



## DISABILITY COMPENSATION

## MILITARY SEXUAL TRAUMA

### DISABILITY COMPENSATION FOR CONDITIONS RELATED TO MILITARY SEXUAL TRAUMA (MST)

Disabilities determined by VA to be related to your military service can lead to monthly non-taxable compensation, enrollment in the VA health care system, a 10-point hiring preference for federal employment, and other important benefits. Ask your VA representative or Veterans Service Organization representative about Disability Compensation, Pension, Health Care, Caregiver Program, Career Services, Educational Assistance, Home Loan Guaranty, Insurance and/or Dependents and Survivors Benefits.

Some Veterans may have experienced sexual trauma while serving in the military. These kinds of experiences can affect Veterans' mental and physical health, even many years later. Veterans can apply for disability compensation for any current difficulties that are related to their service, including difficulties related to MST. The VA has military sexual trauma coordinators at local regional benefit offices who can assist Veterans. The list of coordinators is located here, <http://www.benefits.va.gov/benefits/mstcoordinators.asp>.

#### HOW DOES VA DEFINE MST?

MST is defined by Title 38 U.S. Code 1720D as "psychological trauma resulting from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the Veteran was serving on active duty, active duty for training, or inactive duty training." Sexual harassment is defined as "repeated, unsolicited verbal or physical contact of a sexual nature which is threatening in character."

#### ARE VETERANS GRANTED DISABILITY COMPENSATION FOR MST?

Veterans are not granted compensation for the traumatic event itself, but can be granted disability compensation for conditions that result from MST.



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## **CAN YOU DEVELOP POSTTRAUMATIC STRESS DISORDER (PTSD) OR OTHER MENTAL HEALTH DISORDERS AS A RESULT OF MST?**

Yes. Exposure to any trauma can potentially result in PTSD or another mental health disorder. PTSD is the most common mental health diagnosis related to experiencing MST.

## **WHAT EVIDENCE CAN SUPPORT A DISABILITY CLAIM FOR PTSD AS A RESULT OF MST?**

Department of Defense forms used in reporting incidents of sexual assault or harassment, as well as investigative reports during military service are direct evidence to support these claims. However, VA knows that events involving sexual trauma are not always officially reported. Therefore, for PTSD claims related to MST VA has relaxed the evidentiary requirements and looks for “markers” (i.e., signs, events, or circumstances) that provide some indication that the traumatic event happened. These include, but are not limited to:

- Records from law enforcement authorities, rape crisis centers, mental health counseling centers, hospitals, or physicians
- Pregnancy tests or tests for sexually transmitted diseases
- Statements from family members, roommates, fellow Servicemembers, clergy members, or counselors
- Requests for transfer to another military duty assignment
- Deterioration in work performance
- Substance abuse
- Episodes of depression, panic attacks, or anxiety without an identifiable cause
- Unexplained economic or social behavioral changes
- Relationship issues, such as divorce
- Sexual dysfunction

## **VA RELAXED THE STANDARDS OF EVIDENCE FOR COMBAT RELATED PTSD. ARE THE STANDARDS OF EVIDENCE FOR MST – RELATED PTSD CLAIMS MORE STRINGENT THAN OTHER PTSD CLAIMS?**

No. In fact, VA relaxed its evidentiary standard for disability claims related to MST in 2002 to ensure all available evidence supporting these claims is considered. Because military service records may lack corroborating evidence that a stressful event occurred, VA regulations make clear that evidence from non-military sources may be used to corroborate the Veteran’s account of the MST. Further, when direct evidence of an MST is not available, VA may request a medical opinion to consider a Veteran’s account and any “markers” to corroborate the occurrence of the MST event as related to current PTSD symptoms.



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## **CAN PREVIOUSLY DENIED MST RELATED PTSD DISABILITY CLAIMS BE RE-EVALUATED?**

Yes. Increased awareness of MST issues resulted in special training beginning in December 2011 for all VA regional office personnel who process MST-related claims and the mental health clinicians conducting the examinations related to these claims. This ongoing training focuses on discovering “marker” evidence to support the claim. VA wants all Veterans who filed MST-related PTSD claims before December 2011 to receive the benefits of this nationwide training. If your claim was submitted before that date and denied, you can request a re-evaluation from your local VA regional office.

## **WHAT DO VETERANS NEED TO DO TO GET A PREVIOUSLY DENIED MST-RELATED PTSD DISABILITY CLAIM RE-EVALUATED?**

Veterans who want VA to review their previously denied MST-related PTSD claim can start by contacting their regional office, calling 1-800-827-1000 or logging into their free eBenefits account at [www.eBenefits.va.gov](http://www.eBenefits.va.gov).

## **CAN VETERANS PROVIDE NEW INFORMATION FOR A RE-EVALUATION OF A PREVIOUSLY DENIED MST-RELATED PTSD DISABILITY CLAIM?**

Yes. VBA will accept new evidence to be reviewed when a claim is re-evaluated. It's best to send any new evidence at the same time as you request a re-evaluation. Veterans Service Organizations, as well as MST specialists and/or Women Veterans Coordinators available at every VA regional office, can help you determine what type of information is best to submit.

## **DO I NEED TO BE SERVICE CONNECTED FOR MY CONDITIONS RELATED TO MST TO GET TREATMENT?**

No. VA provides free health care for physical and mental health conditions related to experiences of MST. No documentation of the MST experiences or disability compensation rating is required. Some Veterans may be able to receive this free MST-related health care even if they are not eligible for other VA care.

## **HOW CAN YOU APPLY FOR DISABILITY COMPENSATION?**

You can apply for disability compensation by completing [VA Form 21-526, Veteran's Application for Compensation and/or Pension](#). You may also apply online at [www.ebenefits.va.gov](http://www.ebenefits.va.gov), or you can appoint an accredited Veterans Service Officer (VSO) to assist you. Male and female MST coordinators are available at every VA regional office to assist Veterans filing claims related to personal assault or MST. You can call 1-800-827-1000, and VA will put you in touch with an MST coordinator, or you can email the MST coordinator at your local regional office from the list of



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coordinators located at <http://www.benefits.va.gov/benefits/mstcoordinators.asp>. For information about MST-related treatment, visit [www.mentalhealth.va.gov/msthome.asp](http://www.mentalhealth.va.gov/msthome.asp).

