



DEPARTMENT OF VETERANS AFFAIRS

September 28, 2016

TREVOR W HOWARD
1409 PRAIRIE DR
CARROLLTON TX 75007

In reply, refer to:
349/DK
File Number: 337606240
Trevor Howard

Dear Trevor Howard:

We made a decision regarding your entitlement to VA benefits.

Your claim was not processed under the Fully Developed Claim (FDC) Program because we received evidence requiring further development after the claim was received. Because your claim was not eligible for processing under the FDC Program, we processed it under our standard claim processing procedures.

This letter tells you about your entitlement amount, payment start date, and what we decided. It includes the evidence used and reasons for our decision. We have also included information about what to do if you disagree with our decision and who to contact if you have questions or need assistance.

Payment Summary

Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason
\$1,334.71	Jan 1, 2016	Original Award

We are currently paying you as a single Veteran with no dependents.

You Can Expect Payment

Generally, payments begin the first day of the month following the effective date. When applicable, a retroactive payment, minus any withholdings, will be issued. Thereafter, payment will be made at the beginning of each month for the prior month. For example, benefits due for May are paid on or about June 1.

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We noticed that you did not provide us with your banking information to allow your federal benefits to be sent directly to your bank. The Department of Treasury has mandated that all recurring federal benefits be administered through either Electronic Funds Transfer (EFT) or Direct Express® Debit MasterCard®. If you do not provide your banking information to have your benefits electronically transferred to your bank, the Treasury Department will contact you directly to determine your preferred payment method.

- To have your federal benefits electronically transferred to your designated financial institution (e.g. bank) call VA at 1-800-827-1000 with your banking information or go online to <http://www.ebenefits.va.gov>.
- To have your federal benefits issued through Direct Express® Debit MasterCard® issued by Comerica Bank call 1-888-213-1625 to enroll in the program.

What We Decided

We made the following decision(s):

Issue/Contention	Percent (%) Assigned	Effective Date
posttraumatic stress disorder	70%	Dec 23, 2015
Explanation		
<ul style="list-style-type: none"> • A higher evaluation of 100 percent is not warranted for posttraumatic stress disorder unless the evidence shows total occupational and social impairment, due to such symptoms as: • gross impairment in thought processes or communication • persistent delusions or hallucinations • grossly inappropriate behavior • persistent danger of hurting self or others • intermittent inability to perform activities of daily living (including maintenance of minimal personal hygiene) • disorientation to time or place • memory loss for names of close relatives, own occupation, or own name. • We have assigned a 70 percent evaluation for your posttraumatic stress disorder based on: • Panic attacks (weekly) • Inability to establish and maintain effective relationships • Depressed mood • Suicidal ideation • Disturbances of motivation and mood • Flattened affect • Panic attacks (less than weekly) • Anxiety • Occupational and social impairment with occasional decrease in work efficiency and intermittent periods of inability to perform occupational tasks (although generally functioning satisfactorily, with routine behavior, self-care, and conversation normal) • Chronic sleep impairment . • The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 70 percent disability evaluation. • An evaluation of 70 percent is assigned from December 23, 2015, the date that we received your intent to file a claim. 		

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Issue/Contention	Percent (%) Assigned	Effective Date
tinnitus	10%	Dec 23, 2015
Explanation		
<ul style="list-style-type: none"> • This is the highest schedular evaluation allowed under the law for tinnitus. • We have assigned a 10 percent evaluation for your tinnitus based on: • Recurrent tinnitus . • A single evaluation for recurrent tinnitus is assigned whether the sound is perceived in one ear, both ears, or in the head. • An evaluation of 10 percent is assigned from December 23, 2015, the date that we received your intent to file a claim. 		

Issue/Contention
bilateral hearing loss
Explanation
<ul style="list-style-type: none"> • There are no audiometric findings in your service treatment records that meet the above requirements. • Service connection for bilateral hearing loss is denied because there is no evidence that you currently have hearing loss for VA purposes. • Service connection may not be established for disability due to impaired hearing unless the auditory threshold in any of the frequencies 500, 1000, 2000, 3000 or 4000 Hertz is 40 decibels or greater; or the auditory thresholds for at least three of the frequencies 500, 1000, 2000, 3000 or 4000 Hertz are 26 decibels or greater; or speech recognition scores using the Maryland CNC Test are less than 94 percent. (38 CFR 3.385). • In this case, the evidence of record does not show current audiometric findings which meet the criteria for a grant of service connection for hearing loss. As you do not currently meet the criteria for hearing loss for VA purposes, service connection may not be granted. In addition, there is no evidence that disabling sensorineural hearing loss manifested itself to a compensable degree within a year of service. • VA examination findings show the left ear with 100 percent discrimination. Decibel (dB) loss at the puretone threshold of 500 Hertz (Hz) is 15 with a 20 dB loss at 1000 Hz, a 25 dB loss at 2000 Hz, a 25 dB loss at 3000 Hz, and a 25 dB loss at 4000 Hz. The average decibel loss is 24 in the left ear. The right ear shows a speech discrimination of 100 percent. Decibel (dB) loss at the puretone threshold of 500 Hertz (Hz) is 25 with a 25 dB loss at 1000 Hz, a 20 dB loss at 2000 Hz, a 15 dB loss at 3000 Hz, and a 25 dB loss at 4000 Hz. The average decibel loss is 21 in the right ear.

