



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

**TYLER [REDACTED]**

**VA File Number**  
[REDACTED]

**Represented By:  
GORDON A GRAHAM  
Rating Decision  
03/02/2020**

**INTRODUCTION**

The records reflect that you are a veteran of the Gulf War Era. You served in the Navy from June 26, 1996 to September 26, 1999. We received a request to reopen a previous claim on December 5, 2019. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

**DECISION**

Service connection for posttraumatic stress disorder with alcohol use disorder (previously denied as ptsd, due to personal trauma, also claimed as generalized anxiety disorder or major depressive disorder not otherwise specified) is granted with an evaluation of 70 percent effective October 11, 2016.

**EVIDENCE**

- Service treatment and personnel records covering military service from June 26, 1996 to September 26, 1999
- Intent to file a claim received October 11, 2016



- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, March 27, 2017
- VA examination, dated August 24, 2017
- Death certificate received April 24, 2014
- VA Form 21-0781, Statement In Support Of Claim For Service Connection for Post-Traumatic Stress Disorder (PTSD), received July 7, 2017
- VA rating decision, dated October 6, 2017
- VA notification letter, dated October 11, 2017
- Notice of Disagreement, dated March 8, 2018
- Medical records submitted by the veteran, received March 8, 2018
- Statement of Case (SOC), dated October 9, 2019
- Medical records submitted by the veteran, received December 5, 2019
- VA Form 20-0995 Supplemental Claim Application, December 5, 2019
- 38 USC 5103 notice, dated December 19, 2019
- VA duty to assist letter, dated December 20, 2019
- VA examination dated February 25, 2020
- Rating Decision, dated November 7, 2014
- VA notification letter dated November 10, 2014

### **REASONS FOR DECISION**

**Service connection for posttraumatic stress disorder with alcohol use disorder (previously denied as ptsd, due to personal trauma, also claimed as generalized anxiety disorder or major depressive disorder not otherwise specified).**

Service connection for posttraumatic stress disorder with alcohol use disorder has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

Service connection and an evaluation of 70 percent is assigned from October 11, 2016. The date that an intent to file a claim was received for this condition, that was continuously prosecuted from that date to the date of the current decision. An earlier effective date is not possible as the notification of the prior denial of this condition occurred more than one year prior to October 11, 2016. (38 CFR 3.155, 38 CFR 3.400, 38 CFR 3.2500)

Please note there was a discrepancy in the diagnosis and symptoms of your mental health condition noted in the VA examinations dated August 24, 2017 and February 25, 2020. The results of the VA examination dated February 25, 2020, which diagnosed posttraumatic stress disorder with alcohol use disorder, was given great weight as evidence as this examination was able to review evidence that was not available to the August 24, 2017 examination. As the February 25, 2020 examination provided results that were more favorable to the current claim and had greater weight as evidence, its findings were used to support the current diagnosis and level of symptoms. (38 CFR 4.2, 38 CFR 4.3, 38 CFR 4.6, 38 CFR 4.7)

We have assigned a 70 percent evaluation for your posttraumatic stress disorder with alcohol use disorder, due to personal trauma based on:



- Difficulty in adapting to work
- Depressed mood
- Suicidal ideation
- Disturbances of motivation and mood
- Panic attacks (less than weekly)
- Mild memory loss
- Anxiety
- Difficulty in establishing and maintaining effective work and social relationships
- Difficulty in understanding complex commands
- Occupational and social impairment with reduced reliability and productivity

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 70 percent disability evaluation. (38 CFR 4.7, 38 CFR 4.126)

A higher evaluation of 100 percent is not warranted for posttraumatic stress disorder unless the evidence shows total occupational and social impairment, due to such symptoms as:

- gross impairment in thought processes or communication
- persistent delusions or hallucinations
- grossly inappropriate behavior
- persistent danger of hurting self or others
- intermittent inability to perform activities of daily living (including maintenance of minimal personal hygiene)
- disorientation to time or place
- memory loss for names of close relatives, own occupation, or own name. (38 CFR 4.125, 38 CFR 4.126, 38 CFR 4.130)

#### **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](http://www.va.gov).

