Training Coordinator's Module Guide for Rate an Original Claim for Disability Compensation

November 5, 2013

For Training Purposes Only

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Section 1 - Introduction

Introduction

Welcome to the *Rate an Original Claim for Disability Compensation* Basic Ratings Training and Performance Support System (TPSS). Due to the length of the module title, future references may be shortened to Original Claim for Compensation or Compensation Module. Please read this Module Guide in its entirety. Feel free to print out a copy of this document if you want to highlight portions or write down notes as you read.

Within these pages, you will find the information you need to set up and implement this course successfully.

Section 1 includes an introduction to this module, including Module Overview and Module Map and a list of the specific resources required to support this training module.

Section 2 contains the Module Master Planning Chart, which lays out the instructional activities and course events including time and resource requirements.

Section 3 contains summaries for each of the lessons in this module. Use this information to familiarize yourself with the module contents and also as a review for your students before they complete the posttests.

Remember: To evaluate student performance and answer any student questions, you must either:

(1) Be thoroughly familiar with the task - Rate an Original Claim for Disability Compensation, or

(2) Identify the Subject Matter Expert (SME) to whom you may refer any specific technical or task-related questions. Ensure this person is available to provide any one-on-one training and/or feedback as necessary.

Module Overview

This module is entitled *Rate an Original Claim for Disability Compensation*. It contains the following 11 custom-designed, computer-based lessons with several case-based interactive training exercises:

Lesson 1 - Verify Requirements for Rating
Lesson 2 - Determine Service Connection I
Lesson 3 - Determine Service Connection II
Lesson 4 - Determine Additional Evidence Requirements
Lesson 5 - Request Additional Evidence
Lesson 6 - Disability Rating I
Lesson 7 - Disability Rating II
Lesson 8 - Calculate Combined Disability Percentage, Consider Extra-Schedular and Individual Unemployability Compensation
Lesson 9 - Determine Entitlement to Inferred Issues and/or Ancillary Benefits
Lesson 10 - Effective Date of Entitlement to Compensation and Duty to Assist Requirements
Lesson 11 - Prepare the Rating Decision

Who Will Take This Module?

The target population for this module consists of entry level RVSRs, usually with several years of experience in Adjudication. However, the recent trend in hiring for RVSRs has expanded the base to include individuals from service and other ancillary organizations. Therefore, while some of these individuals will be familiar with reviewing Veterans' case files, many will not have any experience with the rating process.

Students taking the Original Claim for Disability Compensation Module should have completed the Prerequisite Training Course or its equivalent.

> **Note:** The Prerequisite Training Course, which covers medical terminology and the Rating Schedule, is not graded. Students should complete this course, or a local office equivalent, prior to taking the Basic Ratings Course.

All students selected to take this module should take each lesson from start to finish in sequence, to ensure that he/she has (or gains) a comprehensive understanding of rating an original claim for Disability Compensation from start to finish.

Students who take this module should have either failed the module pretest for the *Rate an Original Claim for Disability Compensation* TPSS module or opted not to take the module pretest prior to training.

> **Note:** Taking the module pretest is optional. Students who want to take the *Original Compensation Module* may choose to take the test, or they may choose to go directly to the lessons.

TPSS Materials

Everything that your students need to complete the Compensation Module is available to them within the module online. Once you provide the students with a proper briefing, your role, other than monitoring their progress throughout and conducting test briefings, will be to score the test answer sheets that they print from the system and give them feedback.

You can access the test scoring instructions and answer keys from the VBA Learning Catalog, where you found this Module Guide. Search for TMS Item #1380379.

TPSS Equipment

Dual Monitors

The computers for your students should be set up with dual monitors so that they can open the online cases and look at other reference material during the training and testing.

In the Module Introduction, the students are provided with the following information about opening instructional cases with or without dual monitors:

"As you work your way through the lessons, you will use online cases that are based on actual Veterans' cases which have been altered for training purposes and to protect the privacy of the individuals involved with the claim.

You will access these online cases by selecting the Cases button in the upper part of the screen.

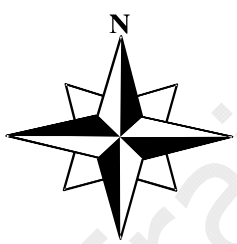
- If you have dual monitors, when you select a case using the button, it will open in a new window. You may move it to the other monitor and expand it to fit the entire screen.
- If you do not have dual monitors, when you select a case using the button, it will open in a new window, and you must toggle between the case and the courseware.

Note: The cases have bookmarks for each form, letter, etc., within the case. You may select a bookmark to advance to that document within the case. Or you may scroll up and down throughout the case by using the scrollbar on the right-hand side of the window.

Throughout this module, you will be prompted when to open a given case and when to close it."

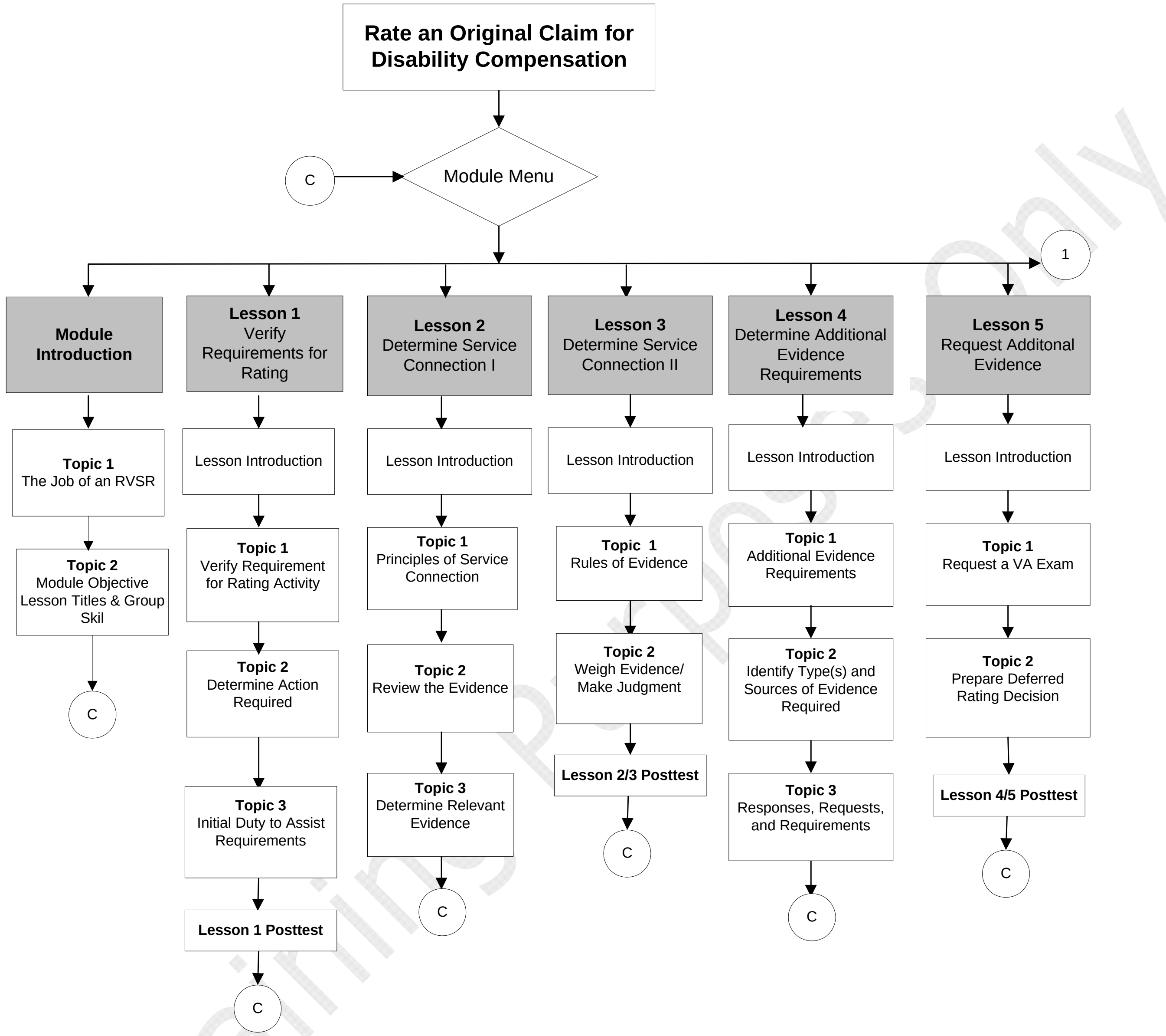
You may want to reinforce this information during your briefing and make sure when they come to their first online case, they understand what to do with it.

