

Subsequent Development Demonstration Claim
Follow on Case to the Non-Original Martinez Demonstration Claim

Veteran: Roger Martinez	Claim number: 6Y03XX00
DOC: 01/03/2021	EP: 020 - New

NOTE: We use the VBMS Demo Candidate Martinez for all demonstration claims. If you followed along during the demonstration inside of VBMS Demo as we move through IWT you could have multiple EPs for the same Veteran. Please focus on the development action that is being demonstrated inside the training environment. This demonstration is about subsequent development and the proper steps necessary to process the claim.

PREVIOUSLY - The Veteran had submitted a VA Form 21-526EZ (SEP2019 version) on January 3, 2021. He claimed service connection for a right knee injury and headaches. The Veteran was excluded from FDC because he identified treatment by his private physician, Dr. Quack. The previous VSR sent a subsequent development letter to the Veteran requesting he complete and submit VA Form 21-4142 and 4142a for Dr. Quack from 2012 to Present. The Veteran recently returned the forms and DOMA sent a letter to Dr. Quack's office dated five days ago.

Of record in the Veteran's file are:

- VADS Verified Honorable service in the Navy from 08/01/1980 to 07/31/1990
- VA Form 21-526 received November 12, 2007, claiming hearing loss, tinnitus, and lumbosacral strain
- STRs show treatment for hearing loss, recurrent right knee pain, and a one-time visit for low back strain
- Rating Decision dated March 25, 2008, granting service connection for hearing loss (0%) and tinnitus (10%) and denying service connection for lumbosacral strain because the medical evidence of record does not show a current diagnosed condition or residuals of the condition treated in service.
- Notification letter to the Veteran telling him of our decision dated March 30, 2008
- Subsequent Development letter to the Veteran excluding him from FDC and requesting he complete and return VA Form 21-4142 and 4142a.
- DOMA letter to Dr Quack's office requesting relevant treatment records dated five days ago.



AUTHORIZATION TO DISCLOSE INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)

NOTE - PLEASE READ THE ENTIRE FORM (*both pages*) BEFORE SIGNING IN ITEM 11 BELOW.

SECTION I - RECORDS TO BE RELEASED TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)

I voluntarily authorize and request disclosure (including paper, oral, and electronic interchange) of: **All my medical records; including information related to my ability to perform tasks of daily living. This includes specific permission to release:**

1. All records and other information regarding my treatment, hospitalization, and outpatient care for my impairment(s) *including*, but not limited to:
 - a. Psychological, psychiatric, or other mental impairment(s) excluding "psychotherapy notes" as defined in 45 C.F.R. §164.501,
 - b. Drug abuse, alcoholism, or other substance abuse,
 - c. Sickle cell anemia,
 - d. Records which may indicate the presence of a communicable or non-communicable disease; and tests for or records of HIV/AIDS,
 - e. Gene-related impairments (including genetic test results).
2. Information about how my impairment(s) affects my ability to complete tasks and activities of daily living, and affects my ability to work.
3. Information created within 12 months *after* the date this authorization is signed in Item 11, as well as past information.

YOU SHOULD NOT COMPLETE THIS FORM UNLESS YOU WANT THE VA TO OBTAIN PRIVATE TREATMENT RECORDS ON YOUR BEHALF. IF YOU HAVE ALREADY PROVIDED THESE RECORDS OR INTEND TO OBTAIN THEM YOURSELF, THERE IS NO NEED TO FILL OUT THIS FORM. DOING SO WILL LENGTHEN YOUR CLAIM PROCESSING TIME.

IMPORTANT - In accordance with 38 C.F.R. §3.159(c), "VA will not pay any fees charged by a custodian to provide records requested."

SECTION II - VETERAN IDENTIFICATION

1. LAST NAME - FIRST NAME - MIDDLE NAME (<i>Type or print</i>) Martinez, Roger	2. DATE OF BIRTH (<i>MM,DD,YYYY</i>) 07/04/1962	3. SOCIAL SECURITY NUMBER/VA FILE NUMBER TRA- 30-1580
---	--	--

SECTION III - PATIENT IDENTIFICATION FOR RECORDS VA IS REQUESTING

4. LAST NAME - FIRST NAME - MIDDLE NAME (<i>Type or print</i>) Martinez, Roger	5. DATE OF BIRTH (<i>MM,DD,YYYY</i>) 07/04/1962	6. SOCIAL SECURITY NUMBER TRA-30-1580
7. STREET ADDRESS 31 Hopkins Plaza	8. CITY, STATE, ZIP CODE Baltimore, MD 21201	9. TELEPHONE NUMBER (<i>Include Area Code</i>) 555-555-1212

SECTION IV - INFORMATION REGARDING SOURCE OF RECORD(S)

SOURCE OF RECORD(S):

- ALL medical sources (hospitals, clinics, labs, physicians, psychologists, etc.) including mental health, correctional, addiction treatment, and VA health care facilities,
- Social workers/rehabilitation counselors,
- Consulting examiners used by VA,
- Employers, insurance companies, workers' compensation programs, and
- Others who may know about my condition (family, neighbors, friends, public officials).

