

# VA Disability Compensation 101

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- Important Terms
- Combined Ratings
- Benefit Pay Rates
- Details on Service Connection
- Claims Process

**Overview**

- **VA Disability Compensation** – a monthly amount paid to Veterans because of disability that developed in military service or because of military service.
- **Disability** – An injury, illness, condition, or disease with few exceptions (i.e., high cholesterol).
- **Service Connection** – A formal determination that a disability is because of military service.
- **Nexus** – connection.
- **Denial** – a formal determination that a disability is not service connected.

## Important Terms

- **Date of Claim** – *usually* is the date the VA receives the claim. For claims filed while on active duty or within one year of discharge from active duty, the claim date is the first day following discharge.
- **Effective Date of Pay** – First day of the month following the date of claim.
- Example:
  - Date claim filed: 1/13/2015
  - Effective date of pay: 2/1/2015
  - Actual day paid: 3/1/2015

## Important Terms

- Each disability is rated individually according to the 38 Code of Federal Regulation (CFR), Part 4.
- Disabilities are divided by body systems and parts of the body.
- Disability can be granted at a 0% or in intervals of 10% to 100%.

## Rating Schedule

**7913** Diabetes mellitus

Requiring more than one daily injection of insulin, restricted diet, <u>and</u> regulation of activities (avoidance of strenuous occupational and recreational activities) with episodes of ketoacidosis <u>or</u> hypoglycemic reactions requiring at least three hospitalizations per year or weekly visits to a diabetic care provider, plus either progressive loss of weight and strength or complications that would be compensable if separately evaluated .....	100
Requiring insulin, restricted diet, <u>and</u> regulation of activities with episodes of ketoacidosis <u>or</u> hypoglycemic reactions requiring one or two hospitalizations per year or twice a month visits to a diabetic care provider, plus complications that would not be compensable if separately evaluated .....	60
Requiring insulin, restricted diet, <u>and</u> regulation of activities .....	40
Requiring insulin and restricted diet, <u>or</u> : oral hypoglycemic agent <u>and</u> restricted diet .....	20
Manageable by restricted diet only .....	10

Note (1): Evaluate compensable complications of diabetes separately unless they are part of the criteria used to support a 100 percent evaluation. Noncompensable complications are considered part of the diabetic process under diagnostic code 7913.

Note (2): When diabetes mellitus has been conclusively diagnosed, do not request a glucose tolerance test solely for rating purposes.

38 CFR 4.119

# Rating Schedule-Example

			3						
	4	2							
	10	20	30	40	50	60	70	80	90
19	27	35	43	51	60	68	76	84	92
20	28	36	44	52	60	68	76	84	92
21	29	37	45	53	61	68	76	84	92
22	30	38	45	53	61	69	77	84	92
23	31	38	46	54	62	69	77	85	92
24	32	39	47	54	62	70	77	85	92
25	33	40	48	55	63	70	78	85	93
26	33	41	48	56	63	70	78	85	93
27	34	42	49	56	64	71	78	85	93
28	35	42	50	57	64	71	78	86	93
29	36	43	50	57	65	72	79	86	93
30	37	44	51	58	65	72	79	86	93
31	38	45	52	59	66	73	79	86	93
32	39	46	52	59	66	73	80	86	93
33	40	46	53	60	67	73	80	87	93
34	41	47	54	60	67	74	80	87	93
35	42	48	55	61	68	74	81	87	94
36	42	49	55	62	68	74	81	87	94
37	43	50	56	62	69	75	81	87	94
38	44	50	57	63	69	75	81	88	94
39	45	51	57	63	70	76	82	88	94
40	46	52	58	64	70	76	82	88	94
41	47	53	59	65	71	76	82	88	94
42	48	54	59	65	71	77	83	88	94
43	49	54	60	66	72	77	83	89	94
44	50	55	61	66	72	78	83	89	94
45	51	56	62	67	73	78	84	89	95
46	51	57	62	68	73	78	84	89	95
47	52	58	63	68	74	79	84	89	95
48	53	58	64	69	74	79	84	90	95
49	54	59	64	69	75	80	85	90	95
50	55	60	65	70	75	80	85	90	95
51	56	61	66	71	76	80	85	90	95
52	57	62	66	71	76	81	86	90	95
53	58	62	67	72	77	81	86	91	95
54	59	63	68	72	77	82	86	91	95
55	60	64	69	73	78	82	87	91	96
56	60	65	69	74	78	82	87	91	96

38 CFR 4.25, Table 1

The disabilities are combined using the combined rating table in 38 CFR 4.25

Example:  
Jane Veteran received a rating with the following service connected disabilities:

- 30%
- 20%
- 20%
- 10%

What is her combined rating?

