

Exercises

1. Ruma Nandini's claim for throat cancer due to contaminated water at Camp Lejeune was denied by the Regional Office. Ms. Nandini is convinced that there was enough information in her file for a positive decision. She found two different studies, both by respectable medical universities, that found a potential link between throat cancer and water consumption at Camp Lejeune. The veteran also submitted her private physician's opinion that there could be a nexus. She was his patient for over eight years. The RO denied her claim with the rationale that throat cancer is not found in *38 CFR 3.309(f) Disease associated with exposure to contaminants in the water supply at Camp Lejeune*.
 - a. The veteran has asked you to help her prepare an appeal, and says she doesn't know where to begin. Please list steps you recommend she take, that would help her craft a strong appeal.
2. Jeremy Li has suffered with chronic symptoms of substantial weight loss and gastritis to include nausea and vomiting. Some of the symptoms began while he was in service and are shown in his STRs, but there is no confirmed diagnosis. Since he got out of the Army, Mr. Li has not yet found a PCP, so he has no new medical records. He made a claim for service connection for cirrhosis of the liver because his research convinced him that is what he has. He was sent to a VA examination but was diagnosed with a duodenal ulcer and the cirrhosis claim was denied for no diagnosis. In their decision, the Regional Office stated that they could not address the duodenal ulcer because it was not in their jurisdiction since the veteran did not make a claim for duodenal ulcer.
 - a. The veteran has asked you to help him prepare an appeal, and says he doesn't know where to begin. Please list steps you recommend he take, that would help him craft a strong appeal.
3. Celia Clark received a denial for her claim for patellar tendinitis of the left knee from the Regional Office and brought the decision to you and asked you to help her understand why it was denied. The decision is shorter than usual and while most parts are there, like a list of evidence reviewed, you are not able to make sense of the rationale for the denial decision. It looks to you as though VMBS may have generated text in error. You then look up the results of Ms. Clark's recent examination and there is a medical opinion, but the examiner fails to provide a rationale. It looks like there are two big problems with the rating decision.
 - a. The veteran has asked you to help her prepare an appeal, and says she doesn't know where to begin. Please list steps you recommend she take, that would help her craft a strong appeal.