Issue/Contention
skin condition
Explanation
<ul style="list-style-type: none"> • Service connection for skin condition is denied since this condition neither occurred in nor was caused by service. • We did not find a link between your medical condition and military service. Your service treatment records do not contain complaints, treatment, or diagnosis for this condition.

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Issue/Contention
sleep apnea
Explanation
<ul style="list-style-type: none">• Service connection for sleep apnea is denied since this condition neither occurred in nor was caused by service.• We did not find a link between your medical condition and military service. Your service treatment records do not contain complaints, treatment, or diagnosis for this condition.

Your overall or combined rating is 70%.

Note: The percentages assigned for each of your conditions may not always add up to your combined rating evaluation. We do not add the individual percentages of each condition to determine your combined rating. Instead, we use a combined rating table that considers the effect from the most serious to the least serious conditions.

Are You Entitled to Additional Benefits?

Did you know you may be eligible for a VA guaranteed mortgage with no down payment (potentially exempt from a funding fee depending on your rating)? For more information about this benefit, or to determine and print your Loan Guaranty Certificate of Eligibility, please visit the eBenefits website at <http://www.ebenefits.va.gov>.

If you served overseas in support of a combat operation you may be eligible for mental health counseling at no cost to you at the Veteran's Resource Center. For more information on this benefit please visit <https://www.myhealth.va.gov/mhv-portal-web/>.

The VA provides Blind Rehabilitation services to eligible blind, low vision, or visually impaired Veterans to help them regain their independence and quality of life. The Veteran's blindness, low vision, or vision impairment does NOT have to be related or caused by military service. If you need help with your vision loss, please contact your nearest Visual Impairment Services Team Coordinator (VIST) at the eye clinic at your nearest VA Medical Center. For more information, go to www.va.gov/blindrehab/.

You may be eligible for medical care by the VA health care system for any service-connected disability. You may apply for medical care or treatment at the nearest medical facility. If you apply in person, present a copy of this letter to the Patient Registration/Eligibility Section. If you apply by writing a letter, include your VA file number and a copy of this letter.

If you receive care at a VA medical facility, **please call our Health Benefits Call Center at 1-877-222-VETS (8387) or notify your local VA Medical Center** of this change in your

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compensation benefits. This may reduce or eliminate your co-payments for your VA-provided medical care. You may also be eligible for a refund based on this decision. Information regarding VA health care eligibility and co-payments is available at our website <http://www.va.gov/healtheligibility>.

You may be eligible for a clothing allowance or more than one clothing allowance because of your service-connected disability(ies). If you would like to apply for this benefit, please call us at 1-800-827-1000 or download VA Form 10-8678, *Application for Annual Clothing Allowance*, at <http://www.va.gov/vaforms>.

You should contact your state office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible as a Veteran (or surviving dependent of a Veteran). State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

Some Veterans may be entitled to VA dental treatment. For additional information, contact your nearest VA Medical Center or outpatient clinic.

A monthly educational assistance allowance is payable to certain Veterans. If you need help with your VA education benefits, you can call toll-free 1-888-442-4551 or visit the VA national education website at <http://www.gibill.va.gov>.

You may be eligible for reimbursement for beneficial travel mileage for previous VA medical appointments due to your newly granted service-connected conditions. You must make a request for such reimbursement **within 30 days of this letter** by contacting the Enrollment office at your Medical Center and providing a copy of this letter.

You may be able to receive vocational rehabilitation employment services. For more information on this benefit please visit <http://www.vba.va.gov/bln/vre/> or call us at 1-800-827-1000.

Your combined evaluation is 30 percent or more disabling; therefore, you may be eligible for additional benefits based on dependency. We may be able to pay you retroactive benefits for your dependents if you submit your dependency claim within a year from the date of this letter. If you wish to notify us of your dependents, please do so through eBenefits, an electronic resource in a self-service environment. Use of these resources often helps us serve you faster! Just visit www.eBenefits.va.gov to enroll and submit your dependency information.

