

**There are between 2-5 errors in this rating decision.  
Find all of the errors and write them in the space below.**

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**DEPARTMENT OF VETERANS AFFAIRS**

**VA Regional Office**

**Street Address**

**City, ST 12345**

**Marie Curie**

**VA File Number**

**000 00 1203**

**Represented by:**

**VETERANS OF FOREIGN WARS**

**Rating Decision**

**September 1, 2021**

**INTRODUCTION**

The records reflect that you are a veteran of the Gulf War Era. You served in the Army from March 1, 2008 to March 11, 2011. We have assigned an effective date of May 1, 2021, which is the day we received your formal application for benefits. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

**DECISION**

1. Service connection for PTSD is granted with an evaluation of 30 percent effective May 1, 2021.
2. Service connection for right hip strain is granted with an evaluation of 10 percent effective May 1, 2021.
3. Service connection for tinnitus is denied.

## **EVIDENCE**

- Service treatment records from March 1, 2008 to March 11, 2011
- VA Form 21-0966 Intent to File received March 25, 2021
- Your claim for compensation on VA Form 21-526 received May 1, 2021
- Veterans Claims Assistance Act (VCAA) letter notifying you of what evidence was needed to support your claim dated June 7, 2021
- Veterans Claims Assistance Act Notice Response received July 7, 2021
- Baltimore VAMC treatment reports dated April 15, 2011 to August 1, 2021
- VA general medical examination dated June 13, 2021
- VA audio examination dated June 31, 2021

## **REASONS FOR DECISION**

### **1. Service connection for PTSD.**

We have assigned a 30 percent evaluation for your posttraumatic stress disorder based on:

- Occupational and social impairment with occasional decrease in work efficiency and intermittent periods of inability to perform occupational tasks
- Chronic sleep impairment
- Panic attacks more than once a week
- Impairment of short- and long-term memory
- Intermittent inability to perform activities of daily living
- Impaired impulse control
- Difficulty in understanding complex commands
- Suicidal ideation
- Impaired judgment
- Anxiety
- Depressed mood
- Suspiciousness
- Difficulty in adapting to stressful circumstances

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 30 percent disability evaluation.

A higher evaluation of 50 percent is not warranted unless there is evidence of Occupational and social impairment with reduced reliability and productivity due to such symptoms as: flattened affect; circumstantial, circumlocutory, or stereotyped speech; panic attacks more than once a week; difficulty in understanding complex commands; impairment of short- and long-term memory (e.g., retention of only highly learned material, forgetting to complete tasks); impaired judgment; impaired abstract thinking; disturbances of motivation and mood; difficulty in establishing and maintaining effective work and social relationships.

The medical evidence shows that you are competent to manage your financial affairs.

**2. Service connection for right hip strain.**

We have assigned a 10 percent evaluation for your right hip condition based on:

- Painful motion of the hip. (38 CFR §4.59 allows consideration of functional loss due to painful motion to be rated to at least the minimum compensable rating for a particular joint. Since you demonstrate painful motion of the thigh at the hip, the minimum compensable evaluation of 10 percent is assigned.)

The provisions of 38 CFR §§4.40 and 4.45 concerning functional loss due to pain, fatigue, weakness, or lack of endurance, incoordination, and flare-ups, as cited in *DeLuca v. Brown* and *Mitchell v. Shinseki* have been considered and applied under 38 CFR §4.59.

A higher evaluation of 20 percent is not warranted for limitation of flexion of the thigh unless there is flexion limited to 30°.

**3. Service connection for tinnitus.**

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. Service connection for tinnitus is denied since this condition neither occurred in nor was caused by service.

A review of your service treatment records show multiple reports of a ringing/buzzing noise in the ears, however no diagnosis was rendered in service. A review of your VA treatment records show no mention of tinnitus. VA audio examination dated July 31, 2021 diagnosed you with tinnitus however, no medical opinion linking this diagnosis to service was provided. There has been no evidence received to show that this condition was incurred in or as a result of military service.

Service connection for tinnitus is denied.

**REFERENCES:** Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our web site, [www.va.gov](http://www.va.gov).

Marie Curie  
000-00-1203

<b>Rating Decision</b>	<b>Regional Office</b> VA Regional Office			Page 1 of 1 09/01/2021
Name of Veteran <b>Marie Curie</b>	VA FILE NUMBER 000 00 1203	SSN 000 00 1203	POA <b>VFW</b>	COPY TO VFW

ACTIVE DUTY			
EOD	RAD	BRANCH	CHARACTER OF DISCHARGE
03/01/2008	03/11/2011	Army	Honorable

LEGACY CODES			
ADD'L SVC CODE	COMBAT CODE	SPECIAL PROV CDE	FUTURE EXAM DATE
	1		None

**JURISDICTION:** Original Disability Claim 05/01/2021

**ASSOCIATED CLAIM(s):** 110; Initial; 05/01/2021

**SUBJECT TO COMPENSATION (1.SC)**

9411            PTSD  
Service Connected, Gulf War, Incurred  
Static Disability  
30% from 05/01/2021

5252            RIGHT HIP STRAIN  
Service Connected, Gulf War, Incurred  
Static Disability  
10% from 05/01/2021

**NOT SUBJECT TO COMPENSATION**

6260            Tinnitus  
Not Service Connected

***COMBINED EVALUATION FOR COMPENSATION:***

40% from 05/01/2021

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RVSR