



November 7, 2022

JERMAINE WINSLOW COREY BOURNE
7014 STEELE VIEW CIR
WAXHAW NC 28173-0185

We made a decision on your VA benefits.

Dear Jermaine Bourne:

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

* Entitlement to individual unemployability is moot.

Your Benefit Information:

- Evaluation of obstructive sleep apnea, which is currently 50 percent disabling, is continued.
- Evaluation of diabetes mellitus type I with mild diabetic retinopathy, nephropathy, which is currently 40 percent disabling, is continued.
- Evaluation of diabetic peripheral neuropathy, right upper extremity (major) (also claimed as tingling in fingers), which is currently 10 percent disabling, is increased to 30 percent effective August 1, 2022.
- Evaluation of diabetic peripheral neuropathy, left lower extremity (also claimed as tingling in feet), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.
- Evaluation of diabetic peripheral neuropathy, left upper extremity (minor) (also claimed as tingling in fingers), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.
- Evaluation of diabetic peripheral neuropathy, right lower extremity (also claimed as tingling in feet), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.
- Evaluation of major depressive disorder (also claimed as recurrent and moderate), which is currently 100 percent disabling, is continued.

Your combined rating evaluation is:

We have included with this letter:

1. Explanation of Payment
2. Additional Benefits
3. Where to Send Your Correspondence
4. VA Form 20-0998
5. Rating Decision
6. Fraud Prevention Attachment

Contact information:

Web: www.vets.gov
Phone: 1-800-827-1000
TDD: 711
To send questions online: visit
<https://iris.custhelp.com/>

Social Media:

Twitter: @VAVetBenefits
Facebook: www.facebook.com/VeteransBenefits

Your representative:

You appointed AMY R FOCHLER as your accredited representative. They have also received a copy of this letter.

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the *Veterans Crisis Line* at 1-800-273-8255 and press 1.



Combined Rating Evaluation	Effective Date
80%	Jun 8, 2012
80%	Sep 15, 2014
100%	Nov 13, 2015
100%	Aug 1, 2022

How VA Combines Percentages

If you have more than one condition, VA will combine percentages to determine your overall disability rating. The percentages assigned for each of your conditions may not always add up to your combined rating evaluation. The following website has additional information about how VA combines percentages: <http://www.benefits.va.gov/compensation/rates-index.asp#howcalc>.

Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason
\$4,143.78	Dec 1, 2021	Cost of Living Adjustment
\$4,051.47	Apr 27, 2023	Minor Child Adjustment
\$3,915.42	Jun 25, 2027	Minor Child Adjustment

We are currently paying you as a Veteran with 3 dependents. *Let us know right away if there is any change in the status of your dependents.*

If payments are due, you should receive your first payment, if not already in receipt of payments, within 7-10 days of this notice.

See **Explanation of Payment** for more details about your payment.

Your payment will be directed to the financial institution and account number that you specified. To confirm when your payment was deposited, please contact your financial institution.

If this account is no longer open,

please notify us immediately.



What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you have one year from the date of this letter to select a review option in order to protect your initial filing date for effective date purposes. You must file your request on the required application form for the review option desired. The table below represents the review options and their respective required application form.

Review Option	Required Application Form
Supplemental Claim	VA Form 20-0995, <i>Decision Review Request: Supplemental Claim</i>
Higher-Level Review	VA Form 20-0996, <i>Decision Review Request: Higher-Level Review</i>
Appeal to the Board of Veterans' Appeals	VA Form 10182, <i>Decision Review Request: Board Appeal (Notice of Disagreement)</i>

Please note: You **may not** request a higher-level review of a higher-level review decision issued by VA.

The enclosed VA Form 20-0998, *Your Right To Seek Review Of Our Decision*, explains your options in greater detail and provides instructions on how to request further review. You may download a copy of any of the required application forms noted above by visiting www.va.gov/vaforms/ or you may contact us by telephone at 1-800-827-1000 and we will mail you any form you need.

