



**DEPARTMENT OF VETERANS AFFAIRS  
Veterans Benefits Administration  
Washington, D.C. 20420**

June 27, 2011

VBA Letter 20-11-23

Director (00)

All VBA Services, Staff Offices, Regional Offices, and Centers

Subj: Military Sexual Trauma

Our core mission is to serve America's Veterans and their families with dignity and compassion. In keeping with the Department of Veterans Affairs (VA) core values of integrity, commitment, advocacy, respect, and excellence (I Care), I strongly support all efforts to ensure these core values are used in the adjudication of Post Traumatic Stress Disorder (PTSD) claims, particularly those cases involving Military Sexual Trauma (MST).

### **Purpose**

This letter provides procedural guidance and directives to ensure our employees are trained to properly handle all MST claims. Additional directives will soon be issued to VBA field offices by the Director of the Compensation Service.

MST claims are increasing in number and create special concerns related to evidence gathering and adjudication. These claims are highly sensitive in nature, and VA employees must be cognizant of their sensitivity when gathering evidence and providing a decision to claimants.

On April 21, 2011, the Veterans Health Administration Office of Mental Health Services provided all Women's Veterans Coordinators MST sensitivity training. This training, entitled "Military Sexual Trauma Sensitivity Training", was added as a learning item to the Talent Management System on May 31, 2011 and was made mandatory for all Women's Veterans Coordinators in FY 2011.

### **Evaluating Evidence in Personal Assault Cases**

I am committed to ensuring that all employees receive the necessary training to properly handle claims involving MST. VA has a longstanding practice of applying a liberal policy when adjudicating personal assault cases. In keeping with our standards of excellence, I am reiterating that all claims examiners must apply proper flexibility and sensitivity in evaluating evidence of service connection in these cases.

## Accepting Secondary Evidence

MST training must emphasize that in accordance with 38 CFR 3.304(f)(5), VA accepts 'secondary' evidence such as buddy statements or observations of changes in behavior -and does not require that the claimant make any official complaint or notification. VBA employees should not expect to see evidence in most MST cases; according to military statistics, only twenty percent of women and seven percent of men who experience sexual assaults actually report the assaults.

Claims processors should accept both the Veteran's statement and secondary evidence of changes in behavior as evidence and schedule the appropriate examination when a claim is received for service connection based on MST. The Veteran's service records may be silent concerning any official notification or immediate behavioral changes. However, statements of continuity of behavioral changes following service should be accepted as credible evidence to satisfy the requirements of the exam threshold. Remember, there is a low exam threshold for MST claims, and we should err on the side of the Veteran.

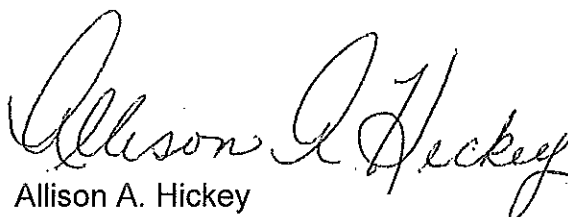
## Training Deadline

Effective immediately, all Regional Office personnel handling MST claims are required to complete the training lessons on both Military Sexual Trauma and Military Sexual Trauma Sensitivity. These lessons can be accessed on the Compensation Intranet Training Home Page at the below listed URLs:

[http://cptraining.vba.va.gov/C&P\\_Training/VSR/vsr\\_man.htm](http://cptraining.vba.va.gov/C&P_Training/VSR/vsr_man.htm)

[http://cptraining.vba.va.gov/C&P\\_Training/RVSR/rvsr\\_man.htm](http://cptraining.vba.va.gov/C&P_Training/RVSR/rvsr_man.htm)

This training must be completed no later than 30 September 2011 by all personnel handling MST claims in order to satisfy the requirements for FY 2011.



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