

DEPARTMENT OF VETERANS AFFAIRS



In Reply Refer To: 397/KNF



You have chosen to participate in the Rapid Appeals Modernization Program (RAMP). VA completed your request for higher-level review received on January 11, 2018.

We made a decision regarding your entitlement to VA benefits.

This letter tells you about your entitlement amount and payment start date and what we decided. It includes a copy of our rating decision that gives the evidence used and reasons for our decision. We have also included information about additional benefits, what to do if you disagree with our decision, and who to contact if you have questions or need assistance.

Your Award Amount and Payment Start Date

Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason For Change
\$560.00	Nov 1, 2012	Original Award
569.00	Dec 1, 2012	Cost of Living Adjustment
577.54	Dec 1, 2013	Cost of Living Adjustment
587.36	Dec 1, 2014	Cost of Living Adjustment
2,906.83	Dec 1, 2015	Compensation Rating Adjustment
587.36	Dec 24, 2015	Compensation Rating Adjustment
589.12	Dec 1, 2016	Cost of Living Adjustment
600.90	Dec 1, 2017	Cost of Living Adjustment

We are paying you as a single veteran with no dependents.

You Can Expect Payment

Your payment begins the first day of the month following your effective date. You will receive a payment covering the initial amount due under this award, minus any withholdings, in approximately 15 days. Payment will then be made at the beginning of each month for the prior month. For example, benefits due for May are paid on or about June 1.

We noticed that you did not provide us with your banking information to allow your federal benefits to be sent directly to your bank. The Department of Treasury has mandated that all recurring federal benefits be administered through either Electronic Funds Transfer (EFT) or Direct Express® Debit MasterCard®. If you do not provide your banking information to have your benefits electronically transferred to your bank, the Treasury Department will contact you directly to determine your preferred payment method.

- To have your federal benefits electronically transferred to your designated financial institution (e.g. bank) call VA at 1-800-827-1000 with your banking information or go online to www.ebenefits.va.gov.
- To have your federal benefits issued through Direct Express® Debit MasterCard® issued by Comerica Bank call 1-888-213-1625 to enroll in the program.

What We Decided

We determined that the following condition was related to your military service, so service connection has been granted:

Medical Description	Percent (%) Assigned	Effective Date
Tinnitus (claimed as bilateral tinnitus)	10%	Oct 2, 2012

Service connection for posttraumatic stress disorder (PTSD) (also claimed as major depressive disorder) is granted with an evaluation of 30% effective October 2, 2012. An evaluation of 100% is assigned from November 2, 2015. An evaluation of 30% is assigned from December 24, 2015.

[REDACTED]

We determined that the following conditions were related to your military service. We granted a 0% evaluation for each disability, however no monetary compensation can be awarded.

Medical Description	Effective Date
Residuals fracture left foot (claimed as cramps, left foot and left foot injury)	October 2, 2012
Loss of hearing, bilateral	October 2, 2012

The law says VA can't pay for disabilities that are less than 10% disabling.

Your overall or combined rating was 40% effective October 2, 2012, 100% effective November 2, 2015, and is 40% effective December 24, 2015. We do not add the individual percentages of each condition to determine your combined rating. We use a combined rating table that considers the effect from the most serious to the least serious conditions.

We have enclosed a copy of your Rating Decision for your review. It provides a detailed explanation of our decision, the evidence considered, and the reasons for our decision. Your Rating Decision and this letter constitute our decision based on the higher-level review request that we received on January 11, 2018. It represents all claims we understood to be specifically made, implied, or inferred in that claim.

We enclosed a VA Form 21-8764, "Disability Compensation Award Attachment-Important Information," which explains certain factors concerning your benefits.

Are You Entitled to Additional Benefits?

You may be eligible for government life insurance if you

- were released from active duty after April 25, 1951,
- are in good health (except for any service connected conditions), and
- apply within two years of this notification of your disability rating.

If you are totally disabled, you may be eligible to have your government life insurance premiums waived. The Insurance is called Service-Disabled Veterans Insurance (S-DVI), and you should receive a package within two weeks. This package will contain information about the insurance and an application. If you do not receive an S-DVI package, please contact the Insurance Center to request additional information. Call the Insurance toll free number, 1-800-669-8477, or visit the Insurance web site, <http://www.benefits.va.gov/insurance/>, for further information about Service-Disabled Veterans Insurance.