You can visit www.va.gov/decision-reviews to learn more about how the disagreement process works.

If you would like to obtain or access evidence used in making this decision, please contact us by telephone, email, or letter as noted below letting us know what you would like to obtain. Some evidence may be obtained online by visiting www.va.gov.

Thank you for your service,

Regional Office Director

cc: AMY R FOCHLER
Veterans Law Attorney, LLC
11535 Carmel Commons Blvd, STE 101
Charlotte NC 28226



Explanation of Payment

Your monthly entitlement amount includes payment for the following dependent(s):

Payment Start Date	Award Dependent(s)
Dec 1, 2021	ADRIAN, JULIAN, ROSE
Apr 27, 2023	ADRIAN, ROSE
Jun 25, 2027	ROSE

Let us know right away if there is any change in the status of your dependent(s).

Your combined evaluation is 30 percent or more disabling; therefore, you may be eligible for additional benefits based on dependency. We may be able to pay you retroactive benefits for your dependents if you submit your dependency claim within a year from the date of this letter. If you wish to notify us of your dependents, please do so through eBenefits, an electronic resource in a self-service environment. Use of these resources often helps us serve you faster! Just visit www.eBenefits.va.gov to enroll and submit your dependency information. If you would prefer to submit your request to add your dependents to your award in paper, please complete, sign, and return VA Form 21-686c, *Application Request to Add and/or Remove Dependents*. You can locate the appropriate form(s), please the visit the following website: www.va.gov/vaforms.

Please Take Action: What Things Affect Your Right to Payment?

Please notify VA *immediately* if there is a change in any condition affecting your right to continued payments. If you don't notify us of these changes immediately, you may have to return any overpayments. Those changes include:

Evidence received shows a change is warranted.
Military Pay or Worker's Compensation: Your payments may be affected by the following, which you must bring to our attention: <ul style="list-style-type: none">• Reentrance into active military or naval service.• Receipt of armed forces service retirement pay, unless your retirement pay has already been reduced because of award of disability compensation.• Receipt of benefits from the Office of Federal Employees Compensation.• Receipt of active duty or drill pay as a reservist or member of the National Guard.
Dependents: If you have a disability rating of 30 percent or more, you must advise VA of any change with your spouse or children.
Hospitalization: If your award includes Aid and Attendance benefits, we may reduce this additional allowance if you are admitted to a hospital, nursing home, or domiciliary care at VA



Evidence received shows a change is warranted.
expense.
Incarceration: Benefits will be reduced if you are incarcerated in a federal, state, or local penal institution for more than 60 days for conviction of a felony.
Lack of Cooperation: We may stop monthly payments if you: <ul style="list-style-type: none">• fail to submit evidence we requested,• fail to attend a VA examination when requested, or• Submit false or fraudulent evidence to VA, or cause false or fraudulent evidence to be submitted to VA.
Fraud/Lying to Government: The law provides severe penalties, which include fines, imprisonment, or both, for the fraudulent acceptance of any payment to which you are not entitled. We may verify information you submit through computer-matching programs with other agencies.

Additional Benefits

Education, Training, and Student Loans: <ul style="list-style-type: none">• <u>Education loans:</u> For more information, please call 1-888-GIBILL-1 (1-888-442-4551) or visit www.vets.gov/education.• <u>Veterans with student loans:</u> For more information, please call 1-888-303-7818 or visit www.disabilitydischarge.com/.• <u>Job training and employment:</u> For more information, please call 1-800-827-1000 or visit www.vba.va.gov/bln/vre/.
Medical Care and Treatment: <ul style="list-style-type: none">• <u>Mental Health Counseling:</u> For more information, please visit www.myhealth.va.gov/mhv-portal-web/.• <u>Blind Rehabilitation:</u> For more information, please visit www.va.gov/blindrehab/.• <u>Change in Compensation Benefits:</u> For more information, please call 1-877-222-VETS or visit www.va.gov/healtheligibility.• <u>Clothing Allowance:</u> For more information, please call 1-800-827-1000 or visit www.vets.gov/disability-benefits/conditions/special-claims/clothing/.• <u>VA Medical Care:</u> Present a copy of this notification letter to the Patient Registration/Eligibility Section at your nearest VA Medical Center www.vets.gov/facility-locator/.



