

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

VA File Number

**Represented By:
CHUCK R PARDUE
Rating Decision
03/13/2018**

INTRODUCTION

The records reflect that you are a veteran of the Gulf War Era. You served in the Army from February 23, 2001 to April 11, 2008. You filed a claim for increased evaluation that was received on October 30, 2017. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

Evaluation of unspecified anxiety disorder (previously claimed as anxiety, dizziness, depression and syncope), which is currently 30 percent disabling, is increased to 50 percent effective October 30, 2017.

EVIDENCE

- Service treatment records (for the period from February 23, 2001 to April 11, 2008), received June 18, 2008
- Service treatment records (for the period from February 23, 2001 to April 11, 2008), received October 21, 2008

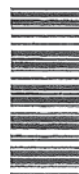
- Service treatment records (for the period from February 23, 2001 to April 11, 2008), received February 22, 2011
- Intent to File, received October 30, 2017
- VA Form 21-526EZ, Application for Disability Compensation and Related Compensation Benefits, Received October 30, 2017
- Knee and Lower Leg Conditions Disability Benefits Questionnaire, received October 30, 2017
- Ankle Conditions Disability Benefits Questionnaire, received October 30, 2017
- Headaches (including Migraine Headaches) Disability Benefits Questionnaire, received October 30, 2017
- Peripheral Nerves Conditions (not including Diabetic Sensory-Motor Peripheral Neuropathy) Disability Benefits Questionnaire, received October 30, 2017
- Statement from Dr. Thomas Seiter (dated October 29, 2017), received October 30, 2017
- Male Reproductive Organ Conditions Disability Benefits Questionnaire, received October 30, 2017
- Sinusitis/Rhinitis and Other Conditions of the Nose, Throat, Larynx and Pharynx Disability Benefits Questionnaire, received October 30, 2017
- Shoulder and Arm Conditions Disability Benefits Questionnaire, received October 30, 2017
- Hand and Finger Conditions Disability Benefits Questionnaire, received October 30, 2017
- Service treatment records submitted by the Veteran (for the period from February 23, 2001 to April 11, 2008), received October 30, 2017
- VA letter, dated October 31, 2017
- Section (§) 5103 Notice Response, received November 2, 2017
- VA examination from the Augusta VA Medical Center, dated December 1, 2017
- VA Form 21-0820, Report of General Information, Dated December 26, 2017
- Treatment records from the Augusta VA Medical Center (for the period from May 30, 2008 to April 15, 2011), received December 26, 2017
- Rating Decision, dated December 29, 2017 (notification letter dated January 8, 2018)
- VA contract examination from QTC, dated February 20, 2018
- Treatment records from the Augusta VA Medical Center (for the period from April 15, 2011 to February 7, 2018), received March 12, 2018
- DD Form 214, Certificate of Release or Discharge from Active Duty
- We have been unable to obtain records from the Augusta VA Medical Center for the period April 12, 2008 to May 15, 2008. We have determined that these records do not exist. We will now make a decision based on the evidence of record.

REASONS FOR DECISION

Evaluation of unspecified anxiety disorder (previously claimed as anxiety, dizziness, depression and syncope) currently evaluated as 30 percent disabling.

The evaluation of unspecified anxiety disorder (previously claimed as anxiety, dizziness, depression and syncope) is increased to 50 percent disabling effective October 30, 2017.

We have assigned a 50 percent evaluation for your anxiety disorder (previously claimed as anxiety, dizziness, depression and syncope) based on:



- Panic attacks (weekly)
- Difficulty in adapting to stressful circumstances
- Occupational and social impairment due to mild or transient symptoms which decrease work efficiency and ability to perform occupational tasks only during periods of significant stress
- Difficulty in adapting to work
- Suspiciousness
- Depressed mood
- Disturbances of motivation and mood
- Panic attacks (less than weekly)
- Difficulty in adapting to a worklike setting
- Anxiety
- Difficulty in establishing and maintaining effective work and social relationships
- Chronic sleep impairment

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 50 percent disability evaluation.

A higher evaluation of 70 percent is not warranted for unspecified anxiety disorder unless the evidence shows occupational and social impairment, with deficiencies in most areas, such as work, school, family relations, judgment, thinking, or mood, due to such symptoms as:

- suicidal ideation
- obsessional rituals which interfere with routine activities
- speech intermittently illogical, obscure, or irrelevant
- near-continuous panic or depression affecting the ability to function independently, appropriately and effectively
- impaired impulse control (such as unprovoked irritability with periods of violence)
- spatial disorientation
- neglect of personal appearance and hygiene
- difficulty in adapting to stressful circumstances (including work or a worklike setting)
- inability to establish and maintain effective relationships.

The effective date, October 30, 2017, is the date we received your claim for increase.

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.