PL 116-23, Blue Water Navy Vietnam Veterans Act of 2019:  
Rating Processing

Instructor Lesson Plan

Time Required: 3 Hours

**Table of Contents**

[Lesson Description 2](#_Toc25579150)

[Introduction to Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019: Rating Processing 4](#_Toc25579151)

[Topic 1: Background 6](#_Toc25579152)

[Topic 2: Rating Considerations 7](#_Toc25579153)

[Topic 3: Effective Dates 10](#_Toc25579154)

[Topic 4: Special Considerations 17](#_Toc25579155)

[Lesson Review, Assessment, and Wrap-up 19](#_Toc25579156)

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4541931 |
| Prerequisites | None |
| target audience | The target audience for **Rating Veteran Services Representatives** assigned to 8 Regional Offices processing Blue Water Navy Claims. |
| Time Required | 3 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019:Rating Processing PowerPoint Presentation * Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019:Rating Processing PowerPoint Presentation Job Aid |
| Training Area/Tools | The following are required to ensure the trainees are able to meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note taking and participation * Handouts, which include a practical exercise * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019: Rating Processing PowerPoint * Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019:Rating Processing PowerPoint Presentation Job Aid * Computer for Training and References * Computer Headset |
| Pre-Planning | * Become familiar with all training materials by reading the Instructor Lesson Plan while simultaneously reviewing the corresponding PowerPoint slides. This will provide you the opportunity to see the connection between the Lesson Plan and the slides, which will allow for a more structured presentation during the training session. * Become familiar with the content of the trainee handouts and their association to the Lesson Plan. * Practice is the best guarantee of providing a quality presentation. At a minimum, do a complete walkthrough of the presentation to practice coordination between this Lesson Plan, the trainee handouts, and the PowerPoint slides and ensure your timing is on track with the length of the lesson. * Ensure that there are copies of all handouts before the training session. * When required, reserve the training room. * Arrange for equipment such as flip charts, an overhead projector, and any other equipment (as needed). * Talk to people in your office who are most familiar with this topic to collect experiences that you can include as examples in the lesson. * This lesson plan belongs to you. Feel free to highlight headings, key phrases, or other information to help the instruction flow smoothly. Feel free to add any notes or information that you need in the margins. |
| Training Day | * Arrive as early as possible to ensure access to the facility and computers. * Become familiar with the location of restrooms and other facilities that the trainees will require. * Test the computer and projector to ensure they are working properly. * Before class begins, open the PowerPoint presentation to the first slide. This will help to ensure the presentation is functioning properly. * Make sure that a whiteboard or flip chart and the associated markers are available. * The instructor completes a roll call attendance sheet or provides a sign-in sheet to the students. The attendance records are forwarded to the Regional Office Training Managers. |

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| Introduction to Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019: Rating Processing | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 0.10 hours |
| Purpose of Lesson  Explain the following: | | This lesson is intended to provide background information on Blue Water Navy claims and provide information on rating considerations when processing these claims. This lesson will contain discussions and exercises that will allow you to gain a better understanding of:   * Background * Rating Considerations * Effective Dates * Special Considerations |
| Lesson Objectives  Discuss the following:  Slide 2 | In order to accomplish the purpose of this lesson, the RVSR will be required to accomplish the following lesson objectives:   * Review the electronic claims folder and re-adjudicate all claims for service connection nautical service * Identify the eligibility requirements that qualify a Veteran or Survivor for retroactive awards of benefits under Public Law (PL) 116-23, *Blue Water Navy Vietnam Veterans Act of 2019* * Identify and correctly apply effective date rules for PL 116-23, *Blue Water Navy Vietnam Veterans Act of 2019* * Identify additional benefits to which the Veterans and Survivors may be entitled. | |
| Explain the following: | Each learning objective is covered in the associated topic. At the conclusion of the lesson, the learning objectives will be reviewed. | |
| Motivation | Considering the Procopio decision, Public Law 116-23 was enacted to secure presumptive service connection for Veterans who served within the eligible waters of Vietnam. This course will help you to assist these Veterans and Survivors in receiving the benefits they deserve. | |
| STAR Error code(s) | TBD | |
| References  Slides 3 | Explain where these references are located in the workplace.  All M21-1 references are found in the [Live Manual Website](https://vaww.compensation.pension.km.va.gov/).   * Public Law 116-23, the *Blue Water Navy Vietnam Veterans Act of 2019.* * 38 CFR § 3.307 – Presumptive Service Connection for Chronic, Tropical or Prisoner-of-War Related Disease, or Disease Associated with Exposure to Certain Herbicide Agents; Wartime and Service on or after January 1, 1947 * 38 CFR § 3.309(e) – Diseases Subject to Presumptive Service Connection * M21-1 IV.ii.1.H – Developing Claims Based on Herbicide Exposure in the Republic of Vietnam (RVN) * M21-1 IV.ii.2.C.3 – Service Connection for Disabilities Resulting from Exposure to Certain Herbicides Agents or Based on Service in the Republic of Vietnam (RVN) * M21-1 Part III.iv.6.C - Completing the Rating Decision Narrative | |