- **Dental Benefits:** For more information, please contact your nearest VA Medical Center or outpatient clinic www.vets.gov/facility-locator/.

Home Adaptations/Loans, Automobile Benefits, and Life Insurance:

- **Loans:** For more information, please visit www.benefits.va.gov/homeloans/.
- **Funding Fee Refund:** If you paid a funding fee at the closing of a VA guaranteed home loan and your VA compensation award provides an effective rating date that was prior to your loan closing date, then you may be eligible for a funding fee refund. Please contact either your current mortgage servicer or a VA Regional Loan Center at (877) 827-3702 to begin the refund process.

Armed Forces Commissary and Exchange:

- You may be entitled to Armed Forces Commissary and Exchange privileges. Honorably discharged Veterans with a service-connected disability; Former Prisoners of War; Purple Heart or Medal of Honor recipients; military retirees; members of the reserves; and their dependents may qualify for entitlement to this additional benefit. For more information, please visit va.gov/resources/commissary-and-exchange-privileges-for-veterans.

Payment for Travel:

- **Payment for Travel:** You may be eligible for reimbursement for beneficial travel mileage for previous VA medical appointments because of your newly granted service-connected conditions. You must make a request for such reimbursement **within 30 days of this letter** by contacting the Enrollment office at your Medical Center and providing a copy of this letter.

State Benefits:

- **State Benefits:** For more information, please visit www.va.gov/statedva.htm.



Where to Send Your Correspondence

Documents may be submitted by mail, in person at a VA regional office or electronically. However, VA recommends submitting correspondence electronically as this is the fastest method of receipt.

VA provides several tools to assist in electronic submission. To learn more about how to submit documents and claims electronically, visit www.va.gov/disability/upload-supporting-evidence. You can also go directly to access.va.gov to digitally upload any correspondence using QuickSubmit.

By visiting www.va.gov you can also check your claim status and learn about other VA benefits.

If you need assistance, you can find a local, accredited representative at <https://www.benefits.va.gov/vso/>

If you prefer to mail your correspondence, please use the related mailing address below:

Compensation Benefits Department of Veterans Affairs Compensation Intake Center P.O. Box 4444 Janesville, WI 53547 Toll Free Phone: 1-800-827-1000 Toll Free Fax: (844) 531-7818	Pension & Survivors Benefits Department of Veterans Affairs Pension Intake Center P.O. Box 5365 Janesville, WI 53547 Toll Free Phone: 1-800-827-1000 Toll Free Fax: (844) 655-1604
Board of Veterans' Appeals Department of Veterans Affairs Board of Veterans' Appeals P.O. Box 27063 Washington, DC 20038 Toll Free Fax: (844) 678-8979	Fiduciary Department of Veterans Affairs Fiduciary Intake Center P.O. Box 5211 Janesville, WI 53547 Toll Free Phone: 1-800-827-1000 Toll Free Fax: (888) 581-6826




These addresses serve **all United States and foreign locations**.



You can also send a text message to 838255 to receive confidential support 24 hours a day, 7 days a week, 365 days a year. For more information, visit www.veteranscrisisline.net

YOUR RIGHT TO SEEK REVIEW OF OUR DECISION

This document outlines your right to seek review of our decision on any issue with which you disagree. You may generally select one of three different review options for each issue decided by VA. However, you may not request review of the same issue using more than one option at the same time. Below is information on the three different review options.

