



**DEPARTMENT OF VETERANS AFFAIRS  
Veterans Benefits Administration  
Regional Office**

**Represented By:  
RALPH J BRATCH  
Rating Decision  
06/18/2019**

**INTRODUCTION**

The records reflect that you are a veteran of the Gulf War Era. You served in the Army from September 20, 2007 to August 23, 2011. You filed a claim for increased evaluation that was received on April 16, 2019. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

**DECISION**

Evaluation of ptsd with major depressive disorder (previously rated as unspecified anxiety disorder, with unspecified cannabis-related disorder), which is currently 30 percent disabling, is increased to 70 percent effective April 16, 2019.

**EVIDENCE**

- VA Form 21-0995 Supplemental Claim Application received April 16, 2019
- Treatment records from Behavioral Health of N. Florida for the period March 4, 2019-April 15, 2019 received April 15, 2019
- Treatment records from VAMC Gainesville for the period January 5, 2018-March 30, 2019,



- received May 20, 2019
- Contract examination dated June 1, 2019

### **REASONS FOR DECISION**

#### **Evaluation of ptsd with major depressive disorder (previously rated as unspecified anxiety disorder, with unspecified cannabis-related disorder) currently evaluated as 30 percent disabling.**

The evaluation of ptsd with major depressive disorder (previously rated as unspecified anxiety disorder, with unspecified cannabis-related disorder) is increased to 70 percent disabling effective April 16, 2019, the date you submitted a claim for benefits. (38 CFR 4.1, 38 CFR 3.400)

We have assigned a 70 percent evaluation for your unspecified anxiety disorder, with unspecified cannabis-related disorder (claimed as anxiety condition) based on:

- Unprovoked irritability with periods of violence
- Occupational and social impairment, with deficiencies in most areas, such as work, school, family relations, judgment, thinking, or mood
- Suspiciousness
- Depressed mood
- Suicidal ideation
- Disturbances of motivation and mood
- Impaired judgment
- Impaired impulse control
- Chronic sleep impairment
- Panic attacks more than once a week
- Obsessional rituals which interfere with routine activities
- Difficulty in adapting to stressful circumstances
- Difficulty in adapting to work
- Inability to establish and maintain effective relationships
- Flattened affect
- Intermittent inability to perform maintenance of minimal personal hygiene
- Difficulty in adapting to a worklike setting
- Anxiety
- Difficulty in establishing and maintaining effective work and social relationships
- Intermittent inability to perform activities of daily living

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 70 percent disability evaluation. (38 CFR 4.7, 38 CFR 4.126)

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. (38 CFR 4.130)

**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 website, [www.va.gov](http://www.va.gov).







## Explanation of Payment

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

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](http://www.eBenefits.va.gov) to enroll and submit your dependency information. If you would prefer to submit your request to add your dependents to your award in paper, please complete, sign, and return VA Form 21-686c, *Application Request to Add and/or Remove Dependents*. You can locate the appropriate form(s), please the visit the following website: [www.va.gov/vaforms](http://www.va.gov/vaforms).

## Please Take Action: What Things Affect Your Right to Payment?

Please notify VA *immediately* if there is a change in any condition affecting your right to continued payments. If you don't notify us of these changes immediately, you may have to return any overpayments. Those changes include:

Evidence received shows a change is warranted.
<p><b>Military Pay or Worker's Compensation:</b> Your payments may be affected by the following, which you must bring to our attention:</p> <ul style="list-style-type: none"><li>• Reentrance into active military or naval service.</li><li>• Receipt of armed forces service retirement pay, unless your retirement pay has already been reduced because of award of disability compensation.</li><li>• Receipt of benefits from the Office of Federal Employees Compensation.</li><li>• Receipt of active duty or drill pay as a reservist or member of the National Guard.</li></ul>
<p><b>Dependents:</b> If you have a disability rating of 30 percent or more, you must advise VA of any change with your spouse or children.</p>
<p><b>Hospitalization:</b> If your award includes Aid and Attendance benefits, we may reduce this additional allowance if you are admitted to a hospital, nursing home, or domiciliary care at VA expense.</p>
<p><b>Incarceration:</b> Benefits will be reduced if you are incarcerated in a federal, state, or local penal institution for more than 60 days for conviction of a felony.</p>
<p><b>Lack of Cooperation:</b> We may stop monthly payments if you:</p> <ul style="list-style-type: none"><li>• fail to submit evidence we requested,</li><li>• fail to attend a VA examination when requested, or</li><li>• Submit false or fraudulent evidence to VA, or cause false or fraudulent evidence to be submitted to VA.</li></ul>
<p><b>Fraud/Lying to Government:</b> The law provides severe penalties, which include fines,</p>



**Evidence received shows a change is warranted.**

imprisonment, or both, for the fraudulent acceptance of any payment to which you are not entitled. We may verify information you submit through computer-matching programs with other agencies.

