



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



VA File Number



**Rating Decision
05/31/2025**

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era, Peacetime and Vietnam Era. You served in the Air Force from June 23, 1974 to May 30, 1975, from November 4, 1994 to September 30, 1998, from September 20, 2001 to August 30, 2002, from February 19, 2003 to September 19, 2003 and from July 30, 2006 to August 22, 2006. You filed an original disability claim that was received on November 19, 2024. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

1. Service connection for irritable bowel syndrome (IBS) is granted with an evaluation of 30 percent effective November 19, 2024.
2. Service connection for other specified trauma and stressor related disorder (claimed as posttraumatic stress disorder (PTSD)) is granted with an evaluation of 30 percent effective November 19, 2024.
3. Service connection for scars post malignant skin lesions removal, disfigurement is granted with an evaluation of 10 percent effective November 19, 2024.
4. Service connection for chronic obstructive pulmonary disease (COPD) (claimed as respiratory





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symptoms) is granted with an evaluation of 0 percent effective November 19, 2024.

5. Service connection for scars post malignant skin lesions removal, anterior trunk is granted with an evaluation of 0 percent effective November 19, 2024.

6. Service connection for scars post malignant skin lesions removal, right upper extremity is granted with an evaluation of 0 percent effective November 19, 2024.

7. Entitlement to special monthly compensation based on housebound criteria being met is granted from November 19, 2024.

8. Basic eligibility to Dependents' Educational Assistance based on permanent and total disability status is established from November 19, 2024.

9. Service connection for dry eye syndrome is denied.

10. Service connection for gout condition is denied.

11. Service connection for left ankle condition is denied.

12. Service connection for left foot condition is denied.

13. Service connection for right ankle condition is denied.

14. Service connection for right foot condition is denied.

15. Service connection for chronic kidney disease stage 5 (claimed as kidney failure) associated with TERA participation is granted with an evaluation of 100 percent effective November 19, 2024.

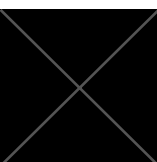
16. Service connection for voiding dysfunction (claimed as urinary frequency) is granted with an evaluation of 20 percent effective November 19, 2024.

17. Service connection for hypertension is denied.

18. Service connection for obstructive sleep apnea is denied.

EVIDENCE

- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, received November 19, 2024
- Service Treatment Records, for the period July 30, 2006 to August 22, 2006





- Service Personnel Records, for the period July 30, 2006 to August 22, 2006
- Toxic Exposure Risk Activity (TERA) Memorandum, November 25, 2024
- Disability Benefit Questionnaires with Medical Opinions, VES, received May 22, 2025
- VAMC (Veterans Affairs Medical Center) treatment records, Providence VAMC, for the period April 26, 2024 to April 7, 2025

REASONS FOR DECISION

1. Service connection for irritable bowel syndrome (IBS).

Service connection for irritable bowel syndrome (IBS) is granted with an evaluation of 30 percent effective November 19, 2024.

Service connection may be presumed for disabilities resulting from undiagnosed illnesses or diagnosed illnesses which arose to any degree at any time after service in the Southwest Asia theater of operations, Afghanistan, Israel, Egypt, Turkey, Syria, or Jordan, during the Gulf War period. Service connection for irritable bowel syndrome (IBS) has been awarded on the basis of this presumption. (38 USC 1117, 38 CFR 3.317)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for irritable bowel syndrome (IBS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

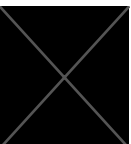
An evaluation of 30 percent is assigned from November 19, 2024.

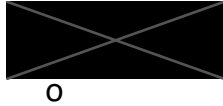
We have assigned a 30 percent evaluation for your irritable bowel syndrome based on:

- Abdominal bloating
- Abdominal pain related to defecation at least 1 day per week during the previous 3 months
- Altered stool passage (straining and/or urgency)
- Change in stool form
- Change in stool frequency
- Subjective distension

This is the highest schedular evaluation allowed under the law for irritable bowel syndrome (IBS). (38 CFR 4.113, 38 CFR 4.114)

2. Service connection for other specified trauma and stressor related disorder (claimed as posttraumatic stress disorder (PTSD)).