			
	Supplemental Claim	Higher-Level Review	Board Appeal
What Is This?	A reviewer will determine whether new and relevant evidence changes the prior decision.	An experienced claims adjudicator will review your decision using the same evidence VA considered in the prior decision.	A Veterans Law Judge at the Board of Veterans' Appeals (Board) will review your decision.
By Selecting This Option	<p>You are adding or identifying new and relevant evidence to support your claim that we did not previously consider.</p> <p>VA will assist you in gathering new and relevant evidence that you identify to support your claim.</p>	<p>You have no additional evidence to submit to support your claim, but you believe there was an error in the prior decision.</p> <p>You can request an optional, one-time, informal conference with a Higher-Level Reviewer to identify specific errors in the case, although requesting this conference may delay the review.</p>	<p>You must choose a docket:</p> <p>Direct Review - You do not want to submit evidence or have a hearing.</p> <p>Evidence Submission - You choose to submit additional evidence without a hearing.</p> <p>Hearing - You choose to have a hearing with a Veterans Law Judge.</p>
Goal To Complete	125 days on average	125 days on average	365 days on average for Direct Review (longer for the other options)
Form To File To Select This Option*	VA Form 20-0995, <i>Decision Review Request: Supplemental Claim</i>	VA Form 20-0996, <i>Decision Review Request: Higher-Level Review</i>	VA Form 10182, <i>Decision Review Request: Board Appeal (Notice of Disagreement)</i>
Further Options After This Decision Review	You may request another Supplemental Claim, a Higher-Level Review, or a Board Appeal.	You may request a Supplemental Claim or a Board Appeal.	You may request a Supplemental Claim or appeal to the U.S. Court of Appeals for Veterans Claims.

* All forms listed above are available at www.va.gov/vaforms/.



For most VA benefits, **you have 1 year from the date on your decision notice to request a decision review to ensure the earliest possible effective date.** Consult your decision notice for specific limitations.

If you do not submit a decision review request within the required time, you may only seek review through the following:

- A request to revise the decision based on a clear and unmistakable error, or
- A Supplemental Claim. If you file a Supplemental Claim after the **1-year** time limit, the effective date for any resulting award of benefits generally will be tied to the date VA receives the Supplemental Claim.

While most decision review options are available to you, there are limitations based on the type of decision you received.

- If you are a party to a **contested claim** - such as claims for apportionment, attorney fee disagreement, or multiple parties filing for survivor's benefits - your *only* option for disagreeing with your decision is to file a Board Appeal within **60 days** of the date on your decision notice.
- If you are seeking review of an **insurance decision** you have an *additional* option to challenge VA's decision by filing a complaint with a United States district court in the jurisdiction in which you reside within 6 years from when the right of action first accrues. Consult your decision notice for details on what options are available and where to send the request.

Get Help with Your Review Request:

For more information on all the available review options, contact us at 1-800-827-1000 or visit www.va.gov/decision-reviews/. If you need help filing a decision review, you may want to work with an accredited attorney, claims agent, or a Veterans Service Organization (VSO) representative. Additional information about working with an accredited attorney, claims agent, or VSO representative is available at www.va.gov/decision-reviews/get-help-with-review-request/. You may also find a directory of accredited representatives at www.va.gov/vso.



**DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefit Administration
Regional Office**

JERMAINE BOURNE

**VA File Number
110 82 3455**

**Represented By:
AMY R FOCHLER
Rating Decision
11/02/2022**

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era. You served in the Navy from December 17, 1996 to December 16, 2000. You filed a claim for increased evaluation that was received on August 1, 2022. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

1. Evaluation of obstructive sleep apnea, which is currently 50 percent disabling, is continued.
2. Evaluation of diabetes mellitus type I with mild diabetic retinopathy, nephropathy, which is currently 40 percent disabling, is continued.
3. Evaluation of diabetic peripheral neuropathy, right upper extremity (major) (also claimed as tingling in fingers), which is currently 10 percent disabling, is increased to 30 percent effective August 1, 2022.
4. Evaluation of diabetic peripheral neuropathy, left lower extremity (also claimed as tingling in



feet), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.