## Additional Benefits

### Education, Training, and Student Loans:

- Job training and employment: For more information, please call 1-800-827-1000 or visit [www.vba.va.gov/bln/vrc/](http://www.vba.va.gov/bln/vrc/).

### Medical Care and Treatment:

- Mental Health Counseling: For more information, please visit [www.myhealth.va.gov/mhv-portal-web/](http://www.myhealth.va.gov/mhv-portal-web/).
- Blind Rehabilitation: For more information, please visit [www.va.gov/blindrehab/](http://www.va.gov/blindrehab/).
- Change in Compensation Benefits: For more information, please call 1-877-222-VETS or visit [www.va.gov/healtheligibility](http://www.va.gov/healtheligibility).
- Clothing Allowance: For more information, please call 1-800-827-1000 or visit [www.vets.gov/disability-benefits/conditions/special-claims/clothing/](http://www.vets.gov/disability-benefits/conditions/special-claims/clothing/).
- VA Medical Care: Present a copy of this notification letter to the Patient Registration/Eligibility Section at your nearest VA Medical Center [www.vets.gov/facility-locator/](http://www.vets.gov/facility-locator/).
- Dental Benefits: For more information, please contact your nearest VA Medical Center or outpatient clinic [www.vets.gov/facility-locator/](http://www.vets.gov/facility-locator/).

### Home Adaptations/Loans, Automobile Benefits, and Life Insurance:

- Loans: For more information, please visit [www.benefits.va.gov/homeloans/](http://www.benefits.va.gov/homeloans/).
- Funding Fee Refund: If you paid a funding fee at the closing of a VA guaranteed home loan and your VA compensation award provides an effective rating date that was prior to your loan closing date, then you may be eligible for a funding fee refund. Please contact either your current mortgage servicer or a VA Regional Loan Center at (877) 827-3702 to begin the refund process.

### Payment for Travel:

- Payment for Travel: You may be eligible for reimbursement for beneficial travel mileage for previous VA medical appointments because of 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.

**State Benefits:**

- State Benefits: For more information, please visit [www.va.gov/statedva.htm](http://www.va.gov/statedva.htm).









**We have included with this letter:**

1. Explanation of Payment
2. Additional Benefits
3. Where to Send Written Correspondence
4. VA Form 20-0998
5. Rating Decision

**Contact information:**

Web: [www.vets.gov](http://www.vets.gov)  
 Phone: 1-800-827-1000  
 TDD: 711  
 To send questions online: visit <https://iris.custhelp.com/>

**Social Media:**

Twitter: @VAVetBenefits  
 Facebook: [www.facebook.com/VeteransBenefits](http://www.facebook.com/VeteransBenefits)

**Your representative:**

You appointed RALPH J BRATCH as your accredited representative. They have also received a copy of this letter.

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the *Veterans Crisis Line* at 1-800-273-8255 and press 1.

## We made a decision on your VA benefits.

Dear Mr. Riggs,

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

### Your Benefit Information:

- Evaluation of PTSD with major depressive disorder (previously rated as unspecified anxiety disorder, with unspecified cannabis-related disorder), which is currently 30 percent disabling, is increased to 70 percent effective April 16, 2019.

Your combined rating evaluation is:

Combined Rating Evaluation	Effective Date
30%	Oct 1, 2018
70%	Apr 16, 2019

### How VA Combines Percentages

If you have more than one condition, VA will combine percentages to determine your overall disability rating. The percentages assigned for each of your conditions may not always add up to your combined rating evaluation. The following website has additional information about how VA combines percentages:

<http://www.benefits.va.gov/compensation/rates-index.asp#howcalc>.