Module Map



To get an overview of how this module is laid out, take a look at the Module Map that follows.

As you can see, the Compensation Module is comprised of 11 lessons. The students must take the lessons in the order they are presented. A student may not proceed to the next lesson until they have successfully completed the previous lesson's posttest (except for Lessons 2, 4, and 6 which has no posttest).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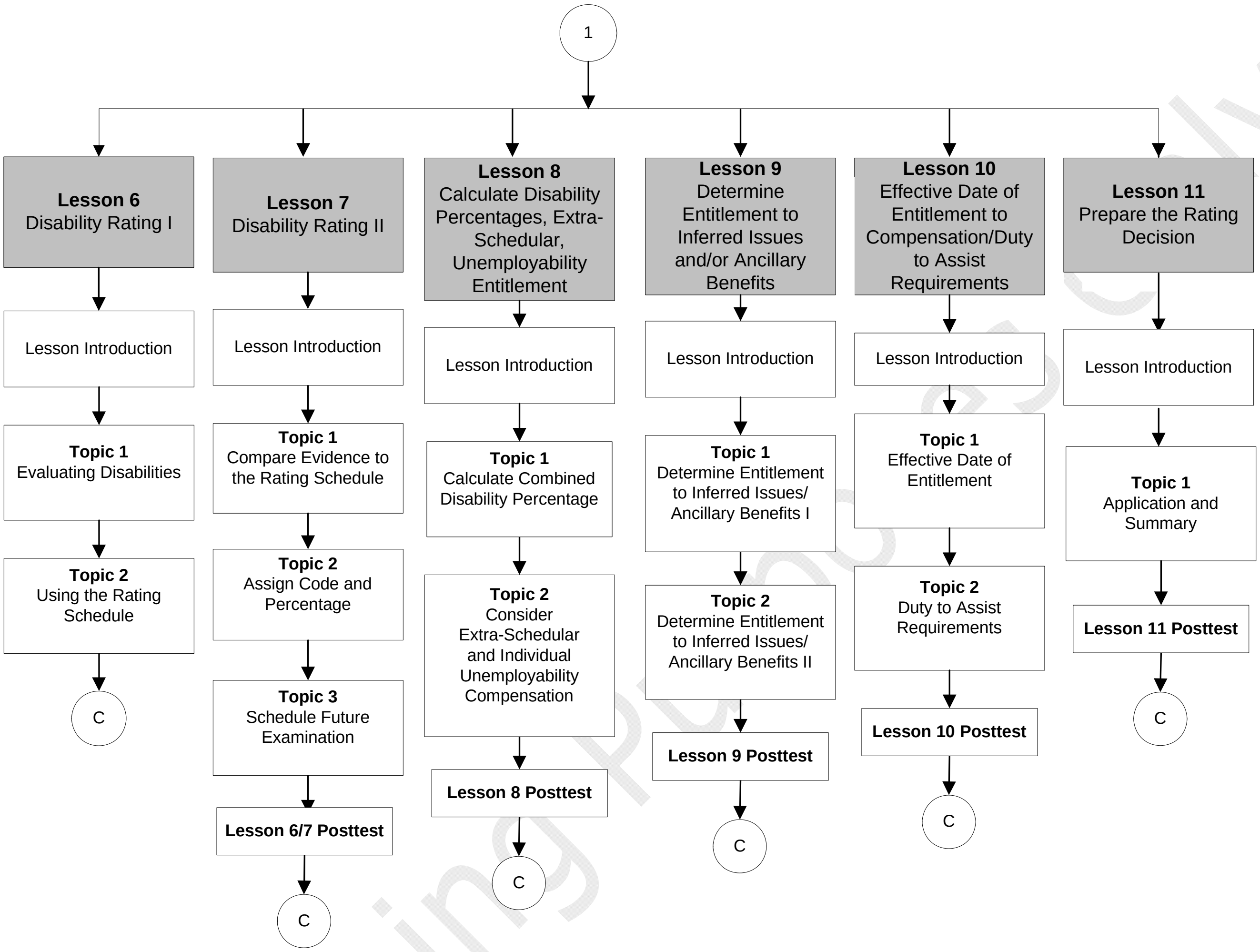
Module Map (Continued)



Compensation Test Design

The lesson posttests measure a portion of the entire rating process from reviewing the claims folder to preparing a rating decision. The *Original Compensation module-level* tests each consist of four (4) cases which students will review and evaluate to determine if they require additional development or if they are ready to rate.

If they determine a case requires additional development, they will prepare a deferred rating decision using a copy of a Deferred Rating Decision Form (21-6789), and if necessary, a C&P Exam Request Form. Both of these are available from Rating Tools under the Tools button within the module online.

However, if they determine the case is ready to rate, they will prepare a rating decision and code sheet using the Compensation Rating Template and the TPSS Rating Text, which are also available from Rating Tools under the Tools button.

