Evaluating Lay Evidence

**Answer Key**

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Practical Exercise

**The instructor is to review the scenarios with the trainees and provide the answers to the associated questions.**

Scenario 1:

A Veteran submits a claim for service connection for low back pain sustained during operation Iraqi Freedom. The Veteran asserts that he was in Iraq and injured his back diving for cover while under attack. STRs are negative for any thoracolumbar spine injury, or disease.

Separation document shows award of Combat Infantry Badge and service in Iraq.

Select all correct components:

Competent

Plausible

Consistent

Service

* The Veteran is competent to describe low back pain.
* The claim is plausible. The Veteran asserts that he was in Iraq and injured his back diving for cover while under attack.
* The Veterans statement is consistent throughout.
* The claim is consistent with service. Separation document shows award of CIB and service in Iraq.

Scenario 2:

A Veteran submits a claim for service connection for hearing loss caused by acoustic trauma in service. STRs are negative for any threshold shift or diagnosis of hearing loss by VA standards. However, the separation document shows he was a jet mechanic in service.

Select all correct components:

Competent

Plausible

Consistent

Service

* The Veteran is competent to state hearing loss.
* It is plausible for noise exposure to cause hearing loss.
* The Veteran’s statement is consistent throughout.
* The statement is consistent with service for noise exposure as a jet mechanic.

Scenario 3:

A Veteran submits a claim for service connection for his right knee noting that it is still painful after many parachute jumps during service. STRs are negative for any right knee injury, disease, or event. However, the separation document shows he earned a Master Parachutist Badge in service.

Select all correct components:

Competent

Plausible

Consistent

Service

* The Veteran’s statement is competent. Right knee pain after many parachute jumps during service.
* Plausible. Knee conditions are common with parachute jumps.
* Consistent. The Veteran’s statements do not change.
* Consistent with Service. Master Parachutist Badge in service.

Scenario 4:

Veteran files a claim for Diabetes due to exposure to Agent Orange.

Records indicate the Veteran served from 1980 to 1989.

Select all correct components:

Competent

Plausible

Consistent

Service

* The Veteran is not competent to provide a diagnosis for Diabetes without medical evidence.
* The claim is not plausible. The Veteran was not exposed to Agent Orange during service.
* The claim is not consistent with service due to the agent orange exposure periods.