60%

# Combined Ratings Table

Individual Disabilities	Combined Rating	Calculations	
30%	30%	30% of 100% = 30%	100% - 30% = 70%
20%	44%	20% of 70% = 14%	70% - 14% = 56%
20%	55%	20% of 56% = 11%	56% - 11% = 45%
10%	60%	10% of 45% = 5%	45% - 5% = 40%



100%



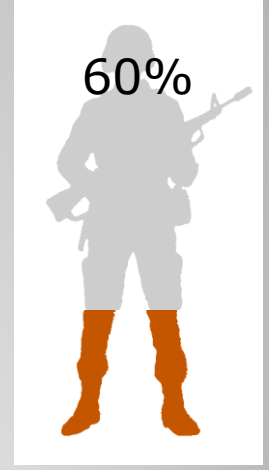
70%



56%



45%



40%

# Combined Rating-The Math



- **Temporary**

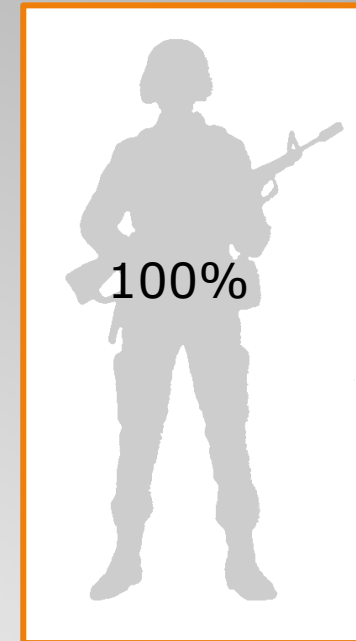
- Expectation of improvement in the disability
  - Cancers, surgery, & hospitalization
  - Determined at the time of decision

- **Permanent & Total**

- Single disability or combined rating equaling to 100%.
- Does not consider employment.

- **Individual Unemployability (IU)**

- Based off the ability to work due to service connected disabilities.
- Must have a single 60% or a combined 70% with a 40%.



**Combined Ratings-100%**

- Claims are paid according to the combined rating
- Dependent rates are paid starting with 30%
- Additional money may be paid with a special monthly compensation
  - Example - A "K" award (\$103.23) is given to Veterans with service connected erectile dysfunction (males) or have lost a uterus (females)
- Rate tables are available at <http://www.benefits.va.gov/COMPENSATION/rates-index.asp>
- Rates are updated December 1<sup>st</sup> of each year

## Benefit Pay Rates

Percentage	Rate
10%	\$133.17
20%	\$263.23

10% to 20%

## Without Children

Dependent Status	30%	40%	50%	60%
Veteran Alone	\$407.75	\$587.36	\$836.13	\$1,059.09
Veteran with Spouse Only	\$455.75	\$651.36	\$917.13	\$1,156.09
Veteran with Spouse & One Parent	\$494.75	\$703.36	\$982.13	\$1,234.09
Veteran with Spouse and Two Parents	\$533.74	\$755.36	\$1,047.13	\$1,312.09
Veteran with One Parent	\$446.75	\$639.36	\$901.13	\$1,137.09
Veteran with Two Parents	\$485.75	\$691.36	\$966.13	\$1,215.09
Additional for A/A spouse (see footnote b)	\$44.00	\$59.00*	\$74.00	\$89.00

Dependent Status	70%	80%	90%	100%
Veteran Alone	\$1,334.71	\$1,551.48	\$1,743.48	\$2,906.83
Veteran with Spouse Only	\$1,447.71	\$1,680.48	\$1,888.48	\$3,068.90
Veteran with Spouse and One Parent	\$1,538.71	\$1,784.48	\$2,005.48	\$3,198.96
Veteran with Spouse and Two Parents	\$1,629.71	\$1,888.48	\$2,122.48	\$3,329.02
Veteran with One Parent	\$1,425.71	\$1,655.48	\$1,860.48	\$3,036.89
Veteran with Two Parents	\$1,516.71	\$1,759.48	\$1,977.48	\$3,166.95
Additional for A/A spouse (see footnote b)	\$104.00	\$118.00	\$133.00	\$148.64