Service connection for other specified trauma and stressor related disorder (claimed as posttraumatic stress disorder (PTSD)) has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

An evaluation of 30 percent is assigned from November 19, 2024.

We have assigned a 30 percent evaluation for your post traumatic stress disorder based on:

- Chronic sleep impairment
- Depressed mood
- Flattened affect
- Occupational and social impairment due to mild or transient symptoms which decrease work efficiency and ability to perform occupational tasks only during periods of significant stress
- Suspiciousness

The overall evidentiary record shows that the severity of your disability most closely approximates the criteria for a 30 percent disability evaluation. (38 CFR 4.7, 38 CFR 4.126)

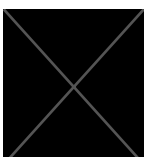
A higher evaluation of 50 percent is not warranted for a mental disorder unless the evidence shows occupational and social impairment with reduced reliability and productivity due to such symptoms as:

- Flattened affect
- Circumstantial, circumlocutory, or stereotyped speech
- Panic attacks more than once a week
- Difficulty in understanding complex commands
- Impairment of short- and long-term memory (e.g., retention of only highly learned material, forgetting to complete tasks)
- Impaired judgment
- Impaired abstract thinking
- Disturbances of motivation and mood
- Difficulty in establishing and maintaining effective work and social relationships. (38 CFR 4.125, 38 CFR 4.126, 38 CFR 4.130)

3. Service connection for scars post malignant skin lesions removal, disfigurement.

Service connection for scars post malignant skin lesions removal, disfigurement has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim.





(38 CFR 3.400)

An evaluation of 10 percent is assigned from November 19, 2024.

We have assigned a 10 percent evaluation for your skin cancer based on:

- One characteristic of disfigurement

Additional symptom(s) include:

- Scar 3 Location: Head, face, or neck
- Scar 3 type: scar
- Scar 4 Location: Head, face, or neck
- Scar 4 type: scar

Your third scar/area has a length of 1 cm and a width of 1 cm for a total area of 1 sq. cm.

Your fourth scar/area has a length of 2 cm and a width of 0.2 cm for a total area of 0.4 sq. cm.

An additional, separate compensable evaluation under Diagnostic Code 7804 is not warranted unless there is at least one scar that is painful or unstable. (38 CFR 4.118)

A higher evaluation of 30 percent is not warranted for burn scar(s), scar(s) due to other causes, or other disfigurement of the head, face, or neck unless the evidence shows:

- Two or three characteristics of disfigurement; or,
- Visible or palpable tissue loss and either gross distortion or asymmetry of one feature or paired set of features (nose, chin, forehead, eyes (including eyelids), ears (auricles), cheeks, lips). (38 CFR 4.118)

The eight characteristics of disfigurement, for purposes of evaluation under 38 CFR §4.118 are: scar 5 or more inches (13 or more cm) in length; scar at least one-quarter inch (0.6 cm) wide at widest part; surface contour of scar elevated or depressed on palpation; scar adherent to underlying tissue; skin hypo- or hyper-pigmented in an area exceeding six square inches (39 cm²); skin texture abnormal (irregular, atrophic, shiny, scaly, etc.) in an area exceeding six square inches (39 cm²); underlying soft tissue missing in an area exceeding six square inches (39 cm²); and, skin indurated and inflexible in an area exceeding six square inches (39 cm²). The characteristic(s) of disfigurement may be caused by one scar or by multiple scars; the characteristic(s) required to assign a particular evaluation need not be caused by a single scar in order to assign that evaluation. A characteristic of disfigurement, even if present in more than one scar, is only counted once for evaluation purposes.

4. Service connection for chronic obstructive pulmonary disease (COPD) (claimed as respiratory symptoms).

Service connection for chronic obstructive pulmonary disease (COPD) (claimed as respiratory symptoms) is granted with an evaluation of 0 percent effective November 19, 2024.





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Service connection may be presumed for disabilities resulting from undiagnosed illnesses or diagnosed illnesses which arose to any degree at any time after service in the Southwest Asia theater of operations, Afghanistan, Israel, Egypt, Turkey, Syria, or Jordan, during the Gulf War period. Service connection for chronic obstructive pulmonary disease (COPD) has been awarded on the basis of this presumption. (38 USC 1117, 38 CFR 3.317)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for chronic obstructive pulmonary disease (COPD) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

A noncompensable evaluation is assigned from November 19, 2024.