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| Topic 1: Background | |
| Introduction – Background  *Slide 4* | It is important to understand how we have arrived at where we are, as there may be different effective dates and benefits based upon when changes occurred in the timeline. |
| Time Required | 0.15 hours |
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| Recognition of Herbicide Exposure by VA  Slide 5 | **Explain:** Prior to January 1, 2020, VA had interpreted Congressional intent to mean that in order to receive consideration for presumptive disabilities related to herbicide exposure, Veterans must have actually had “boots on the ground” or service on inland waterways in Vietnam.  With the *Procopio v. Wilkie (2019)* decision, the Courts held that actual Congressional intent also included the territorial waters (recognized as 12 nautical miles from shore). The Court directed VA to extend the same presumptive provisions of 38 CFR 3.309(e) to those Veterans with service within 12 nautical miles of the coast of Vietnam. |
| Recognition of Herbicide Exposure by VA  Slide 6 | **Explain:** Following the *Procopio* decision, Congress solidified its intent as it passed PL 116-23, which was signed into law on June 25, 2019. The new law created a revised definition of what service in the Republic of Vietnam (RVN) was, and provided VA with a January 1, 2020 implementation date.  Secretary Wilkie issued a stay on processing claims affected by the new law on July 1, 2019, to allow for creation of policies and procedures as allowed by PL 116-23. Effective January 1, 2020 the stay on processing claims under *Procopio* and PL116-23 will be lifted. |
| Exercise | No exercises for this topic. |
| note(s) | None |
| DEMONSTRATION | No demonstration required. |