## With Children

Dependent Status	30%	40%	50%	60%
Veteran with Spouse and Child	\$491.75	\$699.36	\$976.13	\$1,227.09
Veteran with Child Only	\$439.75	\$630.36	\$890.13	\$1,124.09
Veteran with Spouse, One Parent and Child	\$530.75	\$751.36	\$1,041.13	\$1,305.09
Veteran with Spouse, Two Parents and Child	\$569.75	\$803.36	\$1,106.13	\$1,383.09
Veteran with One Parent and Child	\$478.75	\$682.36	\$955.13	\$1,202.09
Veteran with Two Parents and Child	\$517.75	\$734.36	\$1,020.13	\$1,280.09
Add for Each Additional Child Under Age 18	\$24.00	\$32.00	\$40.00	\$48.00
Each Additional Schoolchild Over Age 18 (see footnote a)	\$78.00	\$104.00	\$130.00	\$156.00
Additional for A/A spouse (see footnote b)	\$44.00	\$59.00	\$74.00	\$89.00

Dependent Status	70%	80%	90%	100%
Veteran with Spouse and Child	\$1,530.71	\$1,775.48	\$1,995.48	\$3,187.60
Veteran with Child Only	\$1409.71	\$1,637.48	\$1,840.48	\$3,015.22
Veteran with Spouse, One Parent and Child	\$1,621.71	\$1,879.48	\$2,112.48	\$3,317.66
Veteran with Spouse, Two Parents and Child	\$1,712.71	\$1,983.48	\$2,229.48	\$3,447.72
Veteran with One Parent and Child	\$1,500.71	\$1,741.48	\$1,957.48	\$3,145.28
Veteran with Two Parents and Child	\$1,591.71	\$1,845.48	\$2,074.48	\$3,275.34
Add for Each Additional Child Under Age 18	\$56.00	\$64.00	\$72.00	\$80.52
Each Additional Schoolchild Over Age 18 (see footnote a)	\$182.00	\$208.00	\$234.00	\$260.13
Additional for A/A spouse (see footnote b)	\$104.00	\$118.00	\$133.00	\$148.64

# Benefit Pay Rates

Disability

Veteran must prove the disability exists



Nexus

Disability has to have a connection to service



Service Connection

**Service Connection-Overview**

- An injury or illness (disease) that occurred or was diagnosed while in service or in the line of duty (LOD)
- Continuity and chronicity are **very** important
- Examples:
  - An active duty Veteran injured his back in service and required continuous medical care.
  - A reservist fell and injured her hip while on drill. A LOD determination was done.
  - A Veteran was diagnosed with essential hypertension while on active duty.

**Service Connection-Direct**

Anemia, primary.  
Arteriosclerosis.  
Arthritis.  
Atrophy, Progressive muscular.  
Brain hemorrhage.  
Brain thrombosis.  
Bronchiectasis.  
Calculi of the kidney, bladder, or gallbladder.  
Cardiovascular-renal disease  
Hypertension.  
Cirrhosis of the liver.  
Coccidioidomycosis.  
Diabetes mellitus.  
Encephalitis lethargica residuals.  
Endocarditis.  
Endocrinopathies.  
Epilepsies.  
Hansen's disease.  
Hodgkin's disease.  
Leukemia.  
Lupus erythematosus, systemic.

Myasthenia gravis.  
Myelitis.  
Myocarditis.  
Nephritis.  
Other organic diseases of the nervous system.  
Osteitis deformans (Paget's disease).  
Osteomalacia.  
Palsy, bulbar.  
Paralysis agitans.  
Psychoses.  
Purpura idiopathic, hemorrhagic.  
Raynaud's disease.  
Sarcoidosis.  
Scleroderma.  
Sclerosis, amyotrophic lateral.  
Sclerosis, multiple.  
Syringomyelia.  
Thromboangiitis obliterans (Buerger's disease).  
Tuberculosis, active.  
Tumors, malignant, or of the brain  
or spinal cord or peripheral nerves.  
Ulcers, peptic

**Service Connection-Presumptive  
1st year from discharge**

- **Exposure to Herbicide**

- Vietnam. Exposure on land in Vietnam or on a ship operating on the inland waterways of Vietnam between January 9, 1962 and May 7, 1975.
- C-123 Airplanes. Possible exposure of crew members to herbicide residue in C-123 planes flown after the Vietnam.
- Korean Demilitarized Zone. Exposure along the demilitarized zone in Korea between April 1, 1968 and August 31, 1971.
- Thailand Military Bases. Possible exposure on or near the perimeters of military bases between February 28, 1961 and May 7, 1975.
- Blue Water.<sup>\*</sup> Blue Water Veterans must have actually stepped foot on the land of Vietnam or served on its inland waterways anytime between January 9, 1962 and May 7, 1975 to be presumed to have been exposed to herbicides. There is a list of ships and boats with confirmed operations in Vietnam.

