



January 31, 2018

We made a decision on your VA benefits.

Dear

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

Your benefit information:

- Entitlement to special monthly compensation based on loss of use.
- Service connection for hypertension [previously claimed as secondary to sinus surgery] is granted with an evaluation of 0 percent effective November 27, 2017.
- Service connection for sleep apnea is denied.
- Service connection for erectile dysfunction is granted with an evaluation of 0 percent effective November 27, 2017.
- Service connection for trauma and stressor related disorder [claimed as PTSD] is granted with an evaluation of 30 percent effective November 27, 2017.

Your combined rating evaluation is:

Combined Rating Evaluation	Effective Date
20%	Sep 14, 2016
40%	Nov 27, 2017

How VA Combines Percentages

If you have more than one condition, VA will combine percentages to determine your overall disability rating. The percentages assigned for each of your conditions may not always add up to your combined rating evaluation. The following website has additional information about how VA combines percentages:

We have included with this letter:

1. Explanation of Payment
2. Additional Benefits
3. Where to Send Written Correspondence
4. VA Form 4107
5. VA Form 21-0958
6. Rating Decision

Contact information:

Web: www.vets.gov
 Phone: 1-800-827-1000
 TDD: 711
 To send questions online: visit <https://iris.va.gov>

Social Media:

Twitter: @VAVetBenefits
 Facebook: www.facebook.com/VeteransBenefits

Your representative:

You appointed **CHUCK R PARDUE** as your accredited representative. They have also received a copy of this letter.

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the Veterans Crisis Line at 1-800-273-8255 and press 1.



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

VA File Number

Represented By:

CHUCK R PARDUE

Rating Decision

01/25/2018

INTRODUCTION

The records reflect that you are a veteran of the Vietnam Era. You served in the Marine Corps from August 26, 1966, to September 10, 1969. You filed a new claim for benefits that was received on November 27, 2017. Based on a review of the evidence listed below, we have made the following decisions on your claim.

Note: The additional claims submitted by your attorney were received November 30, 2017 and will be addressed in a separate decision.

DECISION

- 1. Service connection for trauma and stressor related disorder [claimed as PTSD] is granted with an evaluation of 30 percent effective November 27, 2017.**
- 2. Service connection for hypertension [previously claimed as secondary to sinus surgery] is granted with an evaluation of 0 percent effective November 27, 2017.**
- 3. Service connection for erectile dysfunction is granted with an evaluation of 0 percent effective**

November 27, 2017.

4. Entitlement to special monthly compensation based on loss of use of creative organ is granted from November 27, 2017.

5. Service connection for sleep apnea is denied.

EVIDENCE

- VA Form 21-526EZ Veteran's Fully Developed Claim, received November 27, 2017
- VA letter concerning your claim, dated November 29, 2017
- VAMC (Veterans Affairs Medical Center) treatment records, Augusta, from January 6, 2016 through January 16, 2018
- Private Treatment Records, Augusta Orthopedic and Sports Medicine Specialists, from January 27, 2005 through April 17, 2007
- Letter from veteran to mother, dated April 2, 1969
- VA Contract Examinations, December 6, 2017

REASONS FOR DECISION

1. Service connection for trauma and stressor related disorder [claimed as PTSD].

Service connection for trauma and stressor related disorder [claimed as PTSD] has been established as directly related to military service.

The VA examiner determined that you do not meet the full criteria for a diagnosis of PTSD. However, the examiner concluded that your current symptoms are most likely related, in part, to your combat experiences.

An evaluation of 30 percent is assigned from November 27, 2017.

We have assigned a 30 percent evaluation for your trauma and stressor related disorder [claimed as PTSD] based on:

- Depressed mood
- Anxiety
- Occupational and social impairment with occasional decrease in work efficiency and intermittent periods of inability to perform occupational tasks (although generally functioning satisfactorily, with routine behavior, self-care, and conversation normal)
- Chronic sleep impairment

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.

2. Service connection for hypertension [previously claimed as secondary to sinus surgery] as secondary to the service-connected disability of trauma and stressor related disorder [claimed as PTSD].

Service connection for hypertension [previously claimed as secondary to sinus surgery] has been established as related to the service-connected disability of trauma and stressor related disorder [claimed as PTSD].

A noncompensable evaluation is assigned from November 27, 2017.

We have assigned a noncompensable evaluation for your hypertension [previously claimed as secondary to sinus surgery] based on:

- A diagnosed disability with no compensable 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. {38 CFR §4.31}

A higher evaluation of 10 percent is not warranted for hypertensive vascular disease unless the evidence shows:

- A history of diastolic pressure predominantly 100 or more and there is a requirement for continuous medication for control; or,
- Diastolic pressure predominantly 100 or more; or,
- Systolic pressure predominantly 160 or more.

3. Service connection for erectile dysfunction as secondary to the service-connected disability of trauma and stressor related disorder [claimed as PTSD].

Service connection for erectile dysfunction has been established as related to the service-connected disability of trauma and stressor related disorder [claimed as PTSD].

A noncompensable evaluation is assigned from November 27, 2017.