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| Topic 2: Rating Considerations | | |
| Introduction *Slide 7* | | When rating claims for disabilities related to Blue Water Navy Veterans, it is important to understand that there are special requirements outlined in PL116-23 and in our policies and procedures. |
| Time Required | | 0.75 hours |
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| Centralized Processing  Slide 8 | | **Explain**: Due to the complexity and number of cases expected, VBA has established Centralized Processing at 8 VA Regional Offices to complete processing of Blue Water Navy claims.  **ALL** **Vietnam era claims** (new and supplemental) received for SC for any 3.309(e) conditions will be routed to the Centralized RO’s for review.   * If it is determined to be a claimed based on exposure in Thailand or Korea it will be referred back to the RO for verification of exposure outside of Vietnam. The RO will then develop and rate the claim. * If service in-country RVN is verified an Exposure Verification memo will be added to the Veteran’s VBMS eFolder and the claim will be referred back to the RO for appropriate exam development and rating decision. * If the service has been determined to be nautical service it will developed, rated, and promulgated by the Centralized RO. * If necessary, claims will be referred to the Records Research Specialist Team for verification. These claims will be developed, rated, and promulgated by the Centralized RO.   ***Note***: AMO BWN workload will be centralized to designated legacy Appeals and DROC personnel. |
| Definitions  Slide 9 | | **Explain:** We need to understand the definitions associated with Blue Water Navy claims, as these definitions form the basis or the lack of basis when deciding claims.  Inland waterways (also referred to as brown-water) were previously recognized as service in Vietnam for the purposes of presumption using the ship list, however this determination will now be made only by the centralized processing teams using the Vietnam Era Navy Ship Agent Orange Exposure Development Site, and *Specific Geographic Locations Determined to Be Inland Waterways*. (All rivers and streams meet the criteria for inland waterways of the RVN.) Verification of this service concedes exposure to herbicides.  Eligible offshore waters is based upon recognition of international law establishing country boundaries. Conveys presumptive disabilities due to herbicide exposure in Vietnam. Verification of this service concedes exposure to herbicides.  Ineligible offshore waters are considered “high seas” and are outside the 12 nautical mile territorial limit. Service on the “high seas” **does not qualify for presumption of herbicide exposure.** |
| Bays and Harbors  Slide 10 | | If military records show that the Veteran was on board a ship **during the time it had duty or visitation in one of the above bays or harbors**, centralized processing teams must concede herbicide exposure.This could include Navy vessels transiting the 12-mile territorial waters to reach a destination other than RVN. |
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| Compensable Level for Presumptive SC  Slide 11 | | ***Example***: Veteran files a claim for prostate cancer many years after the active cancer resolved. The evidence shows there are no compensable residuals, however since they were previously active and therefore would have warranted a 100% for that timeframe, a 0% can be granted to the prostate cancer on a presumptive basis.  ***Example***: Veteran files a claim for ischemic heart disease that based on the rating schedule in effect September 22, 1978 - January 12, 1998 would not warrant a compensable evaluation. The evidence shows that in 2015 they suffer from myocardial infarction. The IHD is granted as 0% and then staged up to 100 based on the date of the MI. |
|  | | Ensure to stage the evaluations appropriately. *Staging will be discussed more in depth in the next Topic: Effective Dates.* |
| Rating Decision Requirements  Slide 12 | | **Explain**: All rating decisions must be long form as detailed in M21-1, Part III, Subpart iv, 6.C.7, “*Long-Form Rating Narrative*,” and include a full explanation of the decision to grant or deny the benefit sought and any effective date assigned  Cite both favorable and unfavorable evidence without partiality. Discuss evidence that is **relevant and necessary** to the determination, clearly explain why that evidence is found to be persuasive or unpersuasive, and address all pertinent evidence and all of the claimant's contentions.  ***Note***: SC for cause of death ratings are not assigned effective dates.  ***Important*: Assign the *Agent Orange – Vietnam* special issue to each rated disability in VBMS-R.** |
| Exercise | No exercises for this topic. | |
| note(s) | | None |
| DEMONSTRATION | | None required for this topic. |
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| Topic 3: Effective Dates | |
| Introduction  *Slide 13* | In order to properly pay the Veteran, we need to understand the various effective dates that could occur based upon the type of claim submitted. This topic will discuss the various effective dates you may encounter while rating Blue Water Navy claims from Veterans and Survivors.  Blue Water Navy Veterans are not *Nehmer* class members, as the *Nehmer* stipulation has not been triggered because no new disease has been added to the list of diseases associated with exposure to herbicide agents. Do not apply 38 CFR 3.816 to previously denied claims. |
| Time Required | 0.5 hours |
| Effective Dates References  *Slide 14* | * Public Law 112-154, Section 506 * 38 USC § 5110 – Effective Dates of Awards * 38 CFR § 3.400 – General Effective Dates * 38 CFR § 3.114 – Change of Law or Department of Veterans Affairs Issue * 38 CFR § 3.2500(h) – Review of decisions, effective dates * *Historical* 38 CFR 3.155 – How to file a claim * *Historical* 38 CFR 3.157 – Report of examination or hospitalization as claim for increase or to reopen. * M21-1, Part III.ii.2.C – Informal Claims Received Prior to March 24, 2015, Communication of an Intent to File (ITF), and Requests for Application * M21-1 III.iv.5.C – Effective Dates * M21-1 III.iv.5.B – Principles of Disability Evaluation * M21-1 III.iv.8.C – Protected Ratings |
