



July 16, 2024

ROBERT RUKAVINA
9146 S 1300 E
SANDY UT 84094

We made a decision on your VA benefits.

Dear Robert Rukavina:

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.

Your Benefit Information:

- Service connection for tinnitus is granted with an evaluation of 10 percent effective February 16, 2024.
- Evaluation of chronic rhinitis, which is currently 0 percent disabling, is continued.
- Evaluation of sinusitis, which is currently 0 percent disabling, is continued.
- The previous denial of service connection for fibromyalgia is confirmed and continued.
- The previous denial of service connection for headaches is confirmed and continued.

Your combined rating evaluation is:

Combined Rating Evaluation	Effective Date
60%	Nov 2, 2011
80%	Nov 15, 2012
80%	Aug 10, 2022
90%	Jul 25, 2023
90%	Feb 16, 2024

How VA Combines Percentages

If you have more than one condition, VA will combine percentages to

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 DISABLED AMERICAN VETERANS 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* by dialing 988 and then pressing 1.



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>.

As a Veteran with a service-connected disability, you may be eligible for up to \$40,000 in VA life insurance benefits. Veterans Affairs Life Insurance (VALife) is guaranteed acceptance whole life insurance available to all service-connected, disabled veterans with no time limit to apply as long as you are age 80 or under. Veterans age 81 and over are still eligible in certain circumstances. Visit the VALife Insurance website, <https://www.va.gov/life-insurance/options-eligibility/valife/>, for further information.

Your compensation payment will continue unchanged.

Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason
\$2,366.91	Dec 1, 2023	Cost of Living Adjustment
\$2,241.91	Oct 15, 2028	Minor Child Adjustment

We are currently paying you as a Veteran with one dependent. *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.

Important: If you have a service-connected condition which you feel has worsened and is no longer accurately reflected by the level of disability assigned, please use VA Form 21-526EZ, *Application for Disability Compensation and Related Compensation Benefits* to request an increased evaluation. However, if you disagree with a decision made within the last year, please refer to the enclosed VA Form 20-0998, *Your Right To Seek Review Of Our Decision*. If you would like us to review a claim that was denied more than one year ago, and you have new and relevant evidence for us to consider, please use VA Form 20-0995, *Decision Review Request: Supplemental Claim*.

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



File Number: 529557495
RUKAVINA, ROBERT

cc: DISABLED AMERICAN VETERANS



Explanation of Payment

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

Payment Start Date	Award Dependent(s)
Dec 1, 2023	JAXON
Oct 15, 2028	None

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 expense.



Evidence received shows a change is warranted.
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 Employment: <ul style="list-style-type: none">• <u>Education, training, and employment:</u> For more information, please call 1-800-827-1000 or visit www.va.gov/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/.• <u>Dental Benefits:</u> 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: <ul style="list-style-type: none">• <u>Loans:</u> 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.
- **Government life insurance:** As a Veteran with a service-connected disability, you may be eligible for up to \$40,000 in VA life insurance benefits. Veterans Affairs Life Insurance (VALife) is guaranteed acceptance whole life insurance available to all service-connected, disabled veterans with no time limit to apply as long as you are age 80 or under. Veterans age 81 and over are still eligible in certain circumstances. For more information on VALife, please visit <https://www.va.gov/life-insurance/options-eligibility/valife/>.

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.

Veterans Signals (VSignals), a VA Customer Experience Survey

VA is conducting short surveys to gather feedback regarding the new decision review process. VA will randomly select survey participants from individuals who filed a request for a decision review. The survey will be sent via email and should take less than three minutes to complete. If selected, you will receive a survey within 10 days of the date on your notification letter. To be considered for VA surveys, please review your va.gov profile and ensure we have your current email address. The survey may not route to your inbox, so please check your junk folder.



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.**

Veterans Crisis Line:
Dial 988 then Press 1

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*	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>
Scan QR Code to Access Form			
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.



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.

* All forms listed are available at www.va.gov/find-forms/ or use your mobile device camera to scan the QR code to take you directly to the form you select.

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 can find a searchable database of VA-recognized representatives at www.va.gov/ogc/apps/accreditation.

Scan the QR Code to Open the Appropriate Decision Review Website Page



**Supplemental
Claim**



**Higher-Level
Review**



**Board
Appeal**



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

ROBERT RUKAVINA

**VA File Number
529 55 7495**

**Represented By:
DISABLED AMERICAN VETERANS
Rating Decision
07/13/2024**

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era. You served in the Navy from January 28, 2009 to November 1, 2011. We received your supplemental claim on March 7, 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 tinnitus is granted with an evaluation of 10 percent effective February 16, 2024.
2. Evaluation of chronic rhinitis, which is currently 0 percent disabling, is continued.
3. Evaluation of sinusitis, which is currently 0 percent disabling, is continued.
4. The previous denial of service connection for fibromyalgia is confirmed and continued.
5. The previous denial of service connection for headaches is confirmed and continued.