Module Pretest

Taking the module pretest is optional. A student may choose to take the test to determine if he or she can opt out of taking the module, or they may choose to go directly to the lessons.

There are four cases in the module pretest. The passing criteria for the module pretest are provided in the test directions/answer keys which can be accessed in the VBA Learning Catalog. Search for TMS Item #1380379.

While you do need to administer the module pretest, you do not need to enter the test scores. After you score the test answer sheets and provide feedback to the students, you will email the test scores to the t(CDSHelpDesk@vba.va.gov). You can email the scores for multiple students at the same time. The email must include the following information for each student: student's TMS student identifier/TMS user name, module name, test name, test score of P or F, and test date.

Lesson Posttests

There are two available variants of each lesson posttest. When administering the lesson posttest you will assign test variants to the students. Instruct the students to take Variant 1 first and then Variant 2, if needed. If a student does not pass a lesson posttest, then the student must take that lesson posttest's variant.

> **Note**: Your Training Coordinator's Guide offers tips and guidelines for providing test feedback and prescribing remediation to students.

The lesson posttests are designed to test the material specifically covered in each lesson. However, Lessons 2, 4, and 6 do not have posttests. Students will be tested on what they learned in Lesson 2 at the end of Lesson 3, what they learned in Lesson 4 at the end of Lesson 5, and what they learned in Lesson 6 at the end of Lesson 7.

For the most part, instructions for the lesson posttests contain an Assumptions section that informs the student of characteristics inherent to the cases used in the testing environment. The Lesson 9 posttest does not have an Assumptions section because the test is scenario-based.

Because it is important to demonstrate the "building" process of rating cases, some cases will be revisited in subsequent lesson posttests. Specifically, two cases used in the Lesson 2/3 posttest will be used again in the Lesson 6/7, 8, 10, and 11 posttests. For this reason, it is important that the student have the correct answers at the end of the Lesson 2/3 posttest and the Lesson 6/7, 8, and 10 posttests. **You may want to have them write down the answers before proceeding to the next lesson posttest**.

Important: If it is necessary, at any time following the Lesson 2/3 posttest, for a student to take a variant, you will need to ensure that the student has the answers to the pertinent cases. This will save the students from having to review the entire case(s) from scratch.

The passing criteria vary for each lesson posttest. Refer to the test scoring instructions/answer keys for more information. You can access the test scoring instructions and answer keys from the VBA Learning Catalog. Search for TMS Item #1380379.

Important: While you do need to administer the lesson test, you do not need to enter the lesson test scores.

Module Posttest

There are two variants of the module posttest. When administering the module posttest you will assign test variants to the students. Instruct the students to take Variant 1 first and then Variant 2, if needed. You may direct a student to take a different variant if he or she fails one variant or when test security may be compromised.

The format of both of the module posttest variants is the same as the module pretest.

The cases in the module posttest are designed to assess the student's ability to apply what they have learned in the Basic Ratings - Rate an Original Claim for Disability Compensation Module.

Refer to the test scoring instructions/answer keys for more information on the passing criteria for each module posttest. You can access the test scoring instructions and answer keys from the VBA Learning Catalog. Search for TMS Item #1380379.

While you do need to administer the module test, you do not need to enter the test scores. After you score the test answer sheets and provide feedback to the students, you will email the test scores to the TPSS Help Desk (CDSHelpDesk@vba.va.gov). You can email the scores for multiple students at the same time. The email must include the following information for each student: student's TMS student identifier/TMS user name, module name, test name, test score of P or F, and test date.

Compensation Rating Template and TPSS Rating Text

During the Lesson 11 cooperative exercise, the Lesson 11 posttest, and the module tests, students will prepare rating decisions using the Compensation Rating Template to show they can perform the task.

The Compensation Rating Template is an electronic file that is formatted to look like a rating decision. It has fields in which students must enter specific information about the claim. Students are to complete the Compensation Rating Template by typing in the necessary information for each field after they have reviewed and evaluated the case.

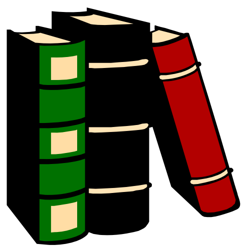
Students will use the TPSS Rating Text to copy and paste the appropriate wording for each issue into the Reasons for Decision section of the Rating Template.

Both the Compensation Rating Template and the TPSS Rating Text are available from Rating Tools under the Tools button within the module.

Students must demonstrate they can perform the task of evaluating a claim for compensation by preparing a rating decision—they just won't be using RBA2000 to do it. **It will be up to the Stations to provide training after TPSS to teach and practice actual generation of the rating document using RBA2000.**

Be sure to collect ALL completed rating decisions (both paper-based and electronic) from the students after discussion.

Publications



Ensure that students have access to compensation-relevant reference materials, such as:

- M21-1MR
- 38 CFR, Parts III and IV
- Court of Appeals for Veterans Claims (CAVC) decisions/decision assessment documentation
- VBA Circulars, "Fast Letters," Training Letters, and Policy Letters
- Merck Manual
- Dorland's or comparable Illustrated Medical Dictionary
- Diagnostic and Statistical Manual of Mental Disorders (DSM) - latest edition

If you have Problems with the Courseware

To report problems with the computer courseware:

1st ☐ Contact your local IRM support.

If your local IRM support is not available or does not know how to troubleshoot the problem,

2nd ☐ Contact the VBA TPSS Help Desk!

Email: CDSHelpDesk@vba.va.gov

3rd ☐ Connect to the Intranet!

Access the comments database web form, go to the Compensation Service Home Page (http://cptraining.vba.va.gov). From here, select the "Training" button, then the TPSS button. On the page that appears, select the comments feedback form.

Section 2 - Module Master Planning Chart

Rate an Original Claim for Disability Compensation Module

The Module Master Planning Chart is designed to provide you with the information you need to effectively plan the scheduling and resource requirements for this module.

Note: The estimated range of time required to complete the online content, including cooperative exercises and a single version of the Lesson Posttests, is 39 hours to 65 hours. The Module Posttest times ranged from 6 hours, 45 minutes to 11 hours, 15 minutes. The estimated total student course time ranges from 45 hours, 45 minutes to 76 hours, 15 minutes.

This Module Master Planning Chart is based on the average time that students required during the validation of this module. Be aware that the actual times for students may be more or less than the time listed here.

