DEPARTMENT OF VETERANS AFFAIRS

In Reply Refer To: [redacted]

[redacted]

Dear Mr. [redacted]

We made a decision on a request to reopen a previous claim that was received on January 23, 2017.

This letter tells you what we decided. It includes a copy of our rating decision that gives the evidence used and reasons for our decision. We have also included information about what to do if you disagree with our decision, and who to contact if you have questions or need assistance.

What We Decided

Service connection for treatment purposes only under 38 U.S.C. chapter 17 for personality disorder with features of depression and anxiety (claimed as depression, now claimed as PTSD)(38 USC Section 1702) is granted.

We determined that the following conditions were not related to your military service, so service connection remains denied:

Medical Description
Cervical strain (claimed as neck pain)
Back pain
Personality disorder with features of depression and anxiety (claimed as depression and PTSD)

We have enclosed a copy of your Rating Decision for your review. It provides a detailed explanation of our decision, the evidence considered, and the reasons for our decision. Your Rating Decision and this letter constitute our decision based on your claim received on January 23, 2017. It represents all claims we understood to be specifically made, implied, or inferred in that claim.

CSS [redacted]

What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you must complete and return to us the enclosed VA Form21-0958, *Notice of Disagreement*, in order to initiate your appeal. You have *one year from the date of this letter to appeal the decision*. The enclosed VA Form 4107, "*Your Rights to Appeal Our Decision,*" explains your right to appeal.

What Is eBenefits?

eBenefits provides electronic resources in a self-service environment to Servicemembers, Veterans, and their families. Use of these resources often helps us serve you faster! Through the eBenefits website you can:

- Submit claims for benefits and/or upload documents directly to the VA
- Request to add or change your dependents
- Update your contact and direct deposit information and view payment history
- Request a Veterans Service Officer to represent you
- Track the status of your claim or appeal
- Obtain verification of your military service, civil service preference, or VA benefits

Enrolling in eBenefits is easy. Just visit www.eBenefits.va.gov for more information. If you submit a claim in the future, consider filing through eBenefits. Filing electronically, especially if you participate in our fully developed claim program, may result in faster decision than if you submit your claim through the mail.

If You Have Questions or Need Assistance

If you have any questions, you may contact us by telephone, e-mail, or letter.

If you	**Here is what to do.**
Telephone	Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the Federal number is 711.
Use the Internet	Send electronic inquiries through the Internet at https://iris.va.gov.
Write	Put your full name and VA file number on the letter. Please send all correspondence to the address at the top of this letter. VA now uses a centralized mail system. For all written communications, put your full name and VA file number on the letter. Please mail or fax all written correspondence to the appropriate address listed on the attached *Where to Send Your Written Correspondence.*

CSS [redacted]

In all cases, be sure to refer to your VA file number [redacted]

If you are looking for general information about benefits and eligibility, you should visit our website at https://www.va.gov, or search the Frequently Asked Questions (FAQs) at https://iris.va.gov.

We sent a copy of this letter to your representative, AMVETS, whom you can also contact if you have questions or need assistance.

Sincerely yours,

RO Director
VA Regional Office

Contact us at: https://iris.va.gov

Enclosure(s): Rating Decision
VA Form 4107
VA Form 21-0958
Where to Send Your Written Correspondence

cc: AMVETS

DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Regional Office

[redacted]

VA File Number
[redacted]

Represented By:
AMVETS

Rating Decision
06/26/2017

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era. You served in the Navy from April 24, 2002, to November 3, 2006. We received a request to reopen a previous claim on January 23, 2017. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

1. Service connection for treatment purposes only under 38 U.S.C. chapter 17 for personality disorder with features of depression and anxiety (claimed as depression, now claimed as PTSD) (38 USC Section 1702) is granted.

2. The previous denial of service connection for back pain is confirmed and continued.

3. The previous denial of service connection for cervical strain (claimed as neck pain) is confirmed and continued.

4. The previous denial of service connection for Personality disorder with features of depression and anxiety (claimed as depression and PTSD) is confirmed and continued.