<sup>\*</sup>Exception: Blue Water Veterans with non-Hodgkin's lymphoma may be granted service-connection without showing inland waterway service or that they set foot in Vietnam.

# Service Connection-Presumptive Agent Orange

## The following diseases are recognized to be related to Herbicide exposure (including Agent Orange):

- AL amyloidosis
- Chloracne or other acneform disease consistent with chloracne
- Type 2 diabetes (also known as Type II diabetes mellitus or adult-onset diabetes)
- Hodgkin's disease
- Ischemic heart disease (including, but not limited to, acute, subacute, and old myocardial infarction; atherosclerotic cardiovascular disease including coronary artery disease (including coronary spasm) and coronary bypass surgery; and stable, unstable and Prinzmetal's angina)
- All chronic B-cell leukemias (including, but not limited to, hairy-cell leukemia and chronic lymphocytic leukemia)
- Multiple myeloma
- Non-Hodgkin's lymphoma
- Parkinson's disease
- Early-onset peripheral neuropathy
- Porphyria cutanea tarda
- Prostate cancer
- Respiratory cancers (cancer of the lung, bronchus, larynx, or trachea)
- Soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma, or mesothelioma)

**Service Connection-Presumptive  
Agent Orange**



- *Persian Gulf veteran* means a veteran who served on active military, naval, or air service in the Southwest Asia theater of operations during the Persian Gulf War. The *Southwest Asia theater of operations* refers to Iraq, Kuwait, Saudi Arabia, the neutral zone between Iraq and Saudi Arabia, Bahrain, Qatar, the United Arab Emirates, Oman, the Gulf of Aden, the Gulf of Oman, the Persian Gulf, the Arabian Sea, the Red Sea, and the airspace above these locations.
- August 2, 1990 to present.

## **Service Connection-Presumptive Gulf War**

- **Undiagnosed illness and medically unexplained chronic multisystem illnesses**
- Chronicity = 6 months
- Examples of unexplained chronic multisystem illnesses
  - Chronic fatigue syndrome
  - Fibromyalgia
  - Functional gastrointestinal disorders
- *Signs or symptoms of undiagnosed illness and medically unexplained chronic multisystem illnesses*
  - Fatigue.
  - Signs or symptoms involving skin.
  - Headache.
  - Muscle pain.
  - Joint pain.
  - Neurological signs or symptoms.
  - Neuropsychological signs or symptoms.
  - Signs or symptoms involving the respiratory system (upper or lower).
  - Sleep disturbances.
  - Gastrointestinal signs or symptoms.
  - Cardiovascular signs or symptoms.
  - Abnormal weight loss.
  - Menstrual disorders

**Service Connection-Presumptive  
Gulf War**

- A secondary condition develops from a primary service connected disability.
- Requires a nexus statement from a doctor.
- Examples:
  - Peripheral neuropathy from type II diabetes.
  - Sciatica from back condition
  - Sleep apnea from trauma to face (broken nose or injury to sinuses)

**Service Connection-Secondary**

- A condition that worsens during active service by a measurable degree according to the 38 CFR
- Examples:
  - A reservist has controlled hypertension before mobilization and while on active duty his blood pressure readings become elevated.
  - A Veteran had surgery in high school for her right ankle. While on active duty, the ankle began to swell and she loses some range of motion in the ankle.

**Service Connection-Aggravation**



# Two ways to file

VA Form 21-0966  
Fax or mailed

**Apply for Benefits**

**Manage Your VA Representative**  
Need help preparing your claims? You can request for an attorney, claims agent, or Veteran Service Organization (VSO) to help prepare and submit your claims for VA benefits.