- Estimated total Student time for online course and a single version of the Module Posttest: **61 hours, 15 minutes**
- Estimated total Student time for Module (aka, total "seat" time): **66 hours**
(**Note:** All estimated total "seat" times for modules include module orientation, the online courseware and cooperative exercises, if applicable, along with, when given, a single variant of the Lesson Posttest(s), feedback, and a single version of the Module Posttest and feedback.)
- Estimated total Training Coordinator Time for administrative duties: **23 hours**
(**Note:** This total includes the additional time required by the TC to perform briefings, feedback, and any administrative duties such as grading tests and emailing test scores to the TPSS Help Desk, i.e., those shaded line items that are specifically TC times only. Total time accounts for administration of a single variant of the Lesson Posttest(s), when given, and a single version of the Module Posttest. Module Pretest preparation and grading is not included in the total. Although the TC is listed as personnel for all of the online lessons and all tests, the TC does not have to be present for the entire time the students are working in a lesson or taking a test. The TC may be working with other students or even performing other duties while students are working in TPSS. The TC needs to be available to answer questions as needed. That time will vary depending on how familiar with TPSS the students are.)

Duration			
hrs	**min**	**Activity**	**Notes/Tips**
	10	**Module Pretest Preparation**	Includes giving student access to Rate an Original Claim for Disability Compensation Module in TMS.
9	**00**	**Module Pretest, if applicable**	Conducted sometime prior to Day 1 of the training.
2	**00**	**Module Pretest Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	30	**Administrative Functions**	Includes emailing the TPSS Help Desk with Module Pretest results, if applicable, assigning student privileges, notifying students of course schedule, and preparing a briefing.
8	**00**	**Basic Ratings - Prerequisite Training[(1)]**	Includes lecture-based training and activities, with required materials. Conducted sometime prior to the Rate an Original Claim for Disability Compensation Module Introduction.
1	**30**	**Orientation/Briefing**	Includes setting up students with workstation and required materials. Ensure students understand logging into the course on the computer, understand how to navigate though the course using the buttons and prompts, and understand what online "Tools" are available to help.
	15	**Getting Started**	Getting Started provides students with information about the following features: • Structure • Screen layout • Navigation
	20	**Module Introduction (online)**	• **Topic 1:** The Job of an RVSR • **Topic 2:** Module Objective and Lesson Titles
3	**00**	**Lesson 1**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Verify Requirement for Rating Activity Action - First Cooperative Exercise of this module. Students will review the case for Miles C. Wilson, Jr., to verify the requirement for Compensation rating activity action. • **Topic 2:** Determine Action Required - Cooperative Exercise. Students will identify the correct rating activity action using the case scenario for Furman K. Treadwell and the cases for Miles C. Wilson, Jr. and Ronald C. Brown. • **Topic 3:** Initial Duty to Assist Requirements

	25	**Lesson 1 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
2	**00**	**Lesson 1 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	30	**Lesson 1 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 1 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 1 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
2	**00**	**Lesson 1 Posttest Variant 2**	
	30	**Lesson 1 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 1 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.
3	**30**	**Lesson 2**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Principles of Service Connection • **Topic 2:** Review the Evidence - Cooperative Exercise. Students will tag the evidence of record for the case of John C. Spiceland, verify that it belongs to the Veteran, and determine if it is complete. • **Topic 3:** Determine Relevant Evidence - Cooperative Exercise. Students will establish the context for the case of John C. Spiceland and determine which evidence is relevant.
4	**00**	**Lesson 3**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Rules of Evidence

			• **Topic 2:** Weigh Evidence/Make Judgment - Cooperative Exercises. Students will review four claims folders, for Thomas C. Walker, John C. Spiceland, Ronald C. Brown, and Francis C. Weeks to determine if evidence supports granting or denying service connection for the stated issues. If SC should be granted, they should indicate which type.
	20	**Lesson 2/3 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
2	**00**	**Lesson 2/3 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	30	**Lesson 2/3 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 2/3 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 2/3 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
2	**00**	**Lesson 2/3 Posttest Variant 2**	
	30	**Lesson 2/3 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 2/3 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.

2	**00**	**Lesson 4**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Additional Evidence Requirements • **Topic 2:** Identify Type(s) and Sources of Evidence Required • **Topic 3:** Responses, Requests, and Requirements - Cooperative Exercises. Students will review the claims folder Miles C. Wilson, Jr., to determine if additional evidence was requested and received. If so, determine if the evidence is complete.
2	**00**	**Lesson 5**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Request a VA Exam • **Topic 2:** Prepare a Deferred Rating Decision - Cooperative Exercise. Students will review a case scenario for Clara Macon to identify additional evidence requirements and prepare any appropriate documents as necessary.
	20	**Lesson 4/5 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
2	30	**Lesson 4/5 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	30	**Lesson 4/5 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 4/5 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 4/5 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
2	**30**	**Lesson 4/5 Posttest Variant 2**	
	30	**Lesson 4/5 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 4/5 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.

1	00	**Lesson 6**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Evaluating Disabilities • **Topic 2:** Using the Rating Schedule
5	00	**Lesson 7**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Compare Evidence to the Rating Schedule • **Topic 2:** Assign Code and Percentage - Cooperative Exercises. Students will use scenarios for Jerry Costanza, George Hamlet, and Chad Jagger and the case of Thomas C. Walker to assign various types of disability codes and calculate disability percentages. • **Topic 3:** Schedule Future Examination
	20	**Lesson 6/7 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
3	00	**Lesson 6/7 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
0	45	**Lesson 6/7 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 6/7 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 6/7 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
3	00	**Lesson 6/7 Posttest Variant 2**	
	45	**Lesson 6/7 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 6/7 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.

2	**30**	**Lesson 8**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Calculate Combined Disability Percentage - Cooperative Exercises. Using scenarios for Harold Klemsky, Jennifer Mulasky, Johnny Downs, Curtis Caffey, and MaryEllen Edge, students will calculate the combined disability percentage, apply the combined rating table, and apply the bilateral factor. • **Topic 2:** Consider Extra-Scheduler and Individual Unemployability Compensation
	20	**Lesson 8 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
1	**30**	**Lesson 8 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	15	**Lesson 8 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 8 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 8 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
1	**30**	**Lesson 8 Posttest Variant 2**	
	15	**Lesson 8 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 8 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.
2	**30**	**Lesson 9**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Determine Entitlement to Inferred Issues and/or Ancillary Benefits I • **Topic 2:** Determine Entitlement to Inferred Issues and/or Ancillary Benefits II

	20	**Lesson 9 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
1	**30**	**Lesson 9 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	10	**Lesson 9 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	10	**Lesson 9 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 9 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
1	**30**	**Lesson 9 Posttest Variant 2**	
	10	**Lesson 9 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	10	**Lesson 9 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.
1	**00**	**Lesson 10**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Effective date of Entitlement - Cooperative Exercise. Using the cases for Thomas C. Walker, Vickie C. Scruggs, and Francis C. Weeks, students will determine the dates for the claimant's separation from service, claim, and entitlement for compensation. • **Topic 2:** Duty to Assist Requirements
	20	**Lesson 10 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
1	**30**	**Lesson 10 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
	15	**Lesson 10 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.

