

VA May Have Denied Half of Military Sexual Trauma Claims in Error

VFW national commander calls it ‘failing our veterans’

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WASHINGTON — The Department of Veterans Affairs Office of Inspector General released a 33-page report this week that indicates nearly half of all denied military sexual assault-related claims may have been denied in error.

According to the report, entitled “[Denied Posttraumatic Stress Disorder Claims Related to Military Sexual Trauma](#),” the Veterans Benefits Administration processed approximately 12,000 claims annually over the past three years for PTSD related to MST. In FY 2017, VBA denied about 5,500 of those claims. The OIG review team sampled 169 denied claims and discovered 82 were incorrectly processed, which indicates an overall adjudication error rate of 49 percent.

“The Inspector General’s report is very troubling,” said B.J. Lawrence, national commander of the Veterans of Foreign Wars of the United States. “The VA’s own statistics show that suicide rates among military sexual assault victims are a growing problem, yet here we have VBA — which is the key to all things VA — incorrectly processing almost a quarter of all claims. That’s failing our veterans.”

The OIG report was based on a review to determine whether VBA staff were correctly processing MST-related claims in accordance with guidance issued in 2011 to ensure consistency, fairness, and a “liberal approach” regarding the types of evidence VBA would accept to support and identify stressors related to MST.

The VA said it would review those claims, but the VFW wants the VA to go further — to review denied MST claims going back 10 years — and to proactively notify the claimants that they can seek a new decision on their claim. VA took similar steps last year when it discovered similar processing errors with traumatic brain injury claims dating as far back as 2007.

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“VA Under Secretary of Benefits Paul Lawrence needs to quickly address this issue in a proactive manner,” said the VFW national commander, “and that includes holding employees and their managers accountable as needed, and fixing what needs to be fixed so that no veteran is ever denied the care, programs and services they earned and deserve.”

The report also criticized VBA for a lack of quality controls, for skipping steps in claim development, and for inadequately training claims processors, which likely led to the denials.

The VFW believes that this underscores the need for veterans to always work with an accredited advocate to process their VA benefit claims. If you are a veteran who believes you were wrongfully denied benefits, contact the VFW to find a professional, accredited advocate near you. Visit www.vfw.org/nvs or email vfw@vfw.org.