



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

[REDACTED]

VA File Number

[REDACTED]

**Represented By:
GORDON A GRAHAM
Rating Decision
04/22/2024**

INTRODUCTION

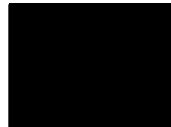
The records reflect that you are a Veteran of the Peacetime. You served in the Army from September 25, 1985 to October 14, 1988. The Board of Veterans Appeals made their decision on your appeal on April 19, 2024. We have implemented their decision based on the evidence listed below.

DECISION

1. Service connection for posttraumatic stress disorder is granted with an evaluation of 100 percent effective July 1, 2020.
2. Basic eligibility to Dependents' Educational Assistance based on permanent and total disability status is established from July 1, 2020.

EVIDENCE

- Service Treatment Records, for the period September 25, 1985 to October 14, 1988



- Service Personnel Records, for the period September 25, 1985 to October 14, 1988
- VA Form 21-0966, Intent To File A Claim For Compensation and/or Pension, or Survivors Pension and/or DIC, received June 6, 2017
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, received August 14, 2017
- VA Form 21-0781a, Statement In Support Of Claim For Service Connection For Post-Traumatic Stress Disorder (PTSD) Secondary To Personal Trauma, received August 14, 2017
- VA Examination, conducted October 2, 2017
- Rating Decision, dated October 10, 2017
- Notification Letter, October 13, 2017
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, received April 12, 2018
- Private Treatment Records, Vet Center, for the period December 11, 2017 to June 30, 2018
- Rating Decision, dated August 14, 2018
- Notification Letter, August 17, 2018
- Disability Benefit Questionnaire, dated June 4, 2020
- Private Treatment Records, [REDACTED], dated June 3, 2020
- VA Form 20-0995, Decision Review Request - Supplemental Claims, received July 1, 2020
- VA contract examination, conducted August 10, 2020
- Rating Decision, dated August 31, 2020
- VA Form 10182, Decision Review Request: Board Appeal (Notice of Disagreement), received November 16, 2020
- Private Treatment Records, [REDACTED], dated October 31, 2020
- VA Form 10182, Decision Review Request: Board Appeal (Notice of Disagreement), received November 24, 2020
- Board of Veterans' Appeals Decision, dated April 19, 2024
- VAMC (Veterans Affairs Medical Center) treatment records, for the period February 22, 2017 to April 4, 2024

REASONS FOR DECISION

1. Service connection for posttraumatic stress disorder.

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

The Board of Veterans' Appeals (BVA) decision of April 19, 2024 determined that entitlement to service connection for posttraumatic stress disorder is warranted. Please refer to BVA decision of April 19, 2024 for more information as to the reasons and bases for this decision. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is July 1, 2020. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

A claimant may continuously pursue a claim by timely and properly filing a supplemental claim. "Timely" means the supplemental claim is submitted within one year of the VA decision. "Properly" means VA form 20-0995, Decision Review Request: Supplemental Claim, is completed and submitted along with new and relevant evidence. (38 CFR 3.2500, 38 CFR 3.2501)

If the claim is continuously pursued and benefits are granted, the effective date will be the date of receipt of the initial claim or the date entitlement arose, whichever is later. (except as otherwise provided by other regulations including 38 CFR 3.400)

An evaluation of 100 percent is assigned from July 1, 2020.

We have assigned a 100 percent evaluation for your posttraumatic stress disorder based on:

- Anxiety
- Chronic sleep impairment
- Depressed mood
- Difficulty in adapting to a worklike setting
- Difficulty in adapting to stressful circumstances
- Difficulty in adapting to work
- Difficulty in establishing and maintaining effective work and social relationships
- Disturbances of motivation and mood
- Impaired impulse control
- Impaired judgment
- Impairment of short- and long-term memory
- Inability to establish and maintain effective relationships
- Near-continuous depression affecting the ability to function independently, appropriately and effectively
- Panic attacks (less than weekly)
- Panic attacks (weekly)
- Total occupational and social impairment

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 100 percent disability evaluation. (38 CFR 4.7, 38 CFR 4.126)

This is the highest schedular evaluation allowed under the law for posttraumatic stress disorder. (38 CFR 4.125, 38 CFR 4.126, 38 CFR 4.130)

There is no evidence of record that shows that you are unable to manage your financial affairs. (38 CFR 3.353)

2. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35 based on permanent and total disability status.

Eligibility for Dependents' Educational Assistance is derived from a Veteran who was discharged under other than dishonorable conditions; and has permanent and total service-

connected disability(ies); or permanent and total disability(ies) existed at the time of death; or the Veteran died as a result of service-connected disability(ies). Also, eligibility exists for a service member who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power. Electing to receive DEA benefits while receiving additional compensation, pension or Dependency and Indemnity Compensation (DIC) payments based on the student's school attendance is considered a duplication of benefits and is prohibited. (38 USC Chapter 35, 38 CFR 3.807, 38 CFR 21.3021, 38 CFR 21.3023)

Basic eligibility for Dependents' Educational Assistance is granted as the evidence shows you currently have a totally disabling service-connected disability or disabilities, permanent in nature. (38 USC Chapter 35, 38 CFR 3.807, 38 CFR 21.3021)

Evidence we have used to grant permanent and total disability status: BVA grant

Basic eligibility to Dependents' Educational Assistance based on permanent and total disability status is established from July 1, 2020, which is the date of commencement of a permanent and total disability rating. (38 CFR 21.3020, 38 USC 5113, 38 CFR 3.400, 38 CFR 3.807)

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.