We have assigned a noncompensable evaluation for your erectile dysfunction based on:

- Erectile dysfunction

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. {38 CFR §4.31}

A higher evaluation of 20 percent is not warranted for penile deformity with loss of erectile power unless the evidence shows:

- Deformity with loss of erectile power.

This disability is not specifically listed in the rating schedule; therefore, it is rated analogous to a disability in which not only the functions affected, but anatomical localization and symptoms, are closely related.

4. Entitlement to special monthly compensation based on loss of use.

Entitlement to special monthly compensation is warranted in this case because criteria regarding loss of use of creative organ were met from November 27, 2017.

5. Service connection for sleep apnea.

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. Service connection for sleep apnea is denied because the medical evidence of record fails to show that this disability has been clinically diagnosed.

Your VAMC Augusta treatment records reflect a diagnosis of sleep apnea. However, there currently is no sleep study report found in the available records. Per VA regulations, an actual sleep study is required before this claim can be considered for service connection.

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.

Rating Decision	<i>Department of Veterans Affairs Veterans Benefits Administration</i>		Page 1 of 3 01/25/2018
NAME OF VETERAN	VA FILE NUMBER	SOCIAL SECURITY NR	POA CHUCK R PARDOUE COPY TO

ACTIVE DUTY			
EOD	RAD	BRANCH	CHARACTER OF DISCHARGE
08/26/1966	09/10/1969	Marine Corps	Honorable

LEGACY CODES			
ADD'L SVC CODE	COMBAT CODE	SPECIAL PROV CDE	FUTURE EXAM DATE
	2		None

JURISDICTION: New Claim Received 11/27/2017

ASSOCIATED CLAIM(s): 020; eBenefits-526EZ-Supplemental (020); 11/27/2017

SUBJECT TO COMPENSATION (LSC)

- 9411 TRAUMA AND STRESSOR RELATED DISORDER [CLAIMED AS PTSD]
Service Connected, Vietnam Era, Incurred-COMBAT
Static Disability
30% from 11/27/2017
- 6100 BILATERAL HEARING LOSS
Service Connected, Vietnam Era, Incurred-COMBAT
Static Disability
10% from 09/14/2016
- 6260 TINNITUS
Service Connected, Vietnam Era, Incurred
Static Disability
10% from 09/14/2016
- 7101 HYPERTENSION [PREVIOUSLY CLAIMED AS SECONDARY TO SINUS SURGERY] ASSOCIATED WITH TRAUMA AND STRESSOR RELATED DISORDER [CLAIMED AS PTSD]
Service Connected, Vietnam Era, Secondary
Static Disability
0% from 11/27/2017
- 7599-7522 ERECTILE DYSFUNCTION ASSOCIATED WITH TRAUMA AND STRESSOR RELATED DISORDER [CLAIMED AS PTSD]
Service Connected, Vietnam Era, Secondary
Static Disability
0% from 11/27/2017

Rating Decision		<i>Department of Veterans Affairs Veterans Benefits Administration</i>		Page 2 of 3 01/25/2018	
NAME OF VETERAN	VA FILE NUMBER	SOCIAL SECURITY NR	FOA	COPY TO	
			CHUCK R PARDUE		

COMBINED EVALUATION FOR COMPENSATION :

20% from 09/14/2016
40% from 11/27/2017

SPECIAL MONTHLY COMPENSATION :

K-1 Entitled to special monthly compensation under 38 U.S.C. 1114, subsection (k) and 38 CFR 3.350(a) on account of loss of use of a creative organ from 11/27/2017.

EFFECTIVE DATE	BASIC	HOSPITAL	LOSS OF USE	ANAT. LOSS	OTHER LOSS
11/27/2017	01	01	00	00	1

NOT SERVICE CONNECTED/NOT SUBJECT TO COMPENSATION (8.NSCVietnam Era)

5260 LEFT KNEE SCAR
Not Service Connected, Not Incurred/Caused by Service

Original Date of Denial: 02/23/2017

5260 RIGHT KNEE TOTAL KNEE REPLACEMENT
Not Service Connected, Not Incurred/Caused by Service

Original Date of Denial: 02/23/2017

5260 LEFT KNEE TOTAL KNEE REPLACEMENT
Not Service Connected, Not Incurred/Caused by Service

Original Date of Denial: 02/23/2017

5313 PELVIC INJURY
Not Service Connected, Not Incurred/Caused by Service

Original Date of Denial: 02/23/2017

6847 SLEEP APNEA
Not Service Connected, No Diagnosis

7804 SHRAPNEL WOUND LEFT NECK WITH SCAR
Not Service Connected, Not Incurred/Caused by Service

Original Date of Denial: 02/23/2017

7805 RIGHT KNEE SCAR
Not Service Connected, Not Incurred/Caused by Service

Rating Decision	<i>Department of Veterans Affairs Veterans Benefits Administration</i>		Page 3 of 3 01/25/2018
NAME OF VETERAN		POA CHUCK R PARDUE	COPY TO

Original Date of Denial: 02/23/2017

7818

SKIN CANCER [Agent Orange - Vietnam/Soft Tissue Sarcoma]
Not Service Connected, Not Established by Presumption

Original Date of Denial: 05/24/2017

ITF banner associated with claim but no supporting documents are of record.

eSign: certified by VSCJTUCI, RVSR