	15	**Lesson 10 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.
	10	**Lesson 10 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
1	**30**	**Lesson 10 Posttest Variant 2**	
	15	**Lesson 10 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 10 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.
5	**30**	**Lesson 11**	• **Lesson Introduction** – Students will read the lesson objective(s). • **Topic 1:** Preparing the Rating Decision - Cooperative Exercises. Students will review the cases for Ronald C. Brown, Vickie C. Scruggs, and Francis C. Weeks. They will use a Case Information Worksheet and an electronic file RCBrownRating_OrigComp_coop ex.rtf to complete a rating decision for Ronald C. Brown. They will use the Compensation Rating Template file for Vickie C. Scruggs and Francis C. Weeks.
	25	**Lesson 11 Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
5	**30**	**Lesson 11 Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
2	**00**	**Lesson 11 Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 11 Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Lesson Posttest, you must provide remediation to the student until the student feels confident enough to take a variant of the Lesson Posttest. At that time, you will administer the variant to the student in the same way you administered the Lesson Posttest and provide feedback based on the students' results of the variant.

	10	**Lesson 11 Posttest Variant 2 Briefing (if applicable)**	Includes ensuring students have had enough feedback and remediation to feel prepared for Variant 2.
5	30	**Lesson 11 Posttest Variant 2**	
2	00	**Lesson 11 Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	15	**Lesson 11 Posttest Variant 2 Feedback**	**Note**: Feedback times will vary depending on the number of items a student missed. If the student who failed the first version of the Lesson Posttest also fails the variant, you may allow the student to progress to the next lesson. Make arrangements to provide additional assistance to the student before he/she takes the Module Posttest.
	25	**Module Posttest Variant 1 Briefing**	Includes reviewing results of any cooperative exercises and ensuring that students are ready to take the test. Includes assigning a test variant to each student.
9	00	**Module Posttest Variant 1**	Students access the test online and turn in any printed documents to TC for scoring.
6	00	**Module Posttest Variant 1 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	30	**Module Posttest Variant 1 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails the Module Posttest, you must provide remediation until the student feels confident enough to take Variant 2 of the Module Posttest. At that time, you will administer Variant 2 in the same way you administered the Variant 1 and provide feedback based on the student's results of Variant 2.
	10	**Module Posttest Variant 2 Briefing**	
9	00	**Module Posttest Variant 2**	Students access the test online and turn in any printed documents to TC for scoring.
6	00	**Module Posttest Variant 2 Grading**	Scoring instructions and answer keys can be accessed in the VBA Learning Catalog.
	30	**Module Posttest Variant 2 Feedback**	**Note:** Feedback times will vary depending on the number of items a student missed. If a student fails Variant 2 of the Module Posttest, you must provide remediation until the student can demonstrate proficiency in the task.

	30	**Emailing TPSS Help Desk Based on Module Posttest Results**	

Notes:

1) The8-hour Basic Ratings Prerequisite Course is not included in the total times for this module.

Section 3 - Lesson Summaries

Training Coordinator Notes:

After all students have completed the Lesson 11 Posttest, review the entire module by reading the following summary (or your own personalized version). Respond to any questions they may have before they continue to the lesson posttest.

After you have presented the module review, if a student does not feel ready to continue to the module posttest, allow him or her some time to review specific topics or issues within the lesson before administering the test.

Lesson 1 - Verify Requirements for Rating

When rating a claim for disability compensation, you must ensure that all requirements are met. To do this, first perform a brief initial review of a claims folder in order to verify the requirements for rating activity action. This includes verifying that the correct claims folder accompanies claim. If the accompanying claims folder is not correct, return it to the Veterans Service Representative.

If the correct folder is present, scan it to verify that it contains the required forms. Also verify the date stamp. Then, scan VA Form 21-526 for required information. Next, look through the claims folder for accompanying information. Finally, verify the Veteran's status. If any of these elements are missing, return the file to the VSR.

After completing your initial claims folder review, determine the action required. First, review the claims folder for previous rating decisions, keeping in mind that each issue must be properly accounted for. Flip backward from the most recent material until you find the latest rating decision.

Next, review and compare the previous ratings with the claim documentation to determine what kind of claim it is:

- An initial claim for service connection (SC)
- A claim for reconsideration of SC
- A re-opened claim for SC
- A claim for increased evaluation in an already SC disability

Typically, an original claim for disability compensation will be the initial claim for SC.

If there is a previous rating, review and compare the previous rating(s) with the claim documentation to see if the issue related to this claim was resolved, partially resolved, or deferred. If there are no previous ratings, proceed to identify all the issues to be resolved. To resolve the issues, you will identify them, consider them for service connection, and gather the evidence to rate the case. Remember to consider not only any claimed issues, but and inferred or noted issues as well.

RVSRs have a duty to assist any claimant who files a substantially complete claim for VA benefits. Keep in mind that there is no requirement that a Veteran specify any statutory provisions or regulations; the VA must infer that the Veteran is claiming all benefits to which he or she is entitled.

To apply the Duty to Assist criteria, first determine if an application is substantially complete. If it is, then the Duty to Assist requirements take effect; initially, these include developing for such evidence as federal department or agency records, private medical records or lay evidence, and medical examinations.

Lesson 2 - Determine Service Connection I

To determine service connection, you must establish that there is a chronic disability that had a reasonable probability of occurring while in service in the Armed Forces. The four ways to describe service connection are the following:

- Direct: granted for an injury or disease incurred in active service
- Aggravated: granted for a preexisting condition that worsens during military service
- Presumptive: granted for a disease specified (in 38 CFR 3.307 and 3.309) and developed within the specified time period after leaving service
- Proximate: granted for development of a secondary condition as a direct result of a service-connected disability

Also, consider any other stipulations. For example, under the "As If" provision, a disease or injury incurred or aggravated as the result of fault, unanticipated residuals, submitting to a VA examination, medical/surgical treatment, hospitalization, vocational rehabilitation, etc., can be compensated "as if" the disability occurred in actual service.

When determining service connection, there are three timeframes to examine:

- The time at which the Veteran entered service
- The time of origin of disease and various points afterwards showing a continuing problem
- Present time, showing that the illness continues

Also remember that certain conditions do not require proof of continuity. Inherently chronic disabilities that happen to occur in service are service-connected, even without on-going treatment. Once service connection has been granted for a chronic disease, the Veteran will always be service connected for that disease.

Disability compensation cannot be granted if the disability is not deemed as service connected. Situations that would not be service connected include:

- Acute transitory conditions leaving no residuals
- Disabilities noted on an induction exam as conditions recorded by history only
- Congenital defects
- Developmental defects
- Lifelong personality disorder

Compensation is also not payable for any condition due to the Veteran's own willful misconduct or from any disability which resulted from abuse of drugs or alcohol.