Your monthly entitlement amount is shown below:



1.960 ez 220288-002-03520034 0004649 0064733 I=000000

Monthly Entitlement Amount	Payment Start Date	Reason
\$1,403.71	May 1, 2019	Compensation Rating Adjustment

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

If payments are due, you should receive your first payment, if not already in receipt of payments, within 7-10 days of this notice.

See **Explanation of Payment** for more details about your payment.

Your payment will be directed to the financial institution and account number that you specified. To confirm when your payment was deposited, please contact your financial institution.

If this account is no longer open,

*please notify us immediately.*

### What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you have one year from the date of this letter to select a review option in order to protect your initial filing date for effective date purposes. You must file your request on the required application form for the review option desired. The table below represents the review options and their respective required application form.

Review Option	Required Application Form
<b>Supplemental Claim</b>	VA Form 20-0995, <i>Decision Review Request: Supplemental Claim</i>
<b>Higher-Level Review</b>	VA Form 20-0996, <i>Decision Review Request: Higher-Level Review</i>
<b>Appeal to the Board of Veterans' Appeals</b>	VA Form 10182, <i>Decision Review Request: Board Appeal (Notice of Disagreement)</i>

**Please note:** You may not request a higher-level review of a higher-level review decision issued by VA.

The enclosed VA Form 20-0998, *Your Rights To Seek Further Review Of Our Decision*, explains



your options in greater detail and provides instructions on how to request further review. You may download a copy of any of the required application forms noted above by visiting [www.va.gov/vaforms/](http://www.va.gov/vaforms/) or you may contact us by telephone at 1-800-827-1000 and we will mail you any form you need.

You can visit [www.va.gov/decision-reviews](http://www.va.gov/decision-reviews) to learn more about how the disagreement process works.

If you would like to obtain or access evidence used in making this decision, please contact us by telephone, email, or letter as noted below letting us know what you would like to obtain. Some evidence may be obtained online by visiting [www.va.gov](http://www.va.gov).

Thank you for your service,

**Regional Office Director**

cc: RALPH J BRATCH  
Bosley & Bratch  
1401 Court Street, Suite 200  
Clearwater FL 33756







## YOUR RIGHTS TO SEEK FURTHER REVIEW OF OUR DECISION

After careful and compassionate consideration of the matter(s) before VA, we have reached a decision. This document outlines your rights to seek further review of our decision on any issue with which you are dissatisfied or disagree. This document does not apply to decisions issued by the Board of Veterans' Appeals (Board), which have a separate rights notice. For **most VA benefits**, you must elect one of the review options discussed below within **one year** of the date on your decision notice letter to preserve your right to receive the maximum possible benefit. **Consult your decision notice letter for specific filing time limits.** If you are a party to a **contested claim**, you must file an appeal to the Board within **60 days** of the date on your decision notice letter in order to seek review. All parties to a contested claim will have received notice of the decision. See the section below regarding filing an appeal to the Board. You may select different review options for each issue decided by VA. The options are as follows:

Review Options	VA Benefit Claim	Parties to a Contested Claim	Insurance Claim	Fiduciary Decision
<b>Supplemental Claim</b>		Not Available		Not Available
<b>Higher-Level Review</b>		Not Available		
<b>Appeal to the Board</b>				
<b>U.S. District Court Complaint</b>	Not Available	Not Available		Not Available

*VA benefits include Compensation, Pension/Survivors Benefits, Education, Loan Guaranty, Vocational Rehabilitation & Employment, Veterans Health Administration, or National Cemetery Administration.*

You **MAY NOT** concurrently file for review of any single issue using more than one option at a time. The following is an overview of each option to help you select the most appropriate course of action. You can also find detailed information on all of the available review options and apply at [www.vets.gov](http://www.vets.gov).

