Examples

**Example 1**

Veteran was honorably discharged on July 31, 2006. On July 10, 2010, the Veteran requested service connection for a right knee condition. STRs and VA examination show right knee degenerative joint disease. The VA examination from October 2010 shows a 10 percent evaluation is warranted based on painful range of motion and crepitus. No lay statements or other evidence has been received since the examination. You are rating this case on September 1, 2014 – what action should you take?

**Example 1 Answer:** Grant service connection for right knee degenerative joint disease at 10 percent from the date of claim. The fact that the medical evidence from the VA examination is nearly four years old is not sufficient to perform a new examination since we can grant the benefit sought by the Veteran and there is no evidence the condition has worsened since the examination.

**Example 2**

A peacetime Veteran who was honorably discharged in 1988 following 4 years of service files a claim for ALS. The Veteran submits medical reports from his private neurologist with his claim, confirming the diagnosis of ALS. The date of claim is April 30, 2012. STRs show no diagnosis of ALS or neurological disorder. You are rating this case today – what action should you take?

**Example 2 Answer:** Grant SC for ALS at 100 percent from the date of claim. A VA examination is not warranted since we can grant the benefit sought and assign a disability evaluation. No VCAA/5103 development is required since we granted the benefit sought. Only consider a VA examination if the medical evidence revealed residuals requiring separate evaluation, but an interim rating decision is still required to establish service connection and entitlement to VA treatment.

**Example 3**

Veteran is SC for DM II with nephropathy at 20 percent. On July 10, 2012, the Veteran submits medical reports from his private physician that is treating the nephropathy, revealing a chronically elevated creatinine level of 2.5 since November 11, 2011. You are rating this case today – what action should you take?

**Example 3 Answer:** A rating decision is required to increase the disability evaluation for the nephropathy to 60% from the date of the medical evidence showing the worsening of the condition as the private medical evidence was received within one year of the date that the increase occurred. No VCAA/5103 development or VAE is required since we can grant the benefit sought by the Veteran.

**Example 4**

Veteran claims a right knee disability due to parachute jumping in service and submits a statement that he suffers with right knee pain. STRs do not show right knee treatment, but the DD214 shows the Veteran earned a Master Parachutist Badge. The date of claim is May 1, 2012; the Veteran was released from active duty on September 4, 2005. You are rating this case today – what action should you take?

**Example 4** **Answer:** A VA Examination is warranted since the Veteran had an in-service event based on the parachutist badge and he has a valid lay statement of right knee pain. A nexus opinion is needed to assess the relationship between the event and current disability. In addition, we would need a VCAA/5103 letter for service connection of the right knee disability. The evidence is not sufficient to grant the benefit sought by the Veteran at this time.