| Effective Dates for Retroactive Consideration of  Service Connection  *Slide 15* | This is only available to claimants who meet the criteria for retroactive entitlement described on the slide.  A previously denied claim is considered qualifying for retroactive entitlement **only** if the reason for denial was a lack of evidence that the disease was incurred or aggravated by the service of the Veteran. A retroactive effective date may not be assigned for a claim denied for a reason other than or *in addition to* a lack of evidence that the disease was incurred or aggravated by the service of the Veteran. So if the previous claim was correctly denied due to no diagnosis they do not qualify for a retroactive effective date.  ***Important***: Medical evidence received alone or in connection with an unrelated claim does not constitute an explicit claim for the purposes of determining retroactive entitlement under the BWN Act. The Veteran must have previously claimed and been denied entitlement to service connection for the disability that is now the subject of the claim being considered for retroactive entitlement.  ***Reminder***: informal claims were defined by regulations in effect prior to March 24, 2015. See historical 38 CFR 3.155, M21-1 III.ii.2.C. (Informal Claims Received Prior to March 24, 2015, Communication of an Intent to File (ITF), and Requests for Application), and M21-1 III.iv.5.C.11 (Effective Dates Based on Historical 38 CFR 3.155). |
| Effective Date Considerations  Slide 16 | As noted on the slide, there are many significant dates that must be identified to determine what the correct retroactive effective is.  Remember intent to files did not exist prior to March 24, 2015. It is unlikely that the effective date will be day after discharge, but it depends on how long the Veteran served and when they filed the previous claim. (It is possible.)  The original compensation FDC claims received within those dates warrant an effective date of one year prior to receipt of claim. If it was received after March 24, 2015, there is potential for an effective date based on one year prior to receipt of an intent to file, if the ITF was received between March 24, 2015 and August 5, 2015.  If the condition was diagnosed prior to the addition of it to 3.309(e), and the claim was filed after it was added, 38 CFR 3.114 applies and the effective date would be the date of change in law or one year prior to date of receipt of previous claim, whichever is applicable based on date of claim and/or ITF.  If the previous claim was received prior to the addition of it to 3.309(e) and the evidence shows diagnosis of eligible condition, the effective date will be the date of receipt of the previous claim. |
| Scenario 1  *Slide 17*  *Handout, page 2 for fillable chart and step action table, page 8 for dates disabilities were added to 3.309(e)* | Read the scenario, refer to page 2 of the job aid and discuss filling in the chart:   |  |  | | --- | --- | | **Identify the following** |  | | **Date of receipt of new or prior claim** | Date: 5/9/12 | | **Date the condition was added to 3.309(e) *(date of change in law)*** | Date: 5/8/01 | | **Date of diagnosis** | Date: 2012 | | **Was the claim associated with an ITF received on or after March 24, 2015?** | *Yes or* **No**  Date: | | **Is the claim an original FDC claim for compensation** **received between August 6, 2013, through August 5, 2015?** | Yes or **No** | |
| Scenario 1 Discussion  *Slide 18*  *Handout, page 2* | Walk through the step action table:   |  |  | | --- | --- | | **Step** | **Action** | | 1 | Was an explicit claim for a qualifying 38 CFR 3.309(e) condition received or denied between September 25, 1985 and January 1, 2020?   * If *yes*, go to Step 4. * If *no*, go to the next step. | | 2 | Was the disability diagnosed prior to addition to §3.309(e)?   * If *yes*, go to the next. * If *no*, date of receipt of claim or date entitlement arose, whichever is later (§3.400). | | 3 | Was the claim received within one year of addition to §3.309(e)?   * If *yes*, date of change in law (§3.114). * If *no*, one year prior to date of receipt of claim (§3.114). | | 4 | Was the previous claim received *after* the disability was added to §3.309(e)?   * If *yes*, go to the next step. * If *no*, date of receipt of claim (PL 116-23). | | 5 | Was the disability diagnosed prior to addition to §3.309(e)?   * If *yes*, go to the next step. * If *no*, Step 7. | | 6 | Was the claim received within one year of addition to §3.309(e)?   * If *yes*, date of change in law (§3.114). * If *no*, one year prior to date of receipt of claim (§3.114). | | 7 | Was the claim an original FDC received between August 6, 2013, through August 5, 2015?   * If *yes*, one year prior to receipt of ITF/FDC (or date entitlement arose) (PL 112-154, Section 506). * If *no*, – date of receipt of claim (PL 116-23). |   Discuss that if the date of diagnosis was prior to May 8, 2001 the effective date would have been one year prior to date of claim based on 38 CFR 3.114. Also, this scenario would have the same outcome if the previous claim was denied rather than stayed and the Veteran filed a supplemental claim. |
| VASRD Updates and Staged Ratings  Slide 19 | Important considerations must be remembered relating to M21-1 III.iv.8.C.(Protected Ratings).   * Evaluation of any level that has been continuously in effect for 20 years or more will not be reduced to a lower evaluation except upon a showing that the higher evaluation was based upon fraud.   + The 20 years is calculated based on the effective date, not the date of the rating decision. * A rating evaluation cannot be reduced solely because of a change to the rating schedule subsequent to August 13, 1991.   ***Note***: 38 CFR 3.105(e) does not apply to a staged rating. (No requirement for proposal/due process.) For more information on staged ratings see:   * M21-1 III.iv.5.B.2.k. (Assigning Staged Ratings) * M21-1III.iv.5.C.8.l (Example of Staged Rating Impacted by 38 CFR 3.114) * M21-1 III.iv.5.C.8.m (Retroactive Applicability of Revised Rating Schedule Criteria to Increased Rating Claims)   ***Reference***: For more information on VASRD adjustments, see [38 CFR Part 4, Appendix A.](https://www.ecfr.gov/cgi-bin/text-idx?SID=4df648f73cc06bc59890adb365c6a452&mc=true&node=ap38.1.4_1150.a&rgn=div9) and the PL 116-23, Blue Water Navy Vietnam Veteras Act of 2019 Job Aid. |