EVIDENCE

- VA AUDIO Hearing Loss and Tinnitus Examination, received on April 22, 2024
- VA NEURO Fibromyalgia, ENT Sinusitis, Rhinitis & Other ENT Conditions, NEURO Headaches (including migraine headaches), Medical Opinion Examination, received on March 14, 2024
- VA Medical Center, received on March 11, 2024
- Automated Review Summary Document, received on March 8, 2024
- VA Form 21-4138, Statement In Support of Claim, received on March 7, 2024
- Medical Treatment Record - Government Facility, received on March 7, 2024
- VA Form 20-0995, Supplemental Claim Application, received on March 7, 2024
- Intent to File Letter, received on February 16, 2024

REASONS FOR DECISION

1. Service connection for tinnitus.

Service connection for tinnitus has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is February 16, 2024. Service connection has been established from the day VA received your intent to file (ITF) a claim for compensation. When a claim of service connection is received more than one year after discharge from active duty, the effective date is the date VA receives the intent to file when a prescribed form is received within a year of the ITF. (38 CFR 3.155, 38 CFR 3.400)

A claimant may continuously pursue a claim by timely and properly filing a supplemental claim. "Timely" means the supplemental claim is submitted within one year of the VA decision. "Properly" means VA form 20-0995, Decision Review Request: Supplemental Claim, is completed and submitted along with new and relevant evidence. (38 CFR 3.2500, 38 CFR 3.2501)

If the claim is not continuously pursued and benefits are granted, the effective date will be the date entitlement arose, but will not be earlier than the date of receipt of the supplemental claim currently under review. (except as otherwise provided by other regulations including 38 CFR 3.400)

An evaluation of 10 percent is assigned from February 16, 2024.

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

- Recurrent

A single evaluation for recurrent tinnitus is assigned whether the sound is perceived in one ear, both ears, or in the head.



This is the highest schedular evaluation allowed under the law for tinnitus. (38 CFR 4.87)

2. Evaluation of chronic rhinitis currently evaluated as 0 percent disabling.

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 reviewed the evidence received and determined your service-connected condition(s) hasn't/haven't increased in severity sufficiently to warrant a higher evaluation.

The evaluation of chronic rhinitis is continued as 0 percent disabling.

We have assigned a 0 percent evaluation for your chronic rhinitis based on:

- Rhinitis without polyps

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 10 percent is not warranted for allergic rhinitis unless the evidence shows:

- Rhinitis without polyps, but with greater than 50 percent obstruction of the nasal passages on both sides; or complete obstruction of the nasal passages on one side. (38 CFR 4.97)

3. Evaluation of sinusitis currently evaluated as 0 percent disabling.

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 reviewed the evidence received and determined your service-connected condition(s) hasn't/haven't increased in severity sufficiently to warrant a higher evaluation.

The evaluation of sinusitis is continued as 0 percent disabling.

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

- Pain
- Tenderness



A higher evaluation of 10 percent is not warranted for sinusitis, maxillary, chronic unless the evidence shows:

- One or two incapacitating episodes per year of sinusitis requiring prolonged (lasting four to six weeks) antibiotic treatment; or,
- Three to six non-incapacitating episodes per year of sinusitis characterized by headaches, pain, and purulent discharge or crusting. (38 CFR 4.97)

Your VA examination dated March 14, 2024 note your examiner has noted that your sinusitis has resolved.

4. Service connection for fibromyalgia.

A claimant may file a supplemental claim by submitting or identifying new and relevant evidence. New evidence is evidence not previously part of the actual record before agency adjudicators. Relevant evidence means evidence that tends to prove or disprove a matter at issue in a claim. (38 CFR 3.2501) In support of your claim, new and relevant evidence has been received and your claim is now reconsidered.

The evidence does not support a change in our prior decision. Therefore, we are confirming the previous denial of this claim. Service connection for this condition remains denied as the evidence continues to show this condition was not incurred in or aggravated by military service. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.306)

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 fibromyalgia is denied since there is no evidence the claimed condition exists. (38 CFR 3.303, 38 CFR 3.304)

Your claim for service connection for fibromyalgia is denied as there is no evidence of a chronic condition related to your military 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 an event, disease or injury in service. (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)

Your VA examination dated March 14, 2024 opine the claimed condition was less likely than not (likelihood is less than approximately balanced or nearly equal) caused by the indicated toxic exposure risk activity(ies), after considering the total potential exposure through all applicable military deployments of the Veteran and the synergistic, combined effect of all toxic exposure risk activities of the Veteran.