SECTION V - AUTHORIZATION AND CONSENT TO RELEASE INFORMATION TO VA AND SIGNATURE

10. IF MY CONSENT TO THIS INFORMATION IS LIMITED, THE LIMITATION IS WRITTEN HERE (*If this space is left blank, there is no limitation to records*):

TO WHOM: The Department of Veterans Affairs (VA).

PURPOSE: Determining my eligibility for benefits, and whether I can manage such benefits.

EXPIRES: This authorization is good for 12 months from the date shown in Item 12.

- I authorize the use of a copy (including electronic copy) of this form for the disclosure of the information described above in Section I.
- I understand that there are some circumstances in which this information may be re-disclosed to other parties (See page 2 for details).
- I may write to VA and my source(s) to revoke this authorization at any time (See page 2 for details).
- VA will give me a copy of this form, if I ask; I may also ask the source(s) to allow me to inspect or get a copy of material to be disclosed.
- **I have read both pages of this form and agree to the disclosures above from the types of sources listed. See Patient Acknowledgement on Page 2.**

11. SIGNATURE OF PERSON AUTHORIZING DISCLOSURE (<i>Required</i>) <i>Roger Martinez</i>	12. DATE SIGNED (<i>MM,DD,YYYY</i>) (<i>Required</i>) 01/03/2021
13. PRINTED NAME OF PERSON SIGNING (<i>First, Middle Initial, Last</i>) Roger Martinez	14. TELEPHONE NUMBER (<i>Include Area Code</i>) 555-555-1212
15. RELATIONSHIP TO VETERAN/CLAIMANT (<i>If other than self, please provide full name, title, organization, city, State, and ZIP code. All court appointments must include docket number, county, and State</i>) Self	

NOTE: This general and special authorization to disclose was developed to comply with the provisions regarding disclosure of medical and other information under P.L. 104-191 ("HIPAA"); 45 C.F.R. parts 160 and 164; 42 U.S.C. §290dd-2; 42 C.F.R. part 2, and State Law.

PRIVACY ACT NOTICE: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28 Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records - VA, published in the Federal Register. Your obligation to respond is voluntary. However, if the information including your Social Security Number (SSN) is not furnished completely or accurately, the source to which this authorization is addressed may not be able to identify and locate your records, and provide a copy to VA. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an individual benefits for refusing to provide his or her SSN unless the disclosure of the SSN is required by Federal Statute of law in effect prior to January 1, 1975 and still in effect.

If you do not revoke this authorization, it will automatically expire in 12 months from the date you sign and date the form. Signing this form is voluntary, but failing to sign it, or revoking it before we receive necessary information could prevent an accurate or timely decision on your claim, and could result in denial or loss of benefits. Although the information we obtain with this form is almost never used for any purpose other than those stated above, the information may be disclosed by VA without your consent if authorized by Federal laws such as the Privacy Act.

Under the Government Paperwork Elimination Act (GPEA) (Public Law 105-277), the Office of Management and Budget (OMB) ensures that agencies, when practicable, provide for the option of electronic maintenance, submission of disclosure of information and for the use and acceptance of electronic signatures. GPEA states that electronic records submitted or maintained in accordance with the procedures developed by OMB, or electronic signature or other forms of electronic authentication used in accordance with such procedures, "shall not be denied legal effect, validity, or enforceability merely because such records are in electronic form" (Public Law 105-277, section 1707).

RESPONDENT BURDEN: We need this information and your written authorization to obtain your treatment records to help us get the information required to process your claim. Title 38, United States Code, allows us to ask for this information. You can provide this authorization by signing VA Form 21-4142. Federal law permits sources with information about you to release that information if you sign a single authorization to release all your information from all possible sources. We will make copies of it for each source. A few States, and some individual sources of information, require that the authorization specifically name the source that you authorize to release personal information. In those cases, we may ask you to sign one authorization for each source and we may contact you again if we need you to sign more authorizations. We estimate that you will need an average of 5 minutes to review the instructions, find the information and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. Valid OMB control numbers can be located on the OMB Internet Page at www.reginfo.gov/public/do/PRAMain. If desired, you may call 1-800-827-1000 to get information on where to send comments or suggestions about this form. If you use the Telecommunications Device for the Deaf (TDD), the Federal relay number is 711.

PATIENT ACKNOWLEDGMENT: I HEREBY AUTHORIZE the sources listed in Section IV, to release any information that may have been obtained in connection with a physical, psychological or psychiatric examination or treatment, with the understanding that VA will use this information in determining my eligibility to veterans benefits I have claimed. I understand that the source being asked to provide the Veterans Benefits Administration with records under this authorization may not require me to execute this authorization before it provides me with treatment, payment for health care, enrollment in a health plan, or eligibility for benefits provided by it. I understand that once my source sends this information to VA under this authorization, the information will no longer be protected by the HIPAA Privacy Rule, but will be protected by the Federal Privacy Act, 5 USC 552a, and VA may disclose this information as authorized by law. I also understand that I may revoke this authorization in writing, at any time except to the extent a source of information has already relied on it to take an action. To revoke, I must send a written statement to the VA Regional Office handling my claim or the Board of Veterans' Appeals (if my claim is related to an appeal) and also send a copy directly to any of my sources that I no longer wish to disclose information about me. I understand that VA may use information disclosed prior to revocation to decide my claim.