We have assigned a 0 percent evaluation for your respiratory symptoms based on:

- A diagnosed disability with no compensable symptoms

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)

When there is a disparity between the results of different Pulmonary Function Tests (PFTs), so that the level of evaluation would differ depending on which test result is used, the test result that the examiner states most accurately reflects the level of disability shall be used. In your case, the examiner has indicated that your FEV-1 most accurately reflects your level of disability. (38 CFR 4.96)

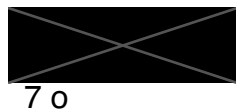
A higher evaluation of 10 percent is not warranted for chronic obstructive pulmonary disease unless the evidence shows:

- Diffusion Capacity of the Lung for Carbon Monoxide by the Single Breath Method (DLCO (SB)) of 66 to 80 percent predicted; or,
- FEV-1 to Forced Vital Capacity (FVC) (FEV-1/FVC) of 71 to 80 percent; or,
- Forced Expiratory Volume in One Second (FEV-1) of 71 to 80 percent predicted. (38 CFR 4.96, 38 CFR 4.97)

5. Service connection for scars post malignant skin lesions removal, anterior trunk.

Service connection for scars post malignant skin lesions removal, anterior trunk has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)





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The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

A noncompensable evaluation is assigned from November 19, 2024.

We have assigned a 0 percent evaluation for your skin cancer based on:

- Anterior trunk: area or areas less than 144 square inches (929 sq. cm.) (Not associated with underlying soft tissue damage)

Additional symptom(s) include:

- Scar / Area of the head, face or neck with no compensable symptoms
- Scar 2 Location: Anterior trunk
- Scar 2 type: scar

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 second scar/area has a length of 1 cm and a width of 1 cm for a total area of 1 sq. cm.

An additional, separate compensable evaluation under Diagnostic Code 7804 is not warranted unless there is at least one scar that is painful or unstable. (38 CFR 4.118)

A higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck, that are not associated with underlying soft tissue damage (anterior trunk) unless the evidence shows:

- Area or areas of 144 square inches (929 sq. cm.) or greater. (38 CFR 4.118)

Additionally, a higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck that are associated with underlying soft tissue damage (entire body) unless the evidence shows:

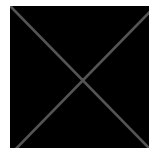
- Area or areas of at least 6 square inches (39 sq. cm.) but less than 12 square inches (77 sq. cm.). (38 CFR 4.118)

Additionally, a higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck, that are not associated with underlying soft tissue damage (entire body) unless the evidence shows:

- Area or areas of 144 square inches (929 sq. cm.) or greater. (38 CFR 4.118)

6. Service connection for scars post malignant skin lesions removal, right upper extremity.

Service connection for scars post malignant skin lesions removal, right upper extremity has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)





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The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

A noncompensable evaluation is assigned from November 19, 2024.

We have assigned a 0 percent evaluation for your skin cancer based on:

- Right upper extremity: area or areas less than 144 square inches (929 sq. cm.) (Not associated with underlying soft tissue damage)

Additional symptom(s) include:

- Scar / Area of the head, face or neck with no compensable symptoms
- Scar 1 Location: Right upper extremity
- Scar 1 type: scar

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 first scar/area has a length of 1 cm and a width of 1 cm for a total area of 1 sq. cm.