### Descriptions of Review Options

Supplemental Claim	Higher-Level Review	Appeal to the Board	U. S. District Court
<p><b>Use this option when you have additional evidence that is NEW AND RELEVANT</b> to support granting the benefit(s) sought or you can identify existing relevant records that you would like VA to obtain. (<b>NEW evidence</b> means information not previously submitted to VA, and <b>RELEVANT evidence</b> means information that tends to prove or disprove a matter at issue.)</p> <p>VA will assist you in gathering new and relevant evidence to support a Supplemental Claim.</p>	<p><b>Use this option when you have NO additional evidence</b> to submit, or that you would like VA to obtain, in support of a previously decided issue.</p> <p>You <i>may not</i> request a Higher-Level Review of a Higher-Level Review decision or a Board decision.</p> <p>The designated reviewer will conduct a brand new review of the issue(s) based on the evidence that was before VA at the time of the prior decision(s). An <b>informal conference</b> is available to you and/or your representative, if you choose to exercise this option. The purpose of this telephonic contact is to point out specific errors in the case. VA will not consider any new evidence.</p>	<p><b>Use this option to appeal to the Board for consideration by a Veterans Law Judge.</b> You may appeal to the Board from a Supplemental Claim decision or a Higher-Level Review decision.</p> <p>When appealing to the Board, you may request a hearing with a Veterans Law Judge and/or the opportunity to submit additional evidence. You may also choose for the Board to review your claim without any additional evidence or a hearing, which may result in a faster decision. By selecting one of these options, the Board will place your appeal onto a list for consideration in the order it was received.</p> <p>The Board does not have a duty to assist you in obtaining additional evidence, but may review whether VA properly fulfilled its duty to assist you in the original claim process and may remand your claim on that basis.</p>	<p><b>(INSURANCE CLAIMS ONLY)</b></p> <p>You may challenge VA's decision on your insurance application or claim by filing a complaint with a United States district court in the jurisdiction in which you reside within six years from when the right of action first accrues.</p> <p>To find a district court, use the map at: <a href="http://www.uscourts.gov/court_locator.aspx">www.uscourts.gov/court_locator.aspx</a>.</p>



## How do I request review by VA of my decision?

To select a review option, you must submit the appropriate form to the appropriate office for review.

For a **Supplemental Claim**, consult your decision notice letter for the required forms and ways to submit the request.

For a **Higher-Level Review**, complete **VA Form 20-0996, Decision Review Request: Higher-Level Review** (available at [www.va.gov/vaforms/](http://www.va.gov/vaforms/)), and consult your decision notice letter for the required ways to submit the request.

To **Appeal to the Board**, complete **VA Form 10182 - Decision Review Request: Board Appeal (Notice of Disagreement)** (available at [www.va.gov/vaforms/](http://www.va.gov/vaforms/)), and send the form to:

**Board of Veterans' Appeals**  
P.O. Box 27063  
Washington, DC 20038  
Fax: 844-678-8979

## Can someone help me with my request for review?

Yes, VA recognizes and accredits attorneys, claims agents, and Veterans Service Organizations (VSOs) representatives to assist VA claimants with their benefits claims. VSOs and their representatives are not permitted to charge fees or accept gifts for their services. Only VA-accredited attorneys and claims agents may charge you fees for assisting in a claim for VA benefits, and only after VA has issued an initial decision on the claim and the attorney or claims agent has complied with the power-of-attorney and the fee agreement requirements. For more information on the types of representatives available, see [www.va.gov/ogc/accreditation.asp](http://www.va.gov/ogc/accreditation.asp).

If you have not already selected a representative, or if you want to change your representative, a searchable database of VA-recognized VSOs and VA-accredited attorneys, claims agents, and VSO representatives is available at [www.va.gov/ogc/apps/accreditation/index.asp](http://www.va.gov/ogc/apps/accreditation/index.asp). Contact your local VA office for assistance with appointing a representative or visit [www.ebenefits.va.gov](http://www.ebenefits.va.gov).

## What happens if I do not submit my request for review on time?

If you do not request a review option within the required time limit, you may only seek review through the following options:

- File a request for revision of the decision based on a clear and unmistakable error in the decision;
- File a Supplemental Claim along with new and relevant evidence to support your issue(s). Where a Supplemental Claim is filed after the time limit to seek review of a decision, the effective date for any resulting award of benefits generally will be tied to the date that VA receives the Supplemental Claim.

For more information on all the available review options visit: [www.va.gov](http://www.va.gov), or [www.vets.gov](http://www.vets.gov) or contact us at 1-800-827-1000.

**NOTE:** This form supersedes VA Forms 4107, 4107C, 4107VHA, 4107VRE, 4107INS for VA decisions after the publication in the Federal Register of the applicability date on which the *Veterans Appeals Improvement and Modernization Act of 2017* goes into effect.