

<b>Rating Decision</b>	<i>Department of Veterans Affairs Veterans Benefits Administration</i>		Page 1 of 5 01/13/2023
NAME OF VETERAN	VA FILE NUMBER	SOCIAL SECURITY NR	POA GORDON A GRAHAM
			COPY TO VSCM

ACTIVE DUTY			
EOD	RAD	BRANCH	CHARACTER OF DISCHARGE
04/06/2004	04/20/2012	Army	Honorable

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

**CLEAR AND UNMISTAKABLE ERROR - 38 CFR 3.105(a)**

I hereby certify that the claims record of this Veteran has been reviewed and that the following clear and unmistakable error has been identified: The rating decision dated July 28, 2022, shows you have been evaluated at 100 percent disabling for your lumbar vertebral fusion surgery since September 28, 2021. This previous rating decision also awarded separate evaluations for chronic sinusitis, adjustment disorder with mixed anxiety & depressed mood, left snapping hip syndrome, right snapping hip syndrome combine to a separate evaluation of 60 percent or more.

Each assigned effective date of this corrected rating corresponds to the date from which benefits would have been payable if it had been made on the date of the reversed decisions (38 CFR 3.400(k)).

**JURISDICTION:** Supplemental Claim Received 09/28/2022

**ASSOCIATED CLAIM(s):** 040; Supplemental Claim Rating; 09/28/2022

**SUBJECT TO COMPENSATION (1.SC)**

- 9440            ADJUSTMENT DISORDER WITH MIXED ANXIETY & DEPRESSED MOOD  
Service Connected, Gulf War, Incurred  
Static Disability  
30% from 04/21/2012  
70% from 09/09/2022
- 6510            CHRONIC SINUSITIS



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[REDACTED]		[REDACTED]	[REDACTED]		GORDON A GRAHAM
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Service Connected, Gulf War, Incurred  
Static Disability  
30% from 04/21/2012  
50% from 04/29/2016

5252 LEFT SNAPPING HIP SYNDROME  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012 (5019-5252)  
10% from 01/28/2022

5253 RIGHT SNAPPING HIP SYNDROME  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012 (5019-5252)  
10% from 01/28/2022

5241 STATUS POST LUMBAR VERTEBRAL FUSION SURGERY AND RESIDUALS  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012 (5237)  
100% from 09/28/2021 (38 CFR 4.30) (5237)  
10% from 02/01/2022

5019-5206 RIGHT ELBOW TENDONITIS  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

5019-5206 LEFT ELBOW TENDONITIS  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

5019-5215 LEFT WRIST TENDONITIS  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

5299-5201 RIGHT SHOULDER STRAIN  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

5299-5260 RIGHT KNEE STRAIN  
Service Connected, Gulf War, Incurred  
Static Disability

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0% from 04/21/2012

5299-5260 LEFT KNEE STRAIN  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

7802 LEFT HIP SCARS ASSOCIATED WITH LEFT SNAPPING HIP SYNDROME  
Service Connected, Gulf War, Secondary  
Static Disability  
0% from 04/21/2012

7805 RIGHT WRIST SCARS  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

7899-7813 LEFT GREAT TOENAIL REMOVAL  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

8100 MIGRAINE  
Service Connected, Gulf War, Incurred  
Static Disability  
0% from 04/21/2012

7802 SCARS, LINEAR, POSTERIOR TRUNK ASSOCIATED WITH STATUS POST  
LUMBAR VERTEBRAL FUSION SURGERY AND RESIDUALS  
Service Connected, Gulf War, Secondary  
Static Disability  
0% from 01/28/2022

7802 SCAR, LINEAR, ANTERIOR TRUNK ASSOCIATED WITH STATUS POST  
LUMBAR VERTEBRAL FUSION SURGERY AND RESIDUALS  
Service Connected, Gulf War, Secondary  
Static Disability  
0% from 01/28/2022

**COMBINED EVALUATION FOR COMPENSATION :**

50% from 04/21/2012  
70% from 04/29/2016  
100% from 09/28/2021 (38 CFR 4.30)  
100% from 01/28/2022 (Bilateral factor of 1.9 Percent for diagnostic codes 5252, 5253)  
80% from 02/01/2022 (Bilateral factor of 1.9 Percent for diagnostic codes 5252, 5253)

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90% from 09/09/2022 (Bilateral factor of 1.9 Percent for diagnostic codes 5252, 5253)

**SPECIAL MONTHLY COMPENSATION :**

S-1 Entitled to special monthly compensation under 38 U.S.C. 1114, subsection (s) and 38 CFR 3.350(i) on account of status post lumbar vertebral fusion surgery and residuals rated 100 percent and additional service-connected disabilities of chronic sinusitis, adjustment disorder with mixed anxiety & depressed mood, left snapping hip syndrome, right snapping hip syndrome, independently ratable at 60 percent or more from 09/28/2021 to 02/01/2022.

EFFECTIVE DATE	BASIC	HOSPITAL	LOSS OF USE	ANAT. LOSS	OTHER LOSS
09/28/2021	48	48	00	00	0
02/02/2022	00	00	00	00	0

**NOT SERVICE CONNECTED/NOT SUBJECT TO COMPENSATION (8.NSCPeacetime, Gulf War)**

5299-5220 DOG BITE RIGHT HAND (CLAIMED AS RIGHT HAND AND FINGERS LOSS OF STRENGTH, RANGE OF MOTION, NERVE DAMAGE\RIGHT ARM NERVE DAMAGE)  
Not Service Connected, Gulf War, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

5399-5307 RIGHT WRIST DOG BITE (CLAIMED AS RIGHT WRIST TENDONITIS)  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

6699-6600 BRONCHITIS  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

7899-7806 DERMATITIS  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013



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7899-7813      CELLULITIS TRUNK  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

7899-7819      CORN RIGHT 5TH TOE  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

7899-7828      ACNE  
Not Service Connected, Peacetime, Not Incurred/Caused by Service

Original Date of Denial: 04/17/2013

\_\_\_\_\_  
eSigned by: VBALANMcculN

\_\_\_\_\_  
eSign: certified by ADJMELBA, Decision Review Officer