| Scenario 2  *Slide 20*  *Handout, page 2 for fillable chart and step action table, page 8 for dates disabilities were added to 3.309(e)* | Read the scenario, refer to page 2 of the job aid and discuss filling in the chart:   |  |  | | --- | --- | | **Identify the following** |  | | **Date of receipt of new or prior claim** | Date: 9/26/02 | | **Date the condition was added to 3.309(e) *(date of change in law)*** | Date: 8/31/10 | | **Date of diagnosis** | Date: 8/3/2002 | | **Was the claim associated with an ITF received on or after March 24, 2015?** | *Yes or* **No**  Date: | | **Is the claim an original FDC claim for compensation** **received between August 6, 2013, through August 5, 2015?** | Yes or **No** | |
| Scenario 2 Discussion  *Slide 21*  *Handout, page 2* | Walk through the step action table:   |  |  | | --- | --- | | **Step** | **Action** | | 1 | Was an explicit claim for a qualifying 38 CFR 3.309(e) condition received or denied between September 25, 1985 and January 1, 2020?   * If *yes*, go to Step 4. * If *no*, go to the next step. | | 2 | Was the disability diagnosed prior to addition to §3.309(e)?   * If *yes*, go to the next. * If *no*, date of receipt of claim or date entitlement arose, whichever is later (§3.400). | | 3 | Was the claim received within one year of addition to §3.309(e)?   * If *yes*, date of change in law (§3.114). * If *no*, one year prior to date of receipt of claim (§3.114). | | 4 | Was the previous claim received *after* the disability was added to §3.309(e)?   * If *yes*, go to the next step. * If *no*, date of receipt of claim (PL 116-23). |   Discuss that if the claim was not received until July 2011 the effective date would be August 31, 2010 since the claim was received within a year of the addition of the condition to 3.309(e) and the Veteran was diagnosed before that date. Further, if the claim was not received until December 12, 2019 the effective date would be December 12, 2018, one year prior to date of receipt of claim. (38 CFR 3.114) |
| **Non-retroactive Effective Dates**  Slide 22 | The provisions of PL 116-23 concerning the presumption of service connection for Veterans who served offshore in the Republic of Vietnam are not liberalizing since this portion of the law serves only to clarify the interpretation of the statutory phrase “served in the Republic of Vietnam” previously found at 38 U.S.C.§ 1116(a)(1).  When an initial grant of benefits is warranted based on a Veteran’s nautical service and a retroactive effective date is not available based on the provisions described above,  -*do not* apply 38 CFR 3.114 based on PL 116-23 to the assigned effective date, but  -*do* apply 38 CFR 3.400.  Note: still consider and apply all other standard effective date rules. If the Veteran was diagnosed with a 3.309(e) condition prior to it’s addition to 3.309(e) 38 CFR 3.114 *does* apply as usual.  Date entitlement arose is applicable when entitlement did not exist as of the date of claim but arose after that date. For example, if there is objective evidence that the disability was not manifested or diagnosed until after the claim was filed. |
| Scenario 3  *Slide 23*  Handout, page 2 for fillable chart and step action table, page 8 for dates disabilities were added to 3.309(e) | Read the scenario, refer to page 2 of the job aid and discuss filling in the chart:   |  |  | | --- | --- | | **Identify the following** |  | | **Date of receipt of new or prior claim** | Date: 1/18/20 | | **Date the condition was added to 3.309(e) *(date of change in law)*** | Date: 11/7/96 | | **Date of diagnosis** | Date: 11/16/19 | | **Was the claim associated with an ITF received on or after March 24, 2015?** | *Yes or* **No**  Date: | | **Is the claim an original FDC claim for compensation** **received between August 6, 2013, through August 5, 2015?** | Yes or **No** | |
| Scenario 1 Discussion  *Slide 24*  **Handout, page 2** | Walk through the step action table:   |  |  | | --- | --- | | **Step** | **Action** | | 1 | Was an explicit claim for a qualifying 38 CFR 3.309(e) condition received or denied between September 25, 1985 and January 1, 2020?   * If *yes*, go to the next step. * If *no*, date of receipt of claim or date entitlement arose, whichever is later (§3.400). |   Always remember to check for receipt of intent to file (ITF). If there were an ITF received prior to this claim we could use that to grant an earlier effective date. (Not prior to date of diagnosis.) |
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| Effective Dates for Survivor Benefits  Slide 25 | **Note**: DIC cannot be awarded prior to the first of the month of the Veteran’s death.  Initial accrued claims must be filed within 1 year of the Veteran’s death.  ***Reminder***: SC for cause of death ratings are not assigned effective dates. |
| Scenario 4  *Slide 26* | Read the scenario, discuss the pertinent dates:   |  |  | | --- | --- | | **Identify the following** |  | | **Date of receipt of prior claim** | Date: 1/16/16 | | **Date of death** | Date: 12/18/14 | |
| Scenario 4 Discussion  *Slide 27* | Discuss that since the Veteran had qualifying service and died from a 3.309(e) condition and the spouse filed a DIC claim between September 25, 1985, and January 1, 2020 they are entitled to a retroactive effective date for the DIC claim. In this scenario, the claim was filed over a year after the Veteran’s death, however *if it was received within a year* the effective date would have been December 1, 2014, the first of the month of the Veteran’s death. |