Lesson 3 - Determine Service Connection II

In making a determination of a claim, you must apply the rules of evidence concerning service connection. The first is **credibility**, which refers to the credentials of the person reporting the information and their qualifications for doing so. **Probative value** is the second rule, and refers to the extent to which evidence is directly related to the issue in question.

The third rule covers the many **governing provisions** determine service connection. Some offer guidelines as to the validity of pieces of evidence. The most commonly used are:

- Apply the "reasonable doubt rule" -- if evidence is equally for and against service connection, the Veteran is given the benefit of the doubt.
- Accept evidence at face value unless it is contradicted by other evidence or sound medical or legal principles.
- Avoid drawing your own medical conclusions.

Sufficiency is the fourth rule, which states that entitlement can be established by any evidence that is of sufficient weight to establish service connection. When evidence is deemed sufficient, no further development is necessary.

The fifth rule of evidence involves **persuasiveness**. A piece of evidence that is persuasive moves you closer to granting or denying service connection (SC) for a claim. Unpersuasive evidence, conversely, does not help persuade you to determine SC one way or the other.

After applying the rules of evidence, you must weigh the evidence using two "scales." Use the first scale to weigh the evidence against service connection provisions and determine if it does or does not support the claim. Compare your notes and/or evidence of record against the applicable provisions of the law. This determines whether the evidence meets the criteria of the law so that service connection can be determined.

The second scale weighs the amount of evidence that supports the claim versus the amount of evidence against the claim. Comparing every piece of relevant evidence with the provisions will categorize the evidence into two groups:

- Evidence supporting service connection
- Evidence against service connection

Based on these two scales, make your judgment to grant or not to grant service connection.

In the majority of cases, there is a clear decision whether or not to grant service connection. However, in some cases, there is an equal balance of evidence for and against the claim. In these cases, the reasonable doubt rule states that you act in the Veteran's favor, granting service connection.

Lesson 4 - Determine Additional Evidence Requirements

If you cannot determine service connection when rating a claim, then determine the deficiencies in the claim. This includes evaluating evidence, applying rules of evidence, and noting deficiencies in evidence.

Evaluating evidence includes determining admissibility of evidence for probative value, the weight of the evidence for probative value, the need for additional evidence, and the need for a physical examination or medical opinion.

Next, note any deficiencies in the evidence in the claims folder. Example of deficiencies are chronological gaps in the treatment record, inconsistencies, missing diagnoses, clinical evidence, test results, X-rays, etc.

If there is conflicting medical evidence, resolve the issue as necessary: with a review by another VA examiner, or an additional VA Exam by a specialist in the appropriate field. If the evidence in the claims folders is unclear, ask for assistance from the Adjudication Officer, rating board chairman/advisor, rating board medical member, or local VA physician, prior to requesting further development. On some issues you may need to obtain evidence from the Central Office.

The VA will make reasonable efforts to help claimants obtain any evidence they specifically identify or imply which may substantiate their claim. Know the different sources of evidence that may be required to adjudicate various issues, such as service treatment records, VA and other federal departments or agencies, state agencies, hospitals and other medical facilities, private physicians, law enforcement agencies, insurance companies, claimant's relatives, fellow service members, employers, and acquaintances.

If the claimant provides evidence that is not adequate for rating purposes, but there is reasonable probability of a valid claim, order a VA general medical examination. Make sure the exam contains:

- Subjective Complaints
- Clinical Findings
- Test Results
- Diagnoses for all symptoms found

The regional office, the claimant, or his or her representative may request an independent medical opinion for a pending claim, submitted in writing and stating why the opinion is necessary. You may also request a board exam to resolve complex issues, including but not limited to, resolving differences in diagnostic opinions. Once *any* additional exam is requested, the new opinion is binding.

The final step in requesting additional evidence is determining evidence responses, requests, and requirements. If third party evidence is needed to support a claim for benefits, advise the claimant that failure by either the claimant or the third party to furnish the evidence within the time limit will result in an adjudication of the claim based on the current evidence. Monitor requests for evidence from a third party for 30 days. Remember that time limits do not apply to evidence requested from VA medical centers and service departments.

Maintain control and initiate regular follow-ups until the records are located or a final reply is received indicating records cannot be located. Ensure that all efforts to assist the claimant have been made and that adequate time for responses has been given.

Finally, develop a list of evidence requirements needed to rate the claim, by listing the types and sources of evidence that have not been previously requested. If further action on the claim can be taken prior to requesting additional evidence, continue the review of the claims folder. If no further action can be taken, request the evidence.

Lesson 5 - Request Additional Evidence

An additional VA examination is needed if the evidence of record is insufficient for rating all of the claimed and noted disabilities. The types of VA exams are:

- General Medical - contains a full report of complaints and functional impairments; provides a baseline of medical information if future claims are made
- Specialist - provides information on any specialty areas for all body systems, e.g., audiometric, ophthalmologic, and psychiatric exams
- POW Protocol - provides information to relate the Veteran's current symptomatology to the POW experience
- Incarcerated - provides information on an incarcerated claimant's medical condition
- Employee-Veteran - provides current medical information on the claimant, and is conducted at medical facilities not associated with the Veteran's VAMC or VAMROC
- Aid and Attendance - evaluates the use of extremities and the patient's abilities to dress themselves, eat, bathe, etc.
- Cold Injury Protocol - given to Veterans that served during World War II, the Korean War, and other campaigns, during which they suffered cold injuries (e.g., frostbite, freezing cold injury, or immersion foot)

You are solely responsible for requesting examinations except in certain instances. In most instances, you would order at least one VA exam or have equivalent information for each disability claim where there is reasonable probability of a valid claim. On rare occasions (usually involving extraordinarily complex issues) you may request a period of hospitalization for observation and examination to properly evaluate the disability.

When determining social or industrial impairment, exams may provide medical opinions and social surveys.

An additional VA examination may be needed if the evidence of record is insufficient for rating all of the claimed and noted disabilities. However, an exam is not required to determine "loss of use." This is determined by the rating board and cannot be delegated to the examining physician.

To request a VA exam, fill out a C&P Examination Request Worksheet. Include the claimant's name, claim file number, Social Security number, and date of examination request. The worksheet must clearly indicate if a general medical examination or an examination of the listed body system(s) is necessary. When a specialist exam is needed, explain the nature of the exam and the reason for its request.

Once you have identified additional evidence requirements, prepare a Deferred Rating Decision (VA Form 21-6789) to obtain missing evidence that could support a claim prior to development.

The items you must complete at the top of the Deferred Rating Decision form are the Power of Attorney for the group representing the claimant; page number (if more than one); date of rating; regional office number; name of Veteran, and the VA file number. Indicate the reason(s) for deferral by checking the appropriate box(es). Include a narrative explanation for each requested item under Explanation for Items. Narrative explanations may be brief, but it is important to know the procedures and terminology associated with requesting evidence. You should list all required evidence needed to complete development of the case on the form.
Remember that a deferred rating is a one-signature action, which means you are fully responsible for accuracy and content.