**Compensation**

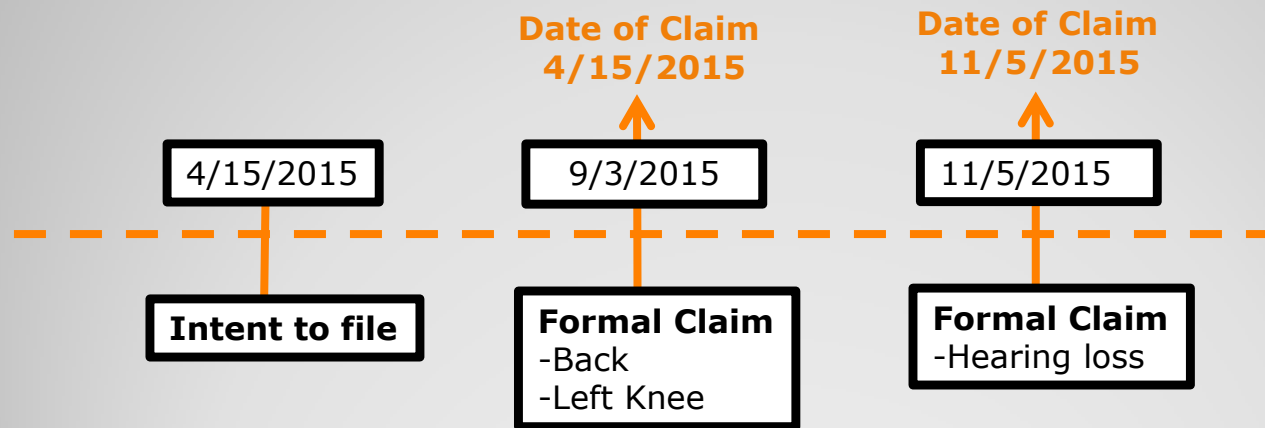
**Disability Compensation**  
Submit a claim for disabilities that you believe are related to your military service.

**Add or Remove Dependent**  
Apply to have a new child or spouse added to or removed from your compensation award.

On eBenefits

# Claims Process-Intent to File

- A Veteran has one year from the date the intent to file is filed to file a formal claim for the date of claim is recognized.
- Only those conditions claimed on the formal claim following the intent to file will have the its date of claim.



## Claims Process-Intent to File

- To complete the claim, the application process starts on eBenefits or
- File using a VA Form 21-526ez
- With required evidence
- Mail or fax completed forms to the Claims Intake Center:

Department of Veterans Affairs  
 Evidence Intake Center  
 P.O. Box 4444  
 Newman, GA 30271-0020  
 Fax (844) 531-7818

VA Form 21-526ez Formal Claim

# Claims Process-Formal Claim



- Timeline dictates the burden of evidence for direct injuries
  - Less than a year from discharge
  - Greater than a year from discharge
- Evidence of the disability is required
  - Treatment within the VA medical system must be reported in the claims process.
  - Private medical records have to be provided or consent given for the VA to obtain the records.
  - Disability Benefit Questionnaires (DBQ) are available for most disabilities.

## Evidence Requirements

- Streamlines the claim processing.
- Allows private doctors to do the C&P exam.
- Eliminates the need for medical records.
- Example:



Vietnam Veteran  
With Type II Diabetes

VA Form 21-526ez



VA Form 21-0960E-1  
DBQ for Diabetes



DD Form 214  
With Vietnam Service

**= FULLY DEVELOPED CLAIM**

**Benefits of DBQs**

- The VA has the legal authority to exam Veterans for their claimed conditions.
- The C&P exams are to determine service connection and the extent of the Veteran's **Claimed** disability.
- The exams are not for treatment purposes or filing for a new claimed condition.

## Compensation & Pension Exams



**Questions?**

- 38 Code of Federal Regulations, Part 4
  - <http://www.benefits.va.gov/warms/bookc.asp>
- eBenefits
  - <https://www.ebenefits.va.gov/ebenefits-portal/ebenefits.portal>
- Disability Benefit Questionnaires
  - [http://www.benefits.va.gov/compensation/dbq\\_ListByDBQFormName.asp](http://www.benefits.va.gov/compensation/dbq_ListByDBQFormName.asp)
- VA Forms
  - [www.va.gov/vaforms](http://www.va.gov/vaforms)
- Agent Orange
  - <http://www.publichealth.va.gov/exposures/agentorange/index.asp>
- Gulf War
  - <http://www.publichealth.va.gov/exposures/gulfwar/medically-unexplained-illness.asp>

## Useful Links