

## **EMS Specialty Examination with Medical Opinion Demonstration Claim**

**NOTE:** All demonstration claims performed by instructors will utilize the same eCase Veteran, Roger Martinez (6Y03XX00), but most will be independent as they offer different facts and documents. It is advised to actively watch and participate in the demonstration, but not attempt to mimic the instructor using your VBMS demo at the same time. You are not required to complete demo claims, but recordings are available when you want to review and apply the skills to required eCases.

**ASSUMPTIONS:** The Veteran submitted a signed VA Form 21-526EZ (SEPT 2019 Version) and a VA Form 21-4138 on December 1, 2021. He is claiming service connection for a right ankle condition, low back condition, anxiety, and hearing loss with Baltimore VAMC being listed for current treatment. On the VA Form 21-4138 submitted, the Veteran provided the following statement:

“During service I was treated for a right ankle condition, low back condition, and anxiety and these conditions have continued to bother me since my time in service. I believe my hearing loss is caused by my work in engineering operations since it was so loud and hearing protection was not required at the time.”

The following documents are of record in VBMS:

- VBMS, military service and periods of service indicate he served honorably in the Navy from 08/01/1980 to 07/31/1990. VBMS are updated to show service has been verified.
- VA Form 21-526 received July 5, 1998, claiming right knee condition.
- STRs contain entrance and separation exams, show treatment for right ankle injury while playing soccer in 1988, recurrent knee pain and complaints of anxiety shown on several occasions between 1987 and 1989.
- DD 214 shows an MOS of Engineering Operations.
- CAPRI records have been uploaded and show current treatment for right ankle pain and anxiety only.
- Rating decision dated November 28, 1998 shows granted service connection for right knee strain (10%).
- Notification letter informing the Veteran of the rating decision dated December 1, 1998.

### **For Instructors Only:**

**\*\*** Just as in all other Demo cases, you will need to CEST the claim properly, assign to yourself and complete all system compliance updates as needed. This is a basic overview of instruction that allows the student another chance to observe and reinforce what has been taught.

- *Fully Developed Claim and Local Mentor Review* special issues needed on at least one contention in VBMS. M21-4, Appendix E, 2.b Index of Current Special Issues
- Demonstrate bookmarking or annotating evidence for exams being requested. M21-1 IV.i.2.8.d – Requirement to Identify Relevant Evidence for the Examiner’s Review
- ERRA Results – demonstrate and explain the results of ERRA will dictate whether an exam should be requested via EMS (contract) or VAMC. Assume ERRA directs a contract examination, which will result in requesting the exam in VBMS demo. M21-1 IV.i.2.A.1.d– Mandatory Use of the ERRA Tool

- Demonstrate entering Specialty exams with specialist DBQs added. Explain how the hearing loss DBQ has a built-in medical opinion, so there is no need to request an additional Medical Opinion DBQ for that issue. Other conditions will need proper DBQs (which is a worksheet of details/questions/diagnosis, etc. for a specific condition), but as these DBQs don't request medical opinions, we must ensure the proper medical opinion (question) is requested to supplement the DBQ. DBQs typically give medical information of the current condition while medical opinions are directed questions we ask a doctor to determine the relationship of the current condition to an event in service, another condition, etc.
- In this case, the Veteran is claiming his injuries in service are causing him issues today and a likely relationship. We need the doctor to answer a medical opinion question to solidify and provide medical support to that relationship. The doctor examines the Veteran and reviews relevant evidence to come to a conclusion, which will be used to support a grant of service connection or a denial of service connection.
- Required DBQs are as follows:
  - Hearing loss issue = DBQ Hearing Loss and Tinnitus
  - Anxiety = DBQ Mental Disorders and DBQ Medical Opinion
  - Right ankle condition = DBQ MUSC Ankle and DBQ Medical Opinion
- Make sure to demonstrate adding the MOS Noise exposure to the Hearing Loss request and Direct Medical Opinions to the anxiety and right ankle condition. See answer key.
- CAPRI records are assumed to have been uploaded and bookmarked.
- VBMS Note: Exam review complete for all issues. Exams requested for right ankle, anxiety and hearing loss. STRs show complaints/treatment for anxiety and right ankle. Audio exam requested based on noise exposure. No treatment shown for low back – no exam warranted. Baltimore VAMC records uploaded and shown for anxiety and right ankle.