If you served overseas in support of a combat operation you may be eligible for mental health counseling at no cost to you at the Veteran's Resource Center. For more information on this benefit please visit <http://www.myhealth.va.gov/mhv-portal-web/>.

You may be eligible for medical care by the VA health care system for any service connected disability. You may apply for medical care or treatment at the nearest medical facility. If you apply in person, present a copy of this letter to the Patient Registration/Eligibility Section. If you apply by writing a letter, include your VA file number and a copy of this letter.

**REDUCE OR ELIMINATE
YOUR MEDICAL CO-PAYMENTS**

If you receive care at a VA medical facility, **please call our Health Benefits Call Center at 1-877-222-VETS (8387) or notify your local VA medical center** of this change in your compensation benefits. This rating decision may reduce or eliminate your co-payments for your VA-provided medical care. You may also be eligible for a refund based on this rating decision. Information regarding VA health care eligibility and co-payments is available at our website <http://www.va.gov/healthbenefits/cost/>.

You should contact your State office of Veteran's affairs for information on any tax, license, or fee-related benefits for which you may be eligible as a Veteran (or surviving dependent of a Veteran). State offices of Veteran's affairs are available at <http://www.va.gov/statedva.htm>.

The VA provides Blind Rehabilitation services to eligible blind, low vision, or visually impaired Veterans to help them regain their independence and quality of life. The Veteran's blindness, low vision, or vision impairment does NOT have to be related or caused by military service. If you need help with your vision loss, please contact your nearest Visual Impairment Services Team Coordinator (VIST) at the eye clinic at your nearest VA Medical Center. For more information, go to <http://www.rehab.va.gov/blindrehab/>.

You may be able to receive vocational rehabilitation employment services. The enclosed VA Form 28-8890, "Important Information About Vocational Rehabilitation Benefits," explains this benefit completely. To apply for this benefit, complete and return the enclosed VA Form 28-1900, "Disabled Veterans Application for Vocational Rehabilitation."



Your combined evaluation is 30 percent or more disabling; therefore, you may be eligible for additional benefits based on dependency. If you wish to submit a claim for dependents, please complete and return the attached VA Form 21-686c, *Declaration of Status of Dependents*. Please fill out every blank on the form. We may be able to pay you retroactive benefits for your dependents if you submit the VA Form 21-686c, *Declaration of Status of Dependents* or report dependents within a year from the date of this letter.

What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you should write and tell us why. You have one year from the date of this letter to file one of the following options:

For review of a higher-level review decision, you may

- File a Supplemental Claim
- File an Appeal to the Board of Veterans' Appeals

Please note: You **may not** request a higher-level review after receiving a decision on a higher-level review or an appeal to the Board of Veterans' Appeals.

You must use the attached VA Form 21-4138, *Statement in Support of Claim, "RAMP Selection"* to notify us of your decision to seek further review. The VA Form 21-4138, *"RAMP Selection"* is the only form accepted by VA during RAMP.

If you elect to file an appeal with the Board of Veterans' Appeals, your Notice of Disagreement (NOD) will be assigned a docket number based upon the date of receipt. The Board will begin processing these appeals in the new, more efficient appeals process no earlier than February 2019.

The enclosed "*RAMP Review Rights*," explains your options in greater detail and provides instructions on how to request further review.

If you would like to obtain or access evidence used in making this decision, please contact us by telephone, email, or letter as noted below letting us know what you would like to obtain. Some evidence may be obtained online by visiting www.eBenefits.va.gov.

What Is eBenefits?

eBenefits provides electronic resources in a self-service environment to Servicemembers, Veterans, and their families. Use of these resources often helps us serve you faster! Through the eBenefits website you can:

- Submit claims for benefits and/or upload documents directly to the VA
- Request to add or change your dependents
- Update your contact and direct deposit information and view payment history
- Request a Veterans Service Officer to represent you
- Obtain verification of your military service, civil service preference, or VA benefits
- And much more!