An additional, separate compensable evaluation under Diagnostic Code 7804 is not warranted unless there is at least one scar that is painful or unstable. (38 CFR 4.118)

A higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck, that are not associated with underlying soft tissue damage (right upper extremity) unless the evidence shows:

- Area or areas of 144 square inches (929 sq. cm.) or greater. (38 CFR 4.118)

Additionally, a higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck that are associated with underlying soft tissue damage (entire body) unless the evidence shows:

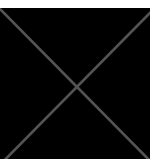
- Area or areas of at least 6 square inches (39 sq. cm.) but less than 12 square inches (77 sq. cm.). (38 CFR 4.118)

Additionally, a higher evaluation of 10 percent is not warranted for burn scar(s) or scar(s) due to other causes, not of the head, face, or neck, that are not associated with underlying soft tissue damage (entire body) unless the evidence shows:

- Area or areas of 144 square inches (929 sq. cm.) or greater. (38 CFR 4.118)

7. Entitlement to special monthly compensation based on housebound.

Entitlement to special monthly compensation based on housebound criteria being met is granted from November 19, 2024, the day of facts found. (38 CFR 3.400)





S-1 Entitled to special monthly compensation at the housebound rate (38 CFR 3.350(i)) on account of chronic kidney disease stage 5 rated 100 percent and additional service-connected disabilities of other specified trauma and stressor related disorder, scars post malignant skin lesions removal, disfigurement, voiding dysfunction, irritable bowel syndrome (IBS), independently ratable at 60 percent or more from November 19, 2024.

Entitlement to special monthly compensation is warranted in this case because criteria regarding housebound have been met. (38 CFR 3.350)

8. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35 based on permanent and total disability status.

Basic eligibility to Dependents' Educational Assistance based on permanent and total disability status is established from November 19, 2024, the day you became permanent and total for VA purposes. (38 CFR 3.400)

Eligibility for Dependents' Educational Assistance is derived from a Veteran who was discharged under other than dishonorable conditions; and has permanent and total service-connected disability(ies); or permanent and total disability(ies) existed at the time of death; or the Veteran died as a result of service-connected disability(ies). Also, eligibility exists for a service member who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power. Dependents' Educational Assistance (DEA) with additional compensation payments based on the student's school attendance is considered a duplication of benefits and is prohibited. (38 USC Chapter 35, 38 CFR 3.807, 38 CFR 21.3021)

Basic eligibility to Dependents' Educational Assistance is granted as the evidence shows you currently have a total service-connected disability, permanent in nature. (38 USC Chapter 35, 38 CFR 3.807, 38 CFR 21.3021)

9. Service connection for dry eye syndrome.

Service connection for dry eye syndrome is denied.

The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for dry eye syndrome is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)





10. Service connection for gout condition.

Service connection for gout condition is denied.

The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for gout condition is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)

Favorable Findings identified in this decision:

You have been diagnosed with a disability. Providence VAMC treatment records confirm a diagnosis of gout.

11. Service connection for left ankle condition.

Service connection for left ankle condition is denied.

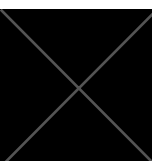
The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for left ankle condition is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)

12. Service connection for left foot condition.

Service connection for left foot condition is denied.

The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)





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Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for left foot condition is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)

13. Service connection for right ankle condition.

Service connection for right ankle condition is denied.

The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for right ankle condition is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)

14. Service connection for right foot condition.

Service connection for right foot condition is denied.

The evidence does not show an event, disease or injury in service. (38 CFR 3.303, 38 CFR 3.304) Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. (38 CFR 3.303) Service connection for right foot condition is denied since this condition neither occurred in nor was caused by service. (38 CFR 3.303, 38 CFR 3.304)

15. Service connection for chronic kidney disease stage 5 (claimed as kidney failure) as a result of a toxic exposure risk activity (TERA).

Service connection for chronic kidney disease stage 5 (claimed as kidney failure) associated with TERA participation is granted with an evaluation of 100 percent effective November 19, 2024.

Service connection may be granted for a condition diagnosed after military discharge provided evidence establishes that the condition was caused by service. Service connection may be granted on this basis for a disability related to toxic exposure risk activity (TERA) during military service if evidence demonstrates that the Veteran was actually exposed in service and





that a disease associated with such exposure resulted. (38 CFR 3.303, 38 CFR 3.304)

We considered whether your condition resulted from a toxic exposure risk activity (TERA) in service. (38 U.S.C. 1168, 38 U.S.C. 1710(e)(4)) The evidence of record shows participation in a TERA. Service connection for chronic kidney disease stage 5 has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

An evaluation of 100 percent is assigned from November 19, 2024.