Provide rationale: Review of the medical records show the veteran was diagnosed with fibromyalgia on 5/13/14 with primary complaints being back related (mid to lower thoracic) and



1/3 tender points (unspecified). Veteran was prescribed amitriptyline and venlafaxine but stopped because they didn't work.

C&P examination (August 14, 2014) performed by Dr. David Peterson shows that there was no diagnosis of fibromyalgia by exam, "On exam for C&P by me today there is no diagnosis of FMS." Please note that fibromyalgia is not typically localized to one region like the back. It is characterized as widespread musculoskeletal pain that effects both the upper and lower parts of the body. Addendum (10/6/14) shows the veteran presented to Dr. R Brench Blackham at Intermountain Neuroscience Institute for his back pain and "...agreed that pt's pain was myofascial..." Myofascial pain is NOT synonymous with fibromyalgia. Myofascial pain is a defined as "a regional pain disorder caused by the presence of trigger points within muscles or their fascia (figure 2) [10,11]. It has been described as "hyperirritable spots, usually within a taut band of skeletal muscle or in the muscle's fascia that is painful on compression and can give rise to characteristic referred pain, tenderness, and autonomic phenomena" [12]." (UpToDate) Review of the medical records does not show that the veteran currently meets diagnostic criteria for fibromyalgia, has clinical suspicion of such and/or is being treated for fibromyalgia. Therefore, there is no disability pattern to categorize.

Per Uptodate, "Explicit in the definition of FM is the exclusion of other conditions that can present with widespread pain. However, FM is often associated with other conditions that may cause musculoskeletal pain, disruption of sleep, or psychiatric symptoms; features of these conditions may also mimic FM, and the presence of such disorders should be considered in the diagnostic evaluation." "Fibromyalgia is diagnosed when characteristic features are present and other medical conditions have been excluded as the cause of the patient's symptoms."

Please note that the veteran is SC for muscular ligamentous strain of the cervical spine (20% effective November 12, 2011) and thoracic spine strain (20% effective November 2, 2011). Medical notes show that the veteran has complaints of chronic back pain which has been relieved with weight loss and exercise, Transitional pain services May 9, 2023, "ASSESSMENT/PLAN: veteran seen in SDS and the role of TPS was introduced for upcoming R IHR. Dr. Kimberlee Bayless APRN was present. veteran reports chronic pain in the back and has relieved some of the pain he reports from losing weight and exercise." Primary Care Behavioral Health October 5, 2023 shows the veteran was running 30 mins each morning prior to losing his employment, "Physical activity Veteran reported that when he was last employed, he ran 30 minutes each morning before work, but that he has not maintained that routine since losing employment."

Favorable Findings identified in this decision:

Evidence shows that you performed service in Jordan.

You have sufficient service to meet the minimum requirements for presumptive service connection.

You were exposed to toxicants during military service.



5. Service connection for headaches.

A claimant may file a supplemental claim by submitting or identifying new and relevant evidence. New evidence is evidence not previously part of the actual record before agency adjudicators. Relevant evidence means evidence that tends to prove or disprove a matter at issue in a claim. (38 CFR 3.2501) In support of your claim, new and relevant evidence has been received and your claim is now reconsidered.

The evidence does not support a change in our prior decision. Therefore, we are confirming the previous denial of this claim. Service connection for this condition remains denied as the evidence continues to show this condition was not incurred in or aggravated by military service. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.306)

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 headaches is denied since there is no evidence the claimed condition exists. (38 CFR 3.303, 38 CFR 3.304)

Your claim for service connection for headaches is denied as there is no evidence of a chronic condition related to your military 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 an event, disease or injury in service. (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)

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)

Your VA examination dated March 14, 2024 opine at this time there is insufficient objective medical evidence of a diagnosed headache condition, therefore, there is no disability pattern to categorize. Medical records do not show complaints, evaluation(s), workup (to include labs, imaging), diagnosis and/or treatment for a headache condition. Please note that headaches are one of the most common complaints/symptoms in the general population. Headaches can be triggered by an assortment of things such as diet, caffeine, substance use, hormones, sensory stimulus (i.e. sounds/noise, odors, lights), mental health, stress, changes in environment (i.e. weather, travel, seasons, altitude), illness, clenching/grinding teeth, exercise and/or habits (i.e. dieting, skipping meals, irregular physical activity, sleep patterns, schedule changes). The claimed condition was less likely than not (likelihood is less than approximately balanced or nearly equal) caused by the indicated toxic exposure risk activity(ies), after considering the total potential exposure through all applicable military deployments of the Veteran and the synergistic, combined effect of all toxic exposure risk activities of the Veteran.



ROBERT RUKAVINA
529 55 7495
7 of 7

Favorable Findings identified in this decision:

Evidence shows that you performed service in Jordan.

You have sufficient service to meet the minimum requirements for presumptive service connection.

You were exposed to toxicants during military service.

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>