DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Regional Office

VA File Number

Represented By:
AMERICAN LEGION
Rating Decision
06/20/2019

INTRODUCTION

The records reflect that you are a veteran of the Gulf War Era. You served in the Army from January 26, 2010 to October 21, 2013. You filed a new claim for benefits that was received on February 19, 2019. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

1. Evaluation of migraines, which is currently 10 percent disabling, is continued.

2. Evaluation of eczema, pilonidal cyst, and dermatitis, which is currently 10 percent disabling, is continued.

3. Evaluation of restless leg syndrome, which is currently 0 percent disabling, is continued.

4. Evaluation of trapezius muscle strain, which is currently 0 percent disabling, is continued.

5. Service connection for avitaminosis is denied.

6. Service connection for back pain is denied.

7. Service connection for vitamin D deficiency is denied.

EVIDENCE

- Service treatment records received September 4, 2013 and December 6, 2013
- Treatment reports from VAMC Omaha received February 6, 2019
- VA Form 21-0966, Intent To File A Claim For Compensation and/or Pension, or Survivors Pension and/or DIC, received February 18, 2019
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, February 19, 2019
- Your written statement received February 19, 2019
- VA Form 21-0820, Report of General Information, Received February 21, 2019
- VA Form 21-0966, Intent To File A Claim For Compensation and/or Pension, or Survivors Pension and/or DIC, received February 21, 2019
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, February 25, 2019
- VA letter dated February 25, 2019
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, March 9, 2019
- VA Form 21-0820, Report of General Information, Received March 20, 2019
- Treatment reports from VAMC Chicago received February 6, 2019, April 1, 2019 and June 18, 2019
- Post service treatment reports received April 1, 2019
- VA letters dated April 2, 2019
- VA Form 21-0820, Report of General Information, Received April 10, 2019
- VA examinations and medical opinion dated May 22, 28, and 31, 2019

REASONS FOR DECISION

1. Evaluation of migraines currently evaluated as 10 percent disabling.

Although recent evidence shows some improvement in the condition, sustained improvement has not been definitively established. {38 CFR 3.344}

We reviewed the evidence received and determined your service-connected condition(s) hasn't/haven't increased in severity sufficiently to warrant a higher evaluation.

An evaluation of 10 percent is assigned for characteristic prostrating attacks averaging one in two months over the last several months. A higher evaluation of 30 percent is not warranted unless evidence demonstrates characteristic prostrating attacks occurring on an average of once a month over the last several months. (38 CFR 4.120, 38 CFR 4.124a)