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| Exercise | | There are no exercises for this topic. |
| note(s) | | None |
| DEMONSTRATION | | None required for this topic. |
| Topic 4: Special Considerations | | |
| Introduction  *Slide 28* | We will discuss in this topic the additional benefits and considerations that we need to think about when deciding these types of claims.  It is important that we provide all benefits possible to Veterans and Survivors. | |
| Time Required | 0.25 hours | |
| Benefits Previously Awarded Under  Pre-Haas Policies  Slide 29 | Before the *Haas* case entered the court system, there was a period when a Veteran’s receipt of the Vietnam Service Medal (VSM) or service in the offshore waters of Vietnam was enough to establish a presumption of herbicide exposure. This broad policy, which had been in effect since November 8, 1991, was subsequently narrowed as of February 27, 2002, so that service on the ground in Vietnam or on its inland waterways was required to receive a presumption of exposure. The *Haas* case was initiated as a challenge to this revised policy. Although the final judicial decision in *Haas* supported VA’s revised policy, that decision cannot be applied retroactively to Veterans who were evaluated under the original broad policy.  While what is already SC is protected, do not establish entitlement to additional benefits unless they have been determined to have eligible service based on all current laws and regulations.  However, per M21-1 IV.ii.2.C.3.p and M21-1 III.iv.8.C.2.a:   * The Veteran is entitled to increased evaluations for the disability, to include SC for secondary conditions, and to awards of individual unemployability based solely or partly on those service-connected (SC) conditions. | |
| Special Considerations  Slide 30 | When deciding expressly claimed issues, decision makers must consider entitlement to any complications that are within scope of the claim, including those identified by the rating criteria for that condition in 38 CFR Part 4. A specific claim is not required to award a within-scope complication.  Decision makers will consider all lay and medical evidence of record in order to adjudicate entitlement to any additional benefits for complications of a claimed issue, such as:   * complications of diabetes mellitus * residuals of cancer or treatment for the SC cancer * scars as the result of surgical intervention for an SC disability * complications of progressive disorders, such as ALS | |
| Exercise | There are no exercises for this topic. | |
| note(s) | None | |
| DEMONSTRATION | None required for this topic. | |

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| Lesson Review, Assessment, and Wrap-up | |
| Summary  Slide 31 | The PL 116-23, Blue Water Navy Vietnam Veterans Act of 2019: Rating Processing lesson is complete.  Summarize the topics discussed during this lesson. |
| Questions  *Slide 32* | Ask the trainees if they have any questions concerning the class they have just completed.  Answer any questions they may have. |
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