Enrolling in eBenefits is easy. Just visit www.eBenefits.va.gov for more information. If you submit a claim in the future, consider filing through eBenefits. Filing electronically, especially if you participate in our fully developed claim program, may result in faster decision than if you submit your claim through the mail.

If You Have Questions or Need Assistance

If you have any questions, you may contact us by telephone, e-mail, or letter.

If you	Here is what to do.
Telephone	Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the Federal number is 711.
Use the Internet	Send electronic inquiries through the Internet at https://iris.va.gov .
Write	VA now uses a centralized mail system. For all written communications, put your full name and VA file number on the letter. Please mail or fax all written correspondence to the appropriate address listed on the attached <i>Where to Send Your Written Correspondence</i> .

In all cases, be sure to refer to your VA file number [REDACTED].

If you are looking for general information about benefits and eligibility, you should visit our website at <https://www.va.gov>, or search the Frequently Asked Questions (FAQs) at <https://iris.va.gov>.



We sent a copy of this letter to your representative, Oklahoma Department of Veterans Affairs, whom you can also contact if you have questions or need assistance.

Thank you for your service,

Regional Office Director

Enclosures: Where to Send Your Written Correspondence
 Rating Decision
 RAMP Review Rights
 VA Form 21-4138, Statement in Support of Claim, "RAMP Selection"
 VA Form 21-8764
 VA Form 28-1900
 VA Form 28-8890
 VA Form 21-686c

cc: Oklahoma Department of Veterans Affairs

DEPARTMENT OF VETERANS AFFAIRS
Department of Veterans Affairs
Appeals Resource Center

[REDACTED]

VA File Number

[REDACTED]

Represented By:
OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS
Rating Decision
MM/DD/YYYY

INTRODUCTION

As a result of the enactment of Veterans Appeals Improvement and Modernization Act of 2017 (Public Law 115-55), the Department of Veterans Affairs (VA) is required to change its current appeals process. Under the authority of the Public Law 115-55, VA created the Rapid Appeals Modernization Program (RAMP) to provide Veterans with the earliest possible resolution of their claims. You have chosen to participate in RAMP, and you selected to have your claim reviewed under the higher-level review option.

The records reflect that you are a Veteran of the Vietnam Era. You served in the [REDACTED] from [REDACTED] [REDACTED], to [REDACTED]. We have received your request for higher-level review. Based on the review and the evidence listed below, we have made the following decision(s).

DECISION

1. Service connection for posttraumatic stress disorder (PTSD) (also claimed as major depressive disorder) is granted with an evaluation of 30 percent effective October 2, 2012. An evaluation of 100 percent is assigned from November 2, 2015. An evaluation of 30 percent is assigned from December 24, 2015.

2. Service connection for tinnitus (claimed as bilateral tinnitus) is granted with an evaluation of 10 percent effective October 2, 2012.
3. Service connection for loss of hearing, bilateral is granted with an evaluation of 0 percent effective October 2, 2012.
4. Service connection for residuals fracture left foot (claimed as cramps, left foot and left foot injury) is granted with an evaluation of 0 percent effective October 2, 2012.

EVIDENCE

- RAMP Lane Selection, received on January 11, 2018
- RAMP Notice Letter, dated January 15, 2018
- RAMP Appeal Withdrawal Letter, dated February 07, 2018
- VA Medical Center (VAMC) Houston treatment records, received on January 04, 2018
- RAMP Notice Letter, dated December 01, 2017
- VAMC Houston treatment records, received on November 14, 2017
- Notice of Disagreement, received on April 22, 2017
- Stressor statement, received on April 11, 2016
- VAMC Little Rock, Mena CBOC, treatment records, received on January 22, 2016
- Service Personnel Record, received on December 07, 2015
- Stressor statement, received on December 15, 2015
- Service Treatment Records (STRs), received on December 08, 2015
- Completion Certificate of PTSD DRRTP Program, received on December 23, 2015
- Private treatment records from University of Texas Medical Branch Hospitals Galveston, Texas dated May 21, 1986 to July 27, 1987
- Rating Decision Narrative, received on July 18, 2013
- VAMC Little Rock Foot examination, received on July 15, 2013
- VAMC Little Rock Audio examination, received on July 01, 2013
- STRs, received on March 22, 2013
- STRs, received on March 13, 2013
- STRS, received on March 05, 2013
- VA Form 21-526, Veterans Application for Compensation or Pension, received on October 02, 2012

REASONS FOR DECISION

1. Service connection for posttraumatic stress disorder (PTSD) (also claimed as major depressive disorder).

Service connection for PTSD (also claimed as major depressive disorder) has been established as directly related to military service.