We have assigned a 100 percent evaluation for your kidney failure based on:

- Eligible kidney transplant recipient

This is the highest schedular evaluation allowed based on renal dysfunction. (38 CFR 4.115a, 38 CFR 4.115b)

This is the highest schedular evaluation allowed under the law for chronic renal disease. (38 CFR 4.115a, 38 CFR 4.115b)

16. Service connection for voiding dysfunction (claimed as urinary frequency) as secondary to the service-connected disability of chronic kidney disease stage 5.

Service connection for voiding dysfunction has been established as related to the service-connected disability of chronic kidney disease stage 5 (claimed as urinary frequency). (38 CFR 3.303, 38 CFR 3.310)

The effective date of this grant is November 19, 2024. Service connection has been established from the day VA received your claim. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA received the claim. (38 CFR 3.400)

An evaluation of 20 percent is assigned from November 19, 2024.

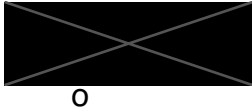
We have assigned a 20 percent evaluation for your urinary frequency based on:

- Daytime voiding interval between one and two hours

Additional symptom(s) include:

- Awakening to void two times per night
- Decreased force of stream
- Slow stream





- Weak stream

A higher evaluation of 30 percent is not warranted for obstructed voiding unless the evidence shows:

- Urinary retention requiring intermittent or continuous catheterization. (38 CFR 4.115a, 38 CFR 4.115b)

Additionally, a higher evaluation of 40 percent is not warranted for urinary frequency unless the evidence shows:

- Awakening to void five or more times per night; or, daytime voiding interval less than one hour. (38 CFR 4.115a, 38 CFR 4.115b)

Additionally, a higher evaluation of 40 percent is not warranted for voiding dysfunction unless the evidence shows:

- The wearing of absorbent materials which must be changed two to four times per day is required. (38 CFR 4.115a, 38 CFR 4.115b)

17. Service connection for hypertension.

Service connection for hypertension is denied.

Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. (38 CFR 3.303, 38 CFR 3.304) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a condition diagnosed after military discharge provided evidence establishes that the condition was caused by service. Service connection may be granted on this basis for a disability related to toxic exposure risk activity (TERA) during military service if evidence demonstrates that the Veteran was actually exposed in service and that a disease associated with such exposure resulted. (38 CFR 3.303, 38 CFR 3.304)

We considered whether your condition resulted from a toxic exposure risk activity (TERA) in service. (38 U.S.C. 1168, 38 U.S.C. 1710(e)(4)) The evidence of record shows participation in a TERA.

There is no basis in the available evidence of record to establish service connection for hypertension. This condition did not happen in military service, nor was it aggravated or caused by service. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.306)

Favorable Findings identified in this decision:

Participation in a toxic exposure risk activity is conceded due to your service in Southwest Asia.

You have been diagnosed with a disability. Providence VAMC treatment records confirm a





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diagnosis of hypertension.

18. Service connection for obstructive sleep apnea.

Service connection for obstructive sleep apnea is denied.

Your service treatment records do not contain complaints, treatment, or diagnosis for this condition. (38 CFR 3.303, 38 CFR 3.304) The evidence does not show a current diagnosed disability. (38 CFR 3.159, 38 CFR 3.303) We did not find a link between your medical condition and military service. (38 CFR 3.303)

Service connection may be granted for a condition diagnosed after military discharge provided evidence establishes that the condition was caused by service. Service connection may be granted on this basis for a disability related to toxic exposure risk activity (TERA) during military service if evidence demonstrates that the Veteran was actually exposed in service and that a disease associated with such exposure resulted. (38 CFR 3.303, 38 CFR 3.304)

We considered whether your condition resulted from a toxic exposure risk activity (TERA) in service. (38 U.S.C. 1168, 38 U.S.C. 1710(e)(4)) The evidence of record shows participation in a TERA.

It has not been established that obstructive sleep apnea resulted from TERA participation in this case because the evidence does not show a diagnosis of obstructive sleep apnea. (38 CFR 3.303, 38 CFR 3.304)

Favorable Findings identified in this decision:

Participation in a toxic exposure risk activity is conceded due to your exposure in Southwest Asia.

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.