NOTE: For additional information regarding VA Form 21-4142, refer to the following website:
www.benefits.va.gov/compensation/consent_privateproviders.asp.



GENERAL RELEASE FOR MEDICAL PROVIDER INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)

NOTE - PLEASE READ THE PRIVACY ACT AND RESPONDENT BURDEN INFORMATION BELOW BEFORE COMPLETING THIS FORM.

INSTRUCTIONS - COMPLETE AND ATTACH THIS FORM WITH A SIGNED VA FORM 21-4142, *AUTHORIZATION TO DISCLOSE INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA)*. IF YOU HAVE MORE THAN THREE PROVIDERS, FILL OUT ADDITIONAL COPIES OF THIS FORM, AVAILABLE AT WWW.VA.GOV/VAFORMS.

SECTION I - PATIENT IDENTIFICATION FOR RECORDS VA IS REQUESTING

1. LAST NAME - FIRST NAME - MIDDLE NAME OF VETERAN (<i>Type or print</i>) Martinez, Roger	2. VETERAN'S SOCIAL SECURITY NUMBER TRA-30-1580	3. VA FILE NUMBER 6Y03XX00
--	--	-------------------------------

SECTION II - MEDICAL PROVIDER INFORMATION

4A. PROVIDER OR FACILITY NAME		4B. DATE(S) OF TREATMENT: (<i>Include the time period (month/day/year)</i> <i>for the treatment by the provider listed in Item 4A</i>)	
Dr. Quack		From: 2012 To: Present From: To:	
4C. PROVIDER/FACILITY STREET ADDRESS (<i>Number and street, P.O. or rural route</i>) 31 Hopkins Plaza, Suite 17			
4D. CITY Baltimore	4E. STATE AND ZIP CODE MD 21201	4F. PROVIDER OR FACILITY TELEPHONE NUMBER (<i>Include Area Code</i>) 555-555-1279	
5A. PROVIDER OR FACILITY NAME		5B. DATE(S) OF TREATMENT: (<i>Include the time period (month/day/year)</i> <i>for the treatment by the provider listed in Item 5A</i>)	
		From: To: From: To:	
5C. PROVIDER/FACILITY STREET ADDRESS (<i>Number and street, P.O. or rural route</i>)			
5D. CITY	5E. STATE AND ZIP CODE	5F. PROVIDER OR FACILITY TELEPHONE NUMBER (<i>Include Area Code</i>)	
6A. PROVIDER OR FACILITY NAME		6B. DATE(S) OF TREATMENT: (<i>Include the time period (month/day/year)</i> <i>for the treatment by the provider listed in Item 6A</i>)	
		From: To: From: To:	
6C. PROVIDER/FACILITY STREET ADDRESS (<i>Number and street, P.O. or rural route</i>)			
6D. CITY	6E. STATE AND ZIP CODE	6F. PROVIDER OR FACILITY TELEPHONE NUMBER (<i>Include Area Code</i>)	

PRIVACY ACT NOTICE: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28 Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records - VA, and published in the Federal Register. Your obligation to respond is voluntary. However, if the information including your Social Security Number (SSN) is not furnished completely or accurately, the health care provider to which this authorization is addressed may not be able to identify and locate your records, and provide a copy to VA. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an individual benefits for refusing to provide his or her SSN unless the disclosure of the SSN is required by Federal Statute of law in effect prior to January 1, 1975 and still in effect.

RESPONDENT BURDEN: We need this information to obtain your treatment records. Title 38, United States Code, allows us to ask for this information. We estimate that you will need an average of 5 minutes to review the instructions, find the information and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. Valid OMB control numbers can be located on the OMB Internet Page at www.reginfo.gov/public/do/PRAMain. If desired, you may call 1-800-827-1000 to get information on where to send comments or suggestions about this form.

DEPARTMENT OF VETERANS AFFAIRS

Any City Regional Office

PO Box 313

Any City AS 21010

[today], 2021

Dr. Quack
31 Hopkins Plaza, Suite 17
Baltimore, MD 21201

In reply, refer to:
101/1 PRE/mg
File Number:
6Y03XX00
Roger Martinez

IMPORTANT -- reply needed

The Veteran, Roger Martinez, has applied for disability benefits showing treatment by you.

Please furnish copies of your treatment records to include findings and diagnoses for treatment the Veteran received during the following period:

Right knee injury and headaches: 01/01/2012 to Present

We have enclosed VA form 21-4142, authorization and Consent to Release Information to the Department of Veterans Affairs, or its equivalent, signed by the Veteran. This letter is being sent in duplicate so that you may retain a copy. Attach the other copy of our letter to your reply to ensure proper identification. A self-addressed envelope is enclosed for your convenience.

Sincerely yours,

Dawn Key

Dawn Key

Veterans Service Center Manager

Enclosure VA Form 21-4142/signed release

s: Self-addressed envelope