Rating issues involving gynecological conditions and breast disorders

Trainee Handout

Objectives

* Describe 5 common conditions of the gynecological and breast system.
* Discuss rating considerations such to include schedule changes and special monthly compensation (SMC).
* Correctly determine DC, evaluation, and considerations for the following 3 scenarios related to rating schedule updates.

References

All M21-1 references are found in the [Live Manual Website](https://vaww.compensation.pension.km.va.gov/).

* [38 CFR 3.105 (e)](http://vbaw.vba.va.gov/bl/21/publicat/Regs/Part3/3_105.htm) Revision of decisions
* [38 CFR 3.114 (a)](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_114.htm) Change of law or Department of Veterans Affairs issue
* [38 CFR 3.301 (c)](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_301.htm) Line of duty and misconduct
* [38 CFR 3.304](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_304.htm) Direct service connection; wartime and peacetime
* [38 CFR 3.306](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_306.htm) Aggravation of preservice disability
* [38 CFR 3.307](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_307.htm) Presumptive service connection…
* [38 CFR 3.309](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_309.htm) Disease subject to presumptive service connection
* [38 CFR 3.311](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_311.htm) Claims based on exposure to ionizing radiation
* [38 CFR 3.317](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_317.htm) Compensation for certain disabilities occurring in Persian Gulf Veterans
* [38 CFR 3.350 (a)](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_350.htm) Special monthly compensation ratings
* [38 CFR 4.116](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part4/4_116.htm) Schedule of ratings-gynecological conditions & disorders of the breast
* [M21-1 Part III, Subpart iv, Chapter 4, Section I – Gynecological Conditions](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=)
* [M21-1 Part III, Subpart iv, Chapter 3, Section A – Examination Requests](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=)
* [M21-1 Part IV, Subpart ii, Chapter 2, Section D – Service Connection for Qualifying Disabilities Associated with Service in Southwest Asia](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=)

**Notes:**

**38 CFR 4.116**

**Note 1:** Natural menopause, primary amenorrhea, and pregnancy and childbirth are not disabilities for rating purposes. Chronic residuals of medical or surgical complications of pregnancy may be disabilities for rating purposes.

**Note 2:** When evaluating any claim involving loss or loss of use of one or more creative organs or anatomical loss of one or both breasts, refer to 38 CFR 3.350 to determine whether the Veteran may be entitled to special monthly compensation. Footnotes used in the schedule indicate conditions that potentially establish entitlement to special monthly compensation (SMC).

Due to the nature of the disabilities in this section of the Schedule, almost any condition could lead to the loss or loss of use of a creative organ thereby warranting special monthly compensation.

Female Sexual Arousal Disorder (**FSAD**) now has it’s own diagnostic code (7632)! Don’t forget SMC K!If you do see FSAD rated as 7699 – 7611, update to the new DC 7632. This is our responsibility as discussed in M21-1 Part III, Subpart iv.7.B.3.b which discusses responsibility to correct codesheet issues such as diagnostic codes (DCs).

REVIEW QUESTIONS

**As experienced raters, use the VA Rating Schedule of Disabilities as well as the training materials to answer the following questions.**

1. What conditions are not considered disabilities for rating purposes under Note 1 of 38 CFR 4.116?

2. When, if ever, can we rate disabilities related to pregnancy and childbirth?

3. When can we grant SMC(k) under 38 CFR 3.350(a)?

4. If one ovary is removed for SC reasons and the other is removed for NSC reasons, what degree of disability should be assigned?

5. What two diagnostic codes are available for malignant growths in this body system?

6. What evaluation do we assign for malignant new growths?

7. Once the total evaluation period has expired (six months following cessation of treatment for a malignant growth), how do we evaluate the residuals of ***gynecological*** malignant growths? Does 38 CFR 3.105(e) apply in these cases?

8. Once the total evaluation period has expired (six months following cessation of treatment for a malignant growth), how do we evaluate the residuals of ***breast*** malignant growths? Does 38 CFR 3.105(e) apply in these cases?

9. What is required for substantiation of diagnosis of endometriosis?

10. What rating is established for multiple urethrovaginal fistulas?