After requesting the evidence with the Deferred Rating Decision, review the claim to confirm that no further action is possible. If you can prepare at least a partial rating decision, go ahead and do so. If you cannot make a partial rating decision, stop and return the file to development personnel for further development.

To begin rating disabilities, you will first determine disability evaluations, then apply the Rating Schedule to claimed disabilities and make judgments about claimed disabilities. Remember that a disability rating must be assigned for each issue claimed.

Lesson 6 - Disability Rating I

Determine the disability evaluation by assessing the ability of the body as a whole, or of the psyche, or of a system or organ of the body, to function under the ordinary conditions of daily life, including employment. Base the determination on reductions in the usefulness of body parts or systems, assessing the reduction or impairment in the ability to work based on the "average" person.

Be aware that a change in the disability for the better or worse may not be accurately appreciated or described, and that you must reconcile the various reports of examination into a consistent picture so that the current rating accurately reflects the elements of disability present. If a diagnosis is not supported by the findings on the examination report, or if the report does not contain sufficient detail, return the report as inadequate for evaluation purposes.

Learn how to navigate the Rating Schedule and match a disability with a diagnostic code. Disabilities can be located in the Rating Schedule under:

- Index 1 - arranged by section number
- Index 2 - arranged by key words

When applying the Rating Schedule, be sure to identify the disease and/or disability associated with the rating, and include the impairment of function. This is expected in all instances. When rating a claim, remember to assign codes to all disabilities, service-connected or nonservice-connected.

Beware of mistaking similar sounding medical terminology when matching the claimed issue/disability to the Rating Schedule. Consider alternative names for some of the diagnoses, or refer to the available medical dictionaries. Also, be cautious using the various plates, tables and charts in the Rating Schedule. The proper one must be chosen, and it must be interpreted in the correct manner (specific regulations may determine the way in which tables are interpreted).

If, after careful consideration of all assembled data for a disability, the evidence is inconclusive and results in a reasonable doubt, resolve in favor of the claimant. Where there is a question of which evaluation of two would apply, assign the higher evaluation. But keep in mind that disabilities can be given a 0% evaluation, which is assigned when the requirements for a compensable evaluation are not met, or the Rating Schedule does not provide an evaluation for a diagnostic code.

Lesson 7 - Disability Rating II

When a condition preexists service, it is not normally considered service-connectable and therefore a claim is denied. However, if a condition worsens more than would normally be expected during service, grant service connection and rate it according to the degree of disability over and above that which preexisted service. If the initial degree of disability cannot be determined, make no deduction from the subsequent degree of disability.

Next, determine if the evidence provided is sufficient to rate the disability(ies). Consider a permanent, total disability rating when the impairment is reasonably certain to continue throughout the Veteran's life. Long-standing and totally incapacitating conditions are regarded as permanently and totally disabling, such as:

- Loss, or loss of use, of both hands or both feet
- Loss, or loss of use, of one hand and one foot
- Loss of sight in both eyes

Consider a total disability rating if there is any impairment of mind or body present that would render it impossible for the average person to follow a substantially gainful occupation. Total disability may or may not be permanent.

There are instances when you will rate cases with multiple disabilities resulting from the same disease entity. When rating these, evaluate each disability separately. Show the diagnostic code for the disease entity only once, as the lead diagnostic code of the hyphenated codes.

Avoid evaluating the same manifestations of a disability under different diagnostic codes, which is known as pyramiding. However, take care in evaluating to ensure the claimant is fully compensated for all manifestations of a disability.

When a claimant's condition is not listed in the Rating Schedule, you will rate such a condition under a closely related disease or injury -- also known as rating by analogy. To construct a diagnostic code for an analogous rating, make:

- the first two digits correspond to a body system that closely identifies the body part involved, and
- the last two digits "99" for all unlisted conditions.

At times, there is a need to verify the continued existence or current severity of a disability. Schedule a reexamination when it is likely a disability has improved, there has been a material change in a disability, or the current rating may be overevaluating the disability.

When scheduling a future exam, remember that every case is unique. Always have a reason for the reexam, as per the recommendations in the Rating Schedule. There are times when a future examination is not necessary, such as when:

- The disability is established as static
- Findings and symptoms are shown to have no material improvement for a period of 5 years or more
- An evaluation has been in effect for 20 or more years
- A disability is permanent and there is no likelihood of improvement
- A Veteran is over 55 years of age
- The rating is a prescribed scheduled minimum rating
- A combined disability evaluation is not affected if the future examination were to reduce the evaluation

Lesson 8 - Calculate Disability Percentages, Extra-Schedular Compensation, Unemploy-ability Entitlement

The Whole Person theory states that an average "whole" person has no disabilities, and is 100% efficient. On the other hand, a totally disabled person is 100% disabled and has no earning capacity. Although a Veteran may have more than 100% in separate disabilities, he or she cannot have a combined disability rating of more than 100%. When a person has more than one disability, he or she is evaluated for the most severe condition first. Additional disabilities must be evaluated in terms of remaining capacity.

When calculating combined percentages by hand, first list all disabilities, from most severe to least severe. Take the most severe disability rating first, and use its whole percentage. Next, consider the second disability. Determine its percentage by remaining capacity, and so on with the other disabilities.

Once you have done this combining process for all disabilities and have a single overall percentage rating, round it off to the nearest 10. To make these calculations easier, the Combined Ratings Table is found in the 38 CFR Book C.
The combined rating for disabilities of an extremity shall not exceed the rating for the amputation at the elective level, were amputation to be performed.

When a disability affects both arms, both legs, or paired skeletal muscles, apply the bilateral factor. This compensates the Veteran for the loss of function based on impairment of two upper or two lower extremities. When you have bilateral factors for consideration, all such disabilities should be combined before progressing to conditions not affected by bilateral consideration.

To add the bilateral factor into your rating, first combine the disabilities for the upper right and left sides and/or lower right and left sides as usual. Add -- not combine -- 10% of this value as the bilateral factor, and then round up. Arrange all remaining disabilities in the order of severity, and combine all disability ratings. Round off if necessary. In a case where both upper and lower extremities are affected, combine all four disability ratings. Then, add 10% of that total for the bilateral factor. Round as needed.

In order for an issue to be considered for extra-schedular compensation, the regular schedular evaluation:

- Must be considered inadequate. The highest assigned evaluation for the disability does not reflect the level of impairment.
- Must be evaluated at less than 100%. If the disability is already at 100%, there is no need for an increase.

The established policy of the Department of Veteran Affairs is that all Veterans who are unable to secure and follow a substantially gainful occupation by reason of SC disabilities shall be rated totally disabled.

