



**DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Regional Office**

VA File Number

**Represented By:
CHUCK R PARDUE
Decision Review Officer Decision
02/26/2018**

INTRODUCTION

The records reflect that you are a veteran of the Gulf War Era. You served in the Army from September 20, 1990, to June 30, 1991. We received a Notice of Disagreement from you on December 2, 2015 about one or more of our earlier decisions. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

This decision represents a full grant of the benefit sought, therefore, resolves your NOD regarding entitlement to IU.

DECISION

1. Entitlement to individual unemployability is granted effective July 1, 2015.
2. Basic eligibility to Dependents' Educational Assistance is established from July 1, 2015.

EVIDENCE

- VA Form 21-8940, Veteran's Application For Increased Compensation Based On Unemployability, received July 1, 2015
- VA Form 21-4192, Request For Employment Information in Connection With Claim For Disability Benefits, Bessie's Child Care, received April 17, 2015
- Augusta VAMC (Veterans Affairs Medical Center) treatment records, from January 2014 through March 2017, uploaded April 24, 2017
- PTSD DBQ, March 9, 2017
- Rating Decision, dated November 20, 2015 and April 28, 2017

REASONS FOR DECISION

1. Entitlement to individual unemployability.

Entitlement to individual unemployability is granted effective July 1, 2015, date of claim, because you are unable to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

The cited examination report shows you have occupational and social impairment with deficiencies in most areas, such as work, school, family relations, judgment, thinking and/or mood. You described symptoms of depressed mood, anxiety, suspiciousness, panic attacks, near-continuous panic or depression, chronic sleep impairment, impairment of short and long term memory, disturbances of motivation and mood, and inability to establish and maintain effective relationships. The examiner stated that you need to seek follow-up treatment.

2. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35.

Eligibility to Dependents' Educational Assistance is derived from a veteran who was discharged under other than dishonorable conditions; and, has a permanent and total service-connected disability; or a permanent and total disability was in existence at the time of death; or the veteran died as a result of a service-connected disability. Also, eligibility exists for a serviceperson who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as: missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power.

Basic eligibility to Dependents' Education Assistance is granted effective July 1, 2015, date of claim, as the evidence shows you currently have a total service-connected disability, permanent in nature.

REFERENCES:

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the