5. Evaluation of diabetic peripheral neuropathy, left upper extremity (minor) (also claimed as tingling in fingers), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.

6. Evaluation of diabetic peripheral neuropathy, right lower extremity (also claimed as tingling in feet), which is currently 10 percent disabling, is increased to 20 percent effective August 1, 2022.

7. Evaluation of major depressive disorder (also claimed as recurrent and moderate), which is currently 100 percent disabling, is continued.

8. Entitlement to individual unemployability is moot.

EVIDENCE

- VA Form 21-8940, Veterans Application for Increased Compensation Based on Unemployability, received August 1, 2022.
- VA letter dated August 2, 2022.
- Salisbury VA Medical Center treatment records dated from April 21, 2021 to October 28, 2022.
- VA letters dated August 4, 2022.
- Mental disorder VES contract examination dated August 13, 2022.
- VA letter dated August 25, 2022.
- Social Security Administration disability records received October 5, 2022.
- Peripheral neuropathy VES contract examination dated August 17, 2022.
- Sleep apnea VES contract examination dated August 17, 2022.
- Diabetes mellitus VES contract examination dated August 17, 2022.
- Kidney condition VES contract examination dated August 17, 2022.
- Eye condition VES contract examination dated August 12, 2022.

REASONS FOR DECISION

1. Evaluation of obstructive sleep apnea currently evaluated as 50 percent disabling.

The evaluation of obstructive sleep apnea is continued as 50 percent disabling.

We have assigned a 50 percent evaluation for your obstructive sleep apnea based on:

- Requires use of breathing assistance device such as continuous airway pressure (CPAP) machine

Additional symptom(s) include:

- Persistent day-time hypersomnolence



A higher evaluation of 100 percent is not warranted for sleep apnea syndromes unless the evidence shows:

- Carbon dioxide retention; or,
- Chronic respiratory failure; or,
- Cor pulmonale; or,
- Tracheostomy required. (38 CFR 4.96, 38 CFR 4.97)

2. Evaluation of diabetes mellitus type I with mild diabetic retinopathy, nephropathy currently evaluated as 40 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.

Although current evidence demonstrates some improvement in your condition, the record as a whole does not show that sustained improvement has been demonstrated, or that the improvement will be maintained under the ordinary conditions of life. (38 CFR 3.344)

An evaluation of 40 percent is assigned if insulin, restricted diet, and regulation of activities are required. A higher evaluation of 60 percent is not warranted unless insulin, restricted diet, and regulation of activities are required with episodes of ketoacidosis or hypoglycemic reactions requiring one or two hospitalizations per year or twice a month visits to a diabetic care provider, plus complications that would not be compensable if separately evaluated. (38 CFR 4.119)

We have assigned a noncompensable evaluation for your diabetic retinopathy based on:

- Incapacitating episodes described below
- Visual impairment as described below (38 CFR 4.31)

Note: In every instance where the schedule does not provide a zero percent evaluation for a diagnostic code, a zero percent evaluation shall be assigned when the requirements for a compensable evaluation are not met. {38 CFR §4.31}

Your eyes show normal visual acuity bilaterally.

Your eyes show normal visual fields bilaterally.

A noncompensable evaluation is warranted under the General Rating Formula for Diseases of the Eye based on:

- No incapacitating episodes noted

Higher evaluations are based on more severe levels of visual impairment. (38 CFR 4.75, 38 CFR 4.79)



Additionally, a higher evaluation of 10 percent is not warranted under the General Rating Formula for Diseases of the Eye unless there is:

- With documented incapacitating episodes requiring at least 1 but less than 3 treatment visits for an eye condition during the past 12 months (38 CFR 4.75, 38 CFR 4.79)

We have assigned a noncompensable evaluation for your diabetic nephropathy based on:

- A diagnosed disability with no compensable symptoms (38 CFR 4.31)

Note: In every instance where the schedule does not provide a zero percent evaluation for a diagnostic code, a zero percent evaluation shall be assigned when the requirements for a compensable evaluation are not met. {38 CFR §4.31}

A higher evaluation of 30 percent is not warranted for renal dysfunction unless the evidence shows:

- Chronic kidney disease with GFR from 45 to 59 mL/min/1.73 m² for at least 3 consecutive months during the past 12 months. (38 CFR 4.115a, 38 CFR 4.115b)

3. Evaluation of diabetic peripheral neuropathy, right upper extremity (major) (also claimed as tingling in fingers) currently evaluated as 10 percent disabling.