Conditions That Affect Your Right to Payments

Your award of disability compensation is subject to future adjustment upon receipt of evidence showing any change in the degree of disability.

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Your payments may also be affected by any of the following circumstances which you must promptly call to our attention.

- Reentrance into active service.
- Receipt of uniformed service retirement pay, unless your retirement pay has been reduced because of award of disability compensation.
- Receipt of benefits from the Office of Federal Employees Compensation.
- Receipt of active duty or drill pay as a reservist or member of the Federally recognized National Guard.

If you have a disability rating of 30% or more, you must promptly advise us of any change in the status of your dependents.

If your award includes special monthly compensation due to the need for aid and attendance, this additional allowance is generally subject to reduction from the first day of the second calendar month of admission to hospitalization, nursing home or domiciliary care at VA expense.

Benefits will be reduced upon incarceration in a Federal, State, or local penal institution in excess of 60 days for conviction of a felony. The amount not payable may be apportioned to a spouse, dependent children or parents.

Monthly payments of your award may be stopped if you fail to furnish evidence as requested, fail to cooperate or submit to a VA examination when requested, or if you furnish VA, or cause to be furnished, any false or fraudulent evidence. Information submitted is subject to verification through computer matching programs with other agencies.

The law provides severe penalties, which include fine, imprisonment, or both, for the fraudulent acceptance of any payment to which you are not entitled.

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Note: Compensation payments are exempt from claims of creditors. With certain exceptions, the payments are not assignable and are not subject to attachment, levy, or seizure except as to claims of the United States.

IMPORTANT

Please notify VA *immediately* if there is a change in any condition affecting your right to continued payments. Failure to notify us of these changes immediately may result in a debt that you will have to repay.

Evidence Considered

In making our decision, we considered:

- Treatment records covering December 7, 2015 to September 13, 2016.
- Statement from Christina Brass, LPC dated July 5, 2016 and received on July 12, 2016.
- Treatment records from Central Texas HCS dated April 6, 2005 to December 8, 2015.
- VA Form 21-4138 "Statement in Support of Claim" received on July 14, 2016.
- VA 21-0966 "Intent to file a claim" received on December 23, 2015.
- Service treatment records and Personnel records covering April 17, 1990 to August 27, 1990; December 7, 2003 to March 29, 2005.
- VA examination through VES on September 3, 2016 and September 15, 2016.

What You Should Do If You Disagree With Our Decision

For Compensation Claims:

If you do not agree with our decision, you must complete and return to us the enclosed VA Form 21-0958, *Notice of Disagreement*, in order to initiate your appeal. You have *one year from the date of this letter to appeal the decision*. The enclosed VA Form 4107, "*Your Rights to Appeal Our Decision*," explains your right to appeal.

What is eBenefits?

eBenefits provides electronic resources in a self-service environment to Servicemembers, Veterans, and their families. Use of these resources often helps us serve you faster! Through the eBenefits website you can:

- Submit claims for benefits and/or upload documents directly to the VA
- Request to add or change your dependents
- Update your contact and direct deposit information and view payment history
- Request a Veterans Service Officer to represent you
- Track the status of your claim or appeal
- Obtain verification of military service, civil service preference, or VA benefits

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- And much more!

Enrolling in eBenefits is easy. Just visit www.eBenefits.va.gov for more information. If you submit a claim in the future, consider filing through eBenefits. Filing electronically, especially if you participate in our fully developed claim program, may result in a faster decision than if you submit your claim through the mail.

If You Have Questions or Need Assistance

If you have any questions or need assistance with this claim, you may contact us by telephone, e-mail, or letter.

If you	Here is what to do.
Telephone	Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the Federal number is 711.
Use the Internet	Send electronic inquiries through the Internet at https://iris.va.gov .
Write	VA now uses a centralized mail system. For all written communications, put your full name and VA file number on the letter. Please mail or fax all written correspondence to the appropriate address listed on the attached <i>Where to Send Your Written Correspondence</i> chart, below.

In all cases, be sure to refer to your VA file number 337606240.

If you are looking for general information about benefits and eligibility, you should visit our web site at <http://www.va.gov>, or search the Frequently Asked Questions (FAQs) at <http://iris.va.gov>.

We sent a copy of this letter to TEXAS VETERANS COMMISSION, who you have appointed as your representative. If you have questions or need assistance, you can also contact your representative.

Thank you for your service,

Regional Office Director

Enclosure(s): VA Form 4107
 VA Form 21-0958

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Where to Send Your Written Correspondence

cc: TEXAS VETERANS COMMISSION