Department of Veterans Affairs

POA	PAGE 1	DATE OF RATING: 12/17/2018
Il DVA		

DEFERRED RATING DECISION

REGIONAL OFFICE NUMBER	NAME OF VETERAN	VA FILE NUMBER

THE RATING HAS BEEN DEFERRED PENDING RECEIPT OF DATA INDICATED BELOW:

REASON(S) FOR DEFERRAL *(Check appropriate box(es))*

- [x] EXAMINATION REPORT
- [ ] HOSPITAL REPORT
- [ ] FIELD EXAMINATION REPORT
- [ ] SUPPLEMENTAL SERVICE RECORDS
- [ ] EVIDENCE FROM VETERAN OR OTHERS
- [ ] OTHER *(Specify)*

EXPLANATION FOR ITEMS CHECKED

Pending Issues: migraine headaches, GERD

Favorable Findings: The Veteran submitted a statement, received November 2015, 2014 detailing continuity of headaches from service to present.
The Report of Medical History dated August 1994 in the Veteran's service treatment records (tabbed, page 56) shows complaint of frequent indigestion.

Duty to Assist Error or Missed Development:
The examination dated April 6, 2015 and the medical opinion did not include consideration or review of the Veteran's statement of continuity. A new examination and medical opinion are required.
An examination with MO for GERD related to the complaint of frequest indigestion is required.

III.iv.3.A.8.d. Requirement to Identify Relevant Evidence for the Examiner's Review
III.iv.3.A.1.e. When an Examination or Opinion Is Necessary

Directed Development:

1. Establish EP 683 with claim label "RAMP - HLR - DTA Error"
2. Using ERB and ERRA submit a new exam and MO request for headaches and GERD (frequent indigestion). Tab and include the statement from the Veteran and lay statements submitted in support of the claim after the rating decision for the examiner's review. Assure the examiner comments on the significance of the statements in their opinion rationale.

Thanks,

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