



*"A man who is good enough to shed his blood for his country
is good enough to be given a fair deal later."™*

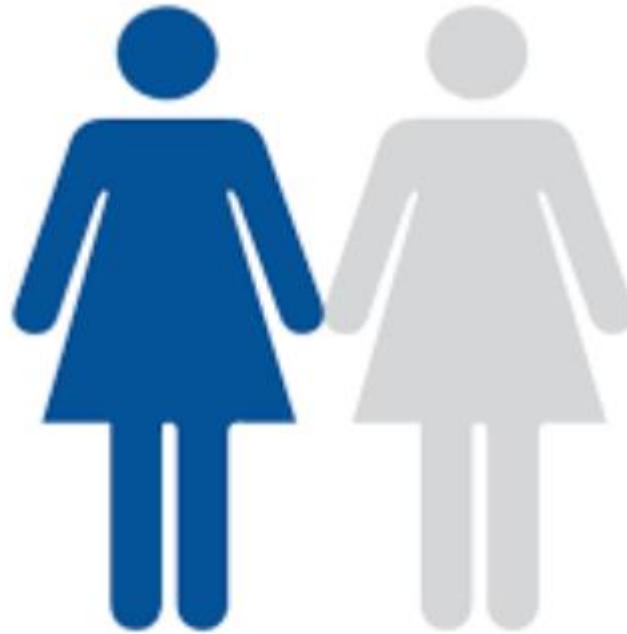
Military Sexual Trauma and the VA Claim Process

Calie Lindseth
ND DVA Women's Veteran Coordinator



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Impact of MST





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Who are Survivors?



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Military Sexual Trauma

- Recognized by the VA as forced sexual contact, the threat of contact, harassment, threat of harassment, and battery sexual in nature while on active duty.
- 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.”



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Military Sexual Trauma Myths

- The perpetrator does not have to be military-the assault must take place on an active duty status of some sort (include Guard status).
- The perpetrator can be a spouse/Domestic Violence is an example of MST.
- The assault does NOT need to be reported.
- Victims of harassment can file a claim for MST-often this can be just as damaging as an assault.



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Impacts

- Mental Health Impacts
 - PTSD
 - Depression/Anxiety
 - Sleep Disorders
- Physical Health Impacts
 - High blood pressure
 - Heart Issues
 - Eating Disorders



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Assaults DO NOT need to be reported

- In most cases, MST survivors do not report their assaults-this does not mean they cannot claim MST.
- It is not necessary to have a conviction/report of assault to file, however, if these records exist, they will help a claim.



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"Markers"

- The VA looks for signs, events, or circumstances that provides some indication that a traumatic event happened.
- These markers may be a 'bad' discharge, reduction in rank, Article 15's, etc. .
- Drug use, patterns of poor conduct, etc.
- Pull the Veteran's Personnel file to look at evaluations, NCOER's, counseling statements, and other records that may be apart of their personnel file.



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Less Traditional "Markers"

- They may be less clear such as health issues while in the service, going to sick hall more often than before, seeking medical care.
- Statements from battle buddies that may know of the assault, family members, etc. are helpful as well.
- Relationship changes, divorces, substance abuse, economic issues, STI's, etc.
- Exceptional academic performance before the military and poor academic performance after the military. (or work performance/attendance).



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Previous Denials of MST

- Many past MST claims had been denied under too stringent of PTSD rules, however, the VA relaxed its processing of MST/PTSD related claims in 2002.
- They now stress the use of non-military evidence such as civilian mental health counselors and opinions to be utilized as evidence.
- Stress that it is worth refiling a denied claim with new evidence.
- VA claim specialists received MST specific training starting in 2011 to improve competency; hoping to improve claim approval rates and improve veteran representation.



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What can I do to help?

- Help develop your claims
- Work directly with your veterans if they feel more comfortable
- Provide outreach and education to area veterans
- Increase awareness about this important issue



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MST Claim Process

- 21-0781a
 - PTSD Statement for Personal Assault
- Do your best to identify 'markers' for the VA
- Help the veteran compile statements from others that may support the claim
- Ideas for supportive evidence such as school attendance before and after the assault, employment history, counseling records.
- Same claim forms aside from 0781a



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Professional Referrals

- Fargo VA MST Coordinator/Social Worker-Susan Thompson
701-239-3700 9-4523
- Calie Lindseth Women's Veteran Coordinator/ND DVA 701-
451-4645



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Importance of Communication

- Networking to claims process, employment, and education
- Strengthening resilience of veteran
- Community resources
- Conversation matters

Questions?



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Feel free to contact me with any questions!

Calie Lindseth
701-451-4645
calie.lindseth@va.gov