans Affairs process mental health claims related to a military sexual trauma?**

The Secretary of Veterans Affairs will establish specialized teams to process claims for compensation for a covered mental health condition related to a military sexual trauma experienced by a veteran during active service. The teams will be trained to identify markers for military sexual trauma. [Sec. 5501.](#)

##### **What rights do veterans have now related to the examination required for claims of compensation after a sexual trauma?**

The Secretary of Veterans Affairs will ensure that a veteran can choose the sex of the medical examiner for the exams necessary for claims of compensation relating to disability resulting from physical assault of a sexual nature, battery of a sexual nature, or sexual harassment. This applies to all VA medical providers and those that contract with the department. Before any examination, the veteran will be notified of their rights to make that choice. [Sec. 5502.](#)



## **VI. Financial Exploitation Matters**

### **How will Veterans Affairs reduce the risk of financial exploitation?**

- The Secretary of Veterans Affairs will develop a process for soliciting and collecting information on complaints, referrals, and actions related to potential financial exploitations cases taken by pension management centers and others by January 5, 2022. A plan will also be developed to assess the information collected to identify any trends and outline actions to improve education and training to address these trends. [Sec. 6002.](#)
- The Under Secretary for Benefits of Veterans Affairs may update guidance and training curriculum regarding the evaluation of questionable medical expenses for the processors of pension claims. [Sec. 6003.](#)
- The Under Secretary for Benefits of Veterans Affairs will: (a) evaluate whether processors of pension claims should take additional action to verify the direct deposit information provided by an applicant and (b) identify legislative or administrative actions that can be taken to ensure that the pension payments are going to the correct recipients. [Sec. 6004.](#)
- The Under Secretary for Benefits of Veterans Affairs will develop, in collaboration with veterans service organizations, outreach plans to educate veterans on potential financial exploitation relating to receiving of pension. [Sec. 6007.](#)