Service connection may be granted for any injury or disease resulting in a disability incurred in

service. To establish direct service connection for a claimed disorder, objective evidence must show a diagnosis of a current disability that is related to a disease or injury incurred in or aggravated during "active" service; or that manifested itself to a compensable degree within one year from the date of discharge.

We have assigned an effective date of October 2, 2012, which is the date we received your claim for benefits.

We have granted service connection for your PTSD, on a direct basis because the record shows a current diagnosis of PTSD, and there is evidence of an in service stressful event to relate it to your current condition. All reasonable doubt has been resolved in your favor as your records show a history of treatment of a mental disorder, and that you are currently receiving treatment, which shows continuity and chronicity.

We have assigned a 30 percent evaluation for your PTSD (also claimed as major depressive disorder) based on:

- depressed mood
- anxiety
- the examiner's assessment of your current mental functioning, which is partially reflected in your Global Assessment of Function score found below
- chronic sleep impairment

Your Global Assessment of Function (GAF) score is 60. A range of 51-60 indicates moderate symptoms; or any moderate difficulty in social, occupational, or school functioning.

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 30 percent disability evaluation.

A higher evaluation of 50 percent is not warranted for posttraumatic stress disorder unless the evidence shows occupational and social impairment with reduced reliability and productivity due to such symptoms as:

- flattened affect
- circumstantial, circumlocutory, or stereotyped speech
- panic attacks more than once a week
- difficulty in understanding complex commands
- impairment of short- and long-term memory (e.g., retention of only highly learned material, forgetting to complete tasks)
- impaired judgment
- impaired abstract thinking
- disturbances of motivation and mood
- difficulty in establishing and maintaining effective work and social relationships

An evaluation of 100 percent is assigned because of hospitalization over 21 days from November

2, 2015.

An evaluation of 30 percent is assigned from December 24, 2015 which is the day after the date of discharge for hospitalization.

Other favorable findings identified in this decision:

None

Laws and regulations applicable to this issue:

38 CFR § 3.102 Reasonable doubt.
38 CFR § 3.303 Principles relating to service connection.
38 CFR § 3.304 Direct service connection; wartime and peacetime.
38 CFR § 3.304(f) Direct service connection; wartime and peacetime, Posttraumatic stress disorder.
38 CFR § 3.400 Effective Dates - General.
38 CFR § 4.29 Ratings for service-connected disabilities requiring hospital treatment or observation.
38 CFR § 4.130 Schedule of ratings—Mental disorders.
38 USC § 1110 Basic entitlement.
38 USC § 1131 Basic entitlement.

2. Service connection for tinnitus (claimed as bilateral tinnitus).

Service connection for tinnitus (claimed as bilateral tinnitus) has been established as directly related to military service.

Service connection may be granted for any injury or disease resulting in a disability incurred in service. To establish direct service connection for a claimed disorder, objective evidence must show a diagnosis of a current disability that is related to a disease or injury incurred in or aggravated during "active " service; or that manifested itself to a compensable degree within one year from the date of discharge.

We have granted service connection for your tinnitus on a direct basis because the record shows a current diagnosis of tinnitus and there is evidence of an in service event or injury to relate it to your current condition.

We have assigned an effective date of October 2, 2012, which is the date we received your claim for benefits.

We have assigned a 10 percent evaluation for your tinnitus (claimed as bilateral tinnitus) based on:

- Recurrent tinnitus

A single evaluation for recurrent tinnitus is assigned whether the sound is perceived in one ear, both ears, or in the head.

This is the highest schedular evaluation allowed under the law for tinnitus.

Other favorable findings identified in this decision:

None

Laws and regulations applicable to this issue:

- 38 CFR § 3.303 Principles relating to service connection.
- 38 CFR § 3.304 Direct service connection; wartime and peacetime.
- 38 CFR § 3.400 Effective Dates - General.
- 38 CFR § 4.87a Schedule of ratings—other sense organs.
- 38 USC § 1110 Basic entitlement.
- 38 USC § 1131 Basic entitlement.