The evaluation of diabetic peripheral neuropathy, right upper extremity (major) (also claimed as tingling in fingers) is increased to 30 percent disabling effective August 1, 2022. (38 CFR 4.1, 38 CFR 3.400)

The effective date of this grant is August 1, 2022. Entitlement to an increased evaluation has been established from the date the claim was received. When an increased evaluation is granted based on VA medical evidence showing an increase in disability after the date the claim was received, the effective date of the increase is the date the claim was received. (38 CFR 3.400)

We have assigned a 30 percent evaluation for your diabetic peripheral neuropathy, right upper extremity (major) (also claimed as tingling in fingers) based on:

- Moderate incomplete paralysis of the major extremity (38 CFR 4.124a)

A higher evaluation of 50 percent is not warranted for paralysis of the median nerve unless the evidence shows nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

4. Evaluation of diabetic peripheral neuropathy, left lower extremity (also claimed as tingling in feet) currently evaluated as 10 percent disabling.

The evaluation of diabetic peripheral neuropathy, left lower extremity (also claimed as tingling in feet) is increased to 20 percent disabling effective August 1, 2022. (38 CFR 4.1, 38 CFR 3.400)

The effective date of this grant is August 1, 2022. Entitlement to an increased evaluation has been established from the date the claim was received. When an increased evaluation is granted



based on VA medical evidence showing an increase in disability after the date the claim was received, the effective date of the increase is the date the claim was received. (38 CFR 3.400)

We have assigned a 20 percent evaluation for your diabetic peripheral neuropathy, left lower extremity (also claimed as tingling in feet) based on:

- Moderate incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 40 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows nerve damage is moderately severe. (38 CFR 4.120, 38 CFR 4.124a)

5. Evaluation of diabetic peripheral neuropathy, left upper extremity (minor) (also claimed as tingling in fingers) currently evaluated as 10 percent disabling.

The evaluation of diabetic peripheral neuropathy, left upper extremity (minor) (also claimed as tingling in fingers) is increased to 20 percent disabling effective August 1, 2022. (38 CFR 4.1, 38 CFR 3.400)

The effective date of this grant is August 1, 2022. Entitlement to an increased evaluation has been established from the date the claim was received. When an increased evaluation is granted based on VA medical evidence showing an increase in disability after the date the claim was received, the effective date of the increase is the date the claim was received. (38 CFR 3.400)

We have assigned a 20 percent evaluation for your diabetic peripheral neuropathy, left upper extremity (minor) (also claimed as tingling in fingers) based on:

- Moderate incomplete paralysis of the minor extremity (38 CFR 4.124a)

A higher evaluation of 40 percent is not warranted for paralysis of the median nerve unless the evidence shows nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

6. Evaluation of diabetic peripheral neuropathy, right lower extremity (also claimed as tingling in feet) currently evaluated as 10 percent disabling.

The evaluation of diabetic peripheral neuropathy, right lower extremity (also claimed as tingling in feet) is increased to 20 percent disabling effective August 1, 2022. (38 CFR 4.1, 38 CFR 3.400)

The effective date of this grant is August 1, 2022. Entitlement to an increased evaluation has been established from the date the claim was received. When an increased evaluation is granted based on VA medical evidence showing an increase in disability after the date the claim was received, the effective date of the increase is the date the claim was received. (38 CFR 3.400)

We have assigned a 20 percent evaluation for your diabetic peripheral neuropathy, right lower extremity (also claimed as tingling in feet) based on:

- Moderate incomplete paralysis (38 CFR 4.124a)



A higher evaluation of 40 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows nerve damage is moderately severe. (38 CFR 4.120, 38 CFR 4.124a)

7. Evaluation of major depressive disorder (also claimed as recurrent and moderate) currently evaluated as 100 percent disabling.

