|  |  |
| --- | --- |
|  | Training Scenario Veteran’s appeal is for service connection for lower back degenerative joint disease due to service-connected knee disability. The key portion of the Board remand is highlighted below. |
|  | Board Remand Obtain an addendum opinion to address secondary service connection of the Veteran’s lower back degenerative disc disease. After a review of the claims file, the reviewing clinician is to address whether it is at least as likely as not that the Veteran’s degenerative disc disease is proximately due to OR aggravated beyond its natural progression by a service-connected disability, to include but not limited to his service-connected knee disabilities.  The medical opinion request properly asked for an opinion in accordance with the Board remand instructions. Medical Opinion from Examiner Based on review of the medical records, there is no evidence documenting that the Veteran’s knee condition directly or indirectly caused his lumbar degenerative disc disease. Furthermore, there is no plausible pathophysiological mechanism that would explain such a causal relationship. The back condition is less likely than not proximately due to or the result of the service-connected condition.  The decision review officer (DRO) correctly requested clarification from the examiner as the medical opinion did not adequately address the remand instructions. Clarification Medical Opinion from Examiner Review of the STRs yielded no evidence that the Veteran’s military service caused his lumbar DDD, which is a normal part of the aging process.  Based on that response from the examiner, the DRO issued a supplemental statement of the case (SSOC) denying the back condition. |
|  | Classroom Discussion 1. Based on the clarification response from the examiner, was the claim ready for decision? Why or why not?  *The claim was not ready for decision. The clarification response from the examiner did not provide the necessary medical opinion and rationale in accordance with the remand. The response merely reiterated the conclusory statement that the back condition is due to aging and not any in-service event because the STRs do not have any back complaints. In addition, the medical opinion neglected to address the aggravation by the service-connected knee disabilities.*  2. If the appeal was not ready for decision, what was needed to make it ready?  *An addendum is necessary to ask the examiner for a secondary and aggravation opinion with clear rationale.* |
|  |  |
|  |  |
|  |  |
|  |  |

Last Updated:

Month Year