Total disability ratings for unemployable claimants for compensation may be assigned where the schedular rating is less than total. When there is only one disability, this disability shall be rated at 60% or more. Or, if there are two or more disabilities, one will be rated at 40% or more to bring the combined rating to 70% or more.

In order to grant a total service-connected evaluation based on individual unemployability, locate information within the file or identify the possibility that the information exists and obtain it for use in the rating process. Submit to the Director of C&P Service all cases of Veterans who are unemployable by reason of SC disabilities, but who fail to meet the percentage standards. Include a statement as to the Veteran's SC disabilities, employment history, educational and vocational attainment and all other factors having a bearing on the issue.

Once a total service-connected evaluation based on individual unemployability is assigned, in the absence of evidence to the contrary, permanence of individual unemployability will be conceded. However, the Veteran or some other agency may indicate regained employability whenever it occurs.

Lesson 9 - Determine Entitlement to Inferred Issues and/or Ancillary Benefits

Inferred issues are derived from the consideration or outcome of a related issue. Handle these inferred issues appropriately, so that the Veteran is ensured maximum consideration for any and all benefits to which he or she may be entitled. Some of these inferred issues include:

- Special Monthly Compensation (SMC)
- Housebound
- Aid and Attendance

All three are levels of Special Monthly Compensation (SMC). SMC provides the Veteran with a higher level of compensation for the incurred disabilities.

Each level of Special Monthly Compensation is assigned a letter to show the level and basis of entitlement. SMC-K is the lowest level, followed by Housebound (SMC level S), and Aid and Attendance, which is SMC level L.

SMC-S is used for Veterans in need of Housebound benefits. However, since the Veteran does not need constant care or assistance in taking care of daily activities, the benefits for Housebound (SMC-S) are lower than Aid and Attendance benefits (SMC-L).

Although the benefit is the same, there are two ways to grant SMC-S. The criteria for the first SMC-S are a 100% disability and a truly Housebound status. It is referred to as Housebound in Fact. The criterion for the second SMC-S is a single 100% disability coupled with additional service-connected disabilities independently ratable at 60% or more. This benefit is called Statutory or Schedular Housebound. It must be awarded regardless of whether the Veteran is, in fact, Housebound or not.

The next benefit in the SMC hierarchy is level L - Aid and Attendance. Remember that for SMC-L benefits are generally reduced to SMC-S during periods of hospitalization.

Keep in mind that anytime SMC is NOT granted, the reason must be indicated in the rating decision.

Certain types of inferred issues for conditions or combinations of disabilities can provide the Veteran with ancillary benefits. Ancillary benefits are generally one-time grants that can be awarded in addition to the basic compensation benefit. Some examples of ancillary benefits are:

- Special Adaptive Housing
- Special Home Adaptation Grants
- Automobile and Adaptive Equipment

Ancillary benefits are often inferred issues.

Mental disorders are one clue that may require the consideration of inferred issues. This may occur when service connection for psychosis is denied or when the issue of competency arises. If the question of competency is addressed and the evidence shows that the Veteran is not competent, the decision goes to the Authorization activity. After the rating proposing incompetency is made, the Veteran has 60 days in which to submit evidence of his competency. Once incompetency is decided, the VA makes arrangements to have another person receive payment on behalf of the Veteran. When service connection for psychosis is denied or when the issue of competency arises, inferred issues may be considered.

Special benefits are another clue that may require the consideration of inferred issues. The regulations provide for several circumstances in which the Veteran is entitled to additional assistance outside of the basic compensation benefit.

There are other inferred issues that you may need to consider, such as:

- 38 CFR 3.324
- Dependents' Educational Assistance (DEA)
- Paragraph 28 Prestabilization ratings

Lesson 10 - Effective Date of Entitlement to Compensation/ Duty to Assist Requirements

The evidence in a claim contains many dates. You must be able to determine which dates apply, and for which purposes. In determining the effective date of entitlement for an award of payment for compensation there are three key dates to consider:

- Separation Date - the date that the Veteran received his or her release from active duty (RAD).
- Date Entitlement Arose - the date that the claimant became eligible for disability compensation benefits from the VA.
- Date of the Claim - the date a claim is officially received by the VA.

These dates determine the effective date of entitlement for compensation for the disability, based on the facts found in each case and all applicable regulations.

Remember that there is no time limit to apply for disability compensation. The amount of time that passes from when entitlement arose, to when a claim was filed, to when benefits and payments are authorized, will be different for each claim. When determining the effective date, specific rules apply depending upon the way in which service connection is granted; this may have an impact on the effective date.

The receipt date of the claim plays an important part in the determination of the effective date. The date used to establish receipt of the claim is the date stamp generally located in the upper right corner of VA Form 21-526. However, check the entire form to determine the earliest date in which the document was stamped. Be aware that documents may display date stamps from non-VA organizations through which the document has passed. Date stamps from non-VA organizations are not acceptable for determining the effective date of receipt.

The four potential sources of additional evidence to satisfy Duty to Assist include service treatment records, VA facilities and other agencies, private sources, and examination requests. The VA must offer to help obtain any evidence that might be pertinent to the claim.

Attempt to obtain the claimant's STRs. If you rate the claim without STRs, note that all efforts to obtain them were exhausted. If a claimant indicates that he or she was treated at a VA facility, secure reports from that facility. Also, obtain evidence from federal departments if the claimant indicates it exists. If a claimant indicates that evidence may be available from a private source, do not rate the claim until he or she has been given the opportunity to furnish the evidence.

Remember that if the evidence of record is sufficient and benefits can be granted without additional evidence, there is no need to delay the rating action. The rating must outline all efforts made to obtain the records.

However, if additional evidence is required, do not make a decision on the claim until one of the following is true:

- the evidence is received,
- the source the evidence was requested from indicates the evidence is not available, or
- there is no response and a legally sufficient amount of time has passed since the request for additional evidence.

Ensure that all efforts have been made to assist the claimant in developing the facts pertinent to the claim. Ensure also that they have been given adequate time for a response. Confirm that all issues, whether they were claimed, inferred, or noted, have been identified and properly evaluated. Make sure that the claimant received proper notification of the consequences of the VA's failure to receive the requested evidence.

Conduct a final check to make sure all evidence requirements have been met. Also confirm that all Duty to Assist requirements have been met. If you have determined that a deficiency exists, take corrective action before you continue with the claim.

Lesson 11 - Prepare the Rating Decision

Once you have determined the effective date of entitlement to compensation and met the Duty to Assist requirements, you are ready to prepare the rating decision.

All ratings must contain the issues reviewed, evidence reviewed, complete rationale for the decision, and a conclusion to include supporting data.

Diagnostic codes for each disability listed as an issue, individual percentage evaluations for each disability, and combined evaluations must also be included.