The evaluation of major depressive disorder (also claimed as recurrent and moderate) is continued as 100 percent disabling.

We have assigned a 100 percent evaluation for your major depressive disorder (also claimed as recurrent and moderate) based on:

- Anxiety
- Chronic sleep impairment
- Depressed mood
- Difficulty in adapting to a worklike setting
- Difficulty in adapting to stressful circumstances
- Difficulty in adapting to work
- Difficulty in establishing and maintaining effective work and social relationships
- Difficulty in understanding complex commands
- Disturbances of motivation and mood
- Flattened affect
- Grossly inappropriate behavior
- Impaired abstract thinking
- Impaired impulse control
- Impaired judgment
- Impairment of short- and long-term memory
- Inability to establish and maintain effective relationships
- Intermittent inability to perform activities of daily living
- Intermittent inability to perform maintenance of minimal personal hygiene
- Mild memory loss
- Near-continuous depression affecting the ability to function independently, appropriately and effectively
- Neglect of personal appearance and hygiene
- Panic attacks (weekly)
- Persistent danger of hurting self
- Suicidal ideation
- Total occupational and social impairment

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 100 percent disability evaluation. (38 CFR 4.7, 38 CFR 4.126)

This is the highest schedular evaluation allowed under the law for major depressive disorder. (38 CFR 4.125, 38 CFR 4.126, 38 CFR 4.130)

There is no evidence of record that shows that you are unable to manage your financial affairs. (38 CFR 3.353)



JERMAINE BOURNE
110 82 3455
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8. Entitlement to individual unemployability.

Entitlement to individual unemployability is moot as you have been 100 percent disabled since November 13, 2015.

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 website, www.va.gov.



Fraud Prevention: Protect Your Benefits

Please contact the VA ***immediately*** at 1-800-827-1000 if you suspect your information is compromised.

- You receive correspondence from VA concerning a claim, and you don't remember filing a claim contact the VA at 1-800-827-1000.
- You receive correspondence requesting a processing fee prior to releasing benefit payments contact the VA at 1-800-827-1000.
- VA may check in with you by phone, email, or text message. The VA will **never ask for personal information via email**. This includes verification of your SSN, address, and/or bank information. If you are unsure about any call, email, or text, confirm details directly with the VA.
- VA **does not threaten** claimants with jail or lawsuits.
- Be cautious of telephone numbers on caller ID. Scammers may change the telephone number (spoofing) to make a call appear to come from a different person or place.
- When in doubt, hang up and call VA directly at 1-800-827-1000, or call your Power of Attorney representative (DAV, VFW, etc.).
- **Do not ignore emails or letters** from the VA notifying you of an update to direct deposit or eBenefits account information. If you don't remember making changes, it could be the first sign your information was compromised.
- Use secure, unique passwords, and two factor identification where available. To establish a more secure logon for Vets.gov and ebenefits.va.gov with two factor identification create an account via ID.me at <https://api.id.me/en/registration/new>
- Monitor your accounts regularly, respond to fraud alerts and report unauthorized transactions promptly.
- To learn more about protecting yourself from fraud, and how to report it visit <https://www.va.gov/oig/hotline/default.asp>, or go to VA.gov and search "Office of Inspector General".
- For more details on how to avoid scams go to <https://www.fcc.gov/veterans-targeted-benefits-scams>
- Download free financial scam awareness resources at <https://www.consumerfinance.gov/about-us/blog/helping-prevent-scams-targeted-veterans/>
- Get up-to-date information on fraud and scams from the Federal Trade Commission <https://public.tableau.com/profile/federal.trade.commission>