3. Service connection for loss of hearing, bilateral.

We have granted your claim for bilateral hearing loss.

Service connection may be granted for any injury or disease resulting in a disability incurred in service. To establish direct service connection for a claimed disorder, objective evidence must show a diagnosis of a current disability that is related to a disease or injury incurred in or aggravated during "active " service; or that manifested itself to a compensable degree within one year from the date of discharge.

We have granted service connection for your hearing loss, bilateral, on a direct basis because the record shows a current diagnosis of bilateral hearing loss, and there is evidence of an in service event or injury to relate it to your current condition.

We have assigned an effective date of October 2, 2012, which the date we received your claim for benefits.

An evaluation of 0 percent is assigned because your right ear has a speech discrimination of 100 with an average decibel loss of 35 and your left ear has a speech discrimination of 100 with an average decibel loss of 39. The evaluation for hearing loss is based on objective testing. Higher evaluations are assigned for more severe hearing impairment.

VA examination findings show the left ear with 100 percent discrimination. Decibel (dB) loss at the puretone threshold of 500 Hertz (Hz) is 25, at 1000 Hz is 20, at 2000 Hz is 25, at 3000 Hz is 55, and at 4000 Hz is 55. The average decibel loss is 39 in the left ear. The right ear shows a

speech discrimination of 100 percent. Your right ear Decibel (dB) loss at the puretone threshold of 500 Hertz (Hz) is 20, at 1000 Hz is 15, at 2000 Hz is 15, at 3000 Hz is 55, and at 4000 Hz is 55. The average decibel loss is 35 in the right ear.

Other favorable findings identified in this decision:

None

Laws and regulations applicable to this issue:

38 CFR § 3.303 Principles relating to service connection.
38 CFR § 3.304 Direct service connection; wartime and peacetime.
38 CFR § 3.400 Effective Dates - General. [REDACTED]
38 CFR § 4.85 Evaluation of hearing impairment.
38 CFR § 4.86 Exceptional patterns of hearing impairment.
38 USC § 1110 Basic entitlement. [REDACTED]
38 USC § 1131 Basic entitlement. [REDACTED]

4. Service connection for residuals fracture left foot (claimed as cramps, left foot and left foot injury).

Service connection for residuals fracture left foot (claimed as cramps, left foot and left foot injury) has been established as directly related to military service.

Service connection may be granted for any injury or disease resulting in a disability incurred in service. To establish direct service connection for a claimed disorder, objective evidence must show a diagnosis of a current disability that is related to a disease or injury incurred in or aggravated during "active " service; or that manifested itself to a compensable degree within one year from the date of discharge.

We have granted service connection for your residuals fracture left foot, on a direct basis because the record shows a current diagnosis of residuals fracture left foot, and there is evidence of an in service event. All reasonable doubt has been resolved in your favor as you fractured your left foot while on active duty and the records show a history of treatment of a foot condition, and that you are currently receiving treatment, which shows continuity and chronicity.

We assigned an effective date of October 2, 2012, which is the date we received your claim for benefits.

We have assigned a noncompensable evaluation for your residuals fracture left foot (claimed as cramps, left foot and left foot injury) based on:

- Mild or no symptoms

Note: In every instance where the schedule does not provide a zero percent evaluation for a diagnostic code, a zero percent evaluation shall be assigned when the requirements for a compensable evaluation are not met.

A higher evaluation of 10 percent is not warranted for foot injuries unless the evidence shows moderate symptoms.

Other favorable findings identified in this decision:

None

Laws and regulations applicable to this issue:

- 38 CFR § 3.102 Reasonable doubt.
- 38 CFR § 3.303 Principles relating to service connection.
- 38 CFR § 3.304 Direct service connection, wartime and peacetime.
- 38 CFR § 3.400 Effective Dates - General.
- 38 CFR § 4.31 Zero percent evaluations.
- 38 CFR § 4.71a Schedule of ratings—musculoskeletal system.
- 38 USC § 1110 Basic entitlement.
- 38 USC § 1131 Basic entitlement.

REFERENCES:

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our website, www.va.gov.