

Public Law 117–289
117th Congress

An Act

Dec. 27, 2022
[H.R. 6064]

To direct the Secretary of Veterans Affairs to seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for a review of examinations, furnished by the Secretary, to individuals who submit claims to the Secretary for compensation under chapter 11 of title 38, United States Code, for mental and physical conditions linked to military sexual trauma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INDEPENDENT REVIEW OF ASSESSMENTS BY THE SECRETARY OF VETERANS AFFAIRS OF MENTAL AND PHYSICAL CONDITIONS LINKED TO MILITARY SEXUAL TRAUMA FOR PURPOSES OF AWARDING DISABILITY COMPENSATION.

- Deadline. (a) **AGREEMENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (in this Act referred to as the “National Academies”) to perform the services covered by this section.
- Determinations. (b) **COMPREHENSIVE REVIEW.**—Under an agreement between the Secretary and the National Academies under this section, the National Academies shall conduct a comprehensive review of examinations, furnished by the Secretary to individuals who submit claims to the Secretary for compensation under chapter 11 of title 38, United States Code, for mental and physical conditions linked to military sexual trauma (in this Act referred to as “MST”), for the purpose of assessing the impairments of such individuals arising from MST. The review carried out pursuant to paragraph (1) shall include the following elements:
- (1) A determination of the adequacy of tools and protocols used by the Secretary to provide examinations described in this subsection, including—
 - (A) the Disability Benefits Questionnaires;
 - (B) the Department’s schedule of rating disabilities;
 - (C) consideration of whether certain conditions linked to MST should require referral for both a mental health examination and a physical health examination; and
 - (D) the necessity of internal pelvic examinations to diagnose certain conditions linked to MST, and whether alternatives to such examinations could be considered if a veteran objects to or cannot complete such examination.
 - (2) A determination of what credentials and training are necessary for a health care specialist or provider to perform

such examinations related to physical conditions linked to MST, for men and for women, including—

- (A) sexual dysfunction;
- (B) pelvic pain;
- (C) pelvic dysfunction;
- (D) musculoskeletal disabilities; and
- (E) cardiovascular conditions (including stroke).

(3) A determination of what credentials and training are necessary for a health care specialist or provider to perform such examinations related to mental health conditions linked to MST, for men and for women.

(4) An assessment of the quality of MST training for individuals who perform such examinations, including recommendations for improvements to such training.

Assessment.
Recommendations.

(c) REPORTS.—

(1) REPORT OF THE NATIONAL ACADEMIES.—Not later than 540 days after the date on which the Secretary enters into an agreement under subsection (a), the National Academies shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the comprehensive review conducted under subsection (b). Such report shall include the following elements:

(A) The findings of the National Academies under subsection (b).

(B) Recommendations of the National Academies regarding legislative or administrative action to improve of the adjudication of claims described in subsection (b).

Recommendations.

(2) REPORT OF THE SECRETARY.—Not later than 90 days after submission of the report under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the plans of the Secretary to carry out any action based on the findings and recommendations of the National Academies.

Approved December 27, 2022.

LEGISLATIVE HISTORY—H.R. 6064:

CONGRESSIONAL RECORD, Vol. 168 (2022):
May 18, considered and passed House.
Dec. 19, considered and passed Senate.