EVIDENCE

- VA letter concerning your intent to file received, dated January 11, 2017
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, January 23, 2017
- VA Form 21-0781, Statement In Support Of Claim For Service Connection for Post-Traumatic Stress Disorder (PTSD), received January 23, 2017
- DD Form 214, Certificate of Release or Discharge from Active Duty, from April 24, 2002 through November 3, 2006
- Service Treatment Records, from April 24, 2002 through November 3, 2006, received February 6, 2017
- No pertinent VA Healthcare records from the VAMC available, dated April 4, 2017
- Service Personnel Records, from April 24, 2002 through November 3, 2006, received April 6, 2017
- VA contract examination, request for examination, dated April 5, 2017
- VA Examination Report of No Show, dated May 23, 2017
- VAMC (Veterans Affairs Medical Center) Request for Physical Examination, Eastern KS HCS, dated May 24, 2017
- VA Examination Report of No Show, dated June 9, 2017
- Memorandum of Formal Finding on a Lack of Information Required to Verify Stressors in Connection to a Post Traumatic Stress Disorder Claim, dated June 20, 2017

REASONS FOR DECISION

1. Service connection for treatment purposes only under 38 U.S.C. chapter 17 for personality disorder with features of depression and anxiety (claimed as depression, now claimed as PTSD) (38 USC Section 1702).

Service connection for treatment purposes only under 38 U.S.C. chapter 17 for personality disorder with features of depression and anxiety (claimed as depression, now claimed as PTSD) (38 USC Section 1702) is granted because the records show you were diagnosed with personality disorder and adjustment disorder with depressed mood while on active duty. Compensation is not payable for this condition.

2. Service connection for back pain.

The claim for service connection for back pain is considered reopened. However, the evidence continues to show this condition was not incurred in or aggravated by military service.

A review of the evidence shows you were previously denied for back pain by Rating Decision dated May 29, 2008. You were previously denied because we were notified that you failed to report for an examination scheduled in support of your claim. The evidence did not show a current diagnosed disability. You were notified of this decision on May 30, 2008.

We have been informed that you have missed the VA examination scheduled in support of your claim. There is no information presently indicating good cause for absence on the scheduled appointment date. As a result, medical evidence that could have been used to support your claim was not available to us. Please notify us when you are ready to report for an examination.

3. Service connection for cervical strain (claimed as neck pain).

The claim for service connection for cervical strain (claimed as neck pain) is considered reopened. However, the evidence continues to show this condition was not incurred in or aggravated by military service.

A review of the evidence shows you were previously denied for cervical strain (claimed as neck pain) by Rating Decision dated May 29, 2008. You were previously denied because we were notified that you failed to report for an examination scheduled in support of your claim. The evidence did not show that your condition, which existed prior to service permanently worsened as a result of service. You were notified of this decision on May 30, 2008.

We have been informed that you have missed the VA examination scheduled in support of your claim. There is no information presently indicating good cause for absence on the scheduled appointment date. As a result, medical evidence that could have been used to support your claim was not available to us. Please notify us when you are ready to report for an examination.

4. Service connection for Personality disorder with features of depression and anxiety (claimed as depression and PTSD).

The claim for service connection for Personality disorder with features of depression and anxiety (claimed as depression and PTSD) is considered reopened. However, the evidence continues to show this condition was not incurred in or aggravated by military service.

A review of the evidence shows you were previously denied for personality disorder with features of depression and anxiety (claimed as depression, now claimed as PTSD) by Rating Decision dated May 29, 2008. You were previously denied because we were notified that you failed to report for an examination scheduled in support of your claim. The evidence did not show that your condition, which existed prior to service permanently worsened as a result of service. You were notified of this decision on May 30, 2008.

We have been informed that you have missed the VA examination scheduled in support of your claim. There is no information presently indicating good cause for absence on the scheduled appointment date. As a result, medical evidence that could have been used to support your claim was not available to us. Please notify us when you are ready to report for an examination.

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.