



April 11, 2025

JAMES FREDERICK LIVINGSTON
1273 OLD TAMAH RD,
IRMO SC 29063

We made a decision on your VA benefits.

Dear James Livingston:

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 left hip condition with degenerative arthritis, other than post-traumatic is granted with an evaluation of 10 percent effective August 14, 2024.
- Service connection for right hip condition with degenerative arthritis, other than post-traumatic is granted with an evaluation of 10 percent effective August 14, 2024.
- Service connection for right knee condition with patellar tendinopathy is granted with an evaluation of 10 percent effective August 14, 2024.
- Service connection for high, impairment of right hip is granted with an evaluation of 0 percent effective August 14, 2024.
- Service connection for left hand condition with chronic pain and deformity of index finger with arthritis is granted with an evaluation of 0 percent effective August 14, 2024.
- Service connection for thigh, impairment of left hip is granted with an evaluation of 0 percent effective August 14, 2024.
- Service connection for thigh, limitation of extension of left hip is granted with an evaluation of 0 percent effective August 14, 2024.
- Service connection for thigh, limitation of extension of right hip is granted with an evaluation of 0 percent effective August 14, 2024.
- Service connection for bilateral hearing loss is denied.
- A decision on entitlement to compensation for lower back condition with chronic pain is deferred.

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.va.gov
Phone: 1-800-827-1000
TDD: 711
To send questions online: visit
<https://ask.va.gov/>

Social Media:

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

Your representative:

You appointed VETERANS OF FOREIGN WARS OF THE US 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.



Combined Rating Evaluation	Effective Date
70%	Sep 9, 2019
70%	Aug 19, 2020
80%	Aug 14, 2024

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>.

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 monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason
\$2,365.01	Sep 1, 2024	Compensation Rating Adjustment
\$2,424.89	Dec 1, 2024	Cost of Living Adjustment
\$2,340.89	Jan 29, 2028	Minor Child Adjustment
\$2,214.89	Dec 11, 2029	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 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*.



LIVINGSTON, JAMES F

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.

You may also use the following link to access your Public Contact representative at your local VA Regional Office for assistance at <https://va.my.site.com/VAVERA/s/>.

Thank you for your service,

Regional Office Director

cc: VETERANS OF FOREIGN WARS OF THE US



Explanation of Payment

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

Payment Start Date	Award Dependent(s)
Sep 1, 2024	JACKSON, ANGELA, PRESTON
Dec 1, 2024	JACKSON, ANGELA, PRESTON
Jan 29, 2028	ANGELA, PRESTON
Dec 11, 2029	ANGELA

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.
<p>Military Pay or Worker's Compensation: Your payments may be affected by the following, which you must bring to our attention:</p> <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.
<p>Dependents: If you have a disability rating of 30 percent or more, you must advise VA of any change with your spouse or children.</p>
<p>Hospitalization: If your award includes Aid and Attendance benefits, we may reduce this</p>



Evidence received shows a change is warranted.
additional allowance if you are admitted to a hospital, nursing home, or domiciliary care at VA 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 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 https://www.va.gov/disability/eligibility/special-claims/clothing-allowance/.• <u>VA Medical Care:</u> Present a copy of this notification letter to the Patient Registration/Eligibility Section at your nearest VA Medical Center https://www.va.gov/find-locations.• <u>Dental Benefits:</u> For more information, please contact your nearest VA Medical Center or outpatient clinic https://www.va.gov/find-locations.



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.
- 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.



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 are entitled to a hearing at any time in the supplemental claim process.</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.
 - If you wish to have a hearing during the supplemental claim process, you can contact us online through Ask VA: <https://ask.va.gov/> or call us toll-free at 1-800-827-1000 (TTY:711).

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 or claims for life insurance - 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**

JAMES LIVINGSTON

**VA File Number
624 01 1213**

**Represented By:
VETERANS OF FOREIGN WARS OF THE US
Rating Decision
04/10/2025**

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era. You served in the Navy from March 27, 1996 to November 17, 2005. You filed a new claim for benefits that was received on December 9, 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 left hip condition with degenerative arthritis, other than post-traumatic is granted with an evaluation of 10 percent effective August 14, 2024.
2. Service connection for right hip condition with degenerative arthritis, other than post-traumatic is granted with an evaluation of 10 percent effective August 14, 2024.
3. Service connection for right knee condition with patellar tendinopathy is granted with an evaluation of 10 percent effective August 14, 2024.
4. Service connection for high, impairment of right hip is granted with an evaluation of 0 percent



effective August 14, 2024.

5. Service connection for left hand condition with chronic pain and deformity of index finger with arthritis is granted with an evaluation of 0 percent effective August 14, 2024.

6. Service connection for thigh, impairment of left hip is granted with an evaluation of 0 percent effective August 14, 2024.

7. Service connection for thigh, limitation of extension of left hip is granted with an evaluation of 0 percent effective August 14, 2024.

8. Service connection for thigh, limitation of extension of right hip is granted with an evaluation of 0 percent effective August 14, 2024.

9. Service connection for bilateral hearing loss is denied.

10. A decision on entitlement to compensation for lower back condition with chronic pain is deferred.

EVIDENCE

- VA Form 21-0966, Intent To File A Claim For Compensation and/or Pension, or Survivors Pension and/or DIC, received August 14, 2024
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, received December 9, 2024
- Previous Rating Decision - Narrative, received on August 3, 2021
- DD Form 214, Certificate of Release or Discharge From Active Duty, received September 23, 2020, for the period of service dated March 27, 1996 to November 17, 2005
- Service treatment records, received December 13, 2005, for the period of service dated March 27, 1996 to November 17, 2005
- Military Personnel records, received September 23, 2020, for the period of service dated March 27, 1996 to November 17, 2005
- C&P Exam, Optum, DBQ Medical Opinion, conducted December 27, 2024
- C&P Exam, Optum, DBQ Medical Opinion, conducted December 27, 2024
- C&P Exam, Optum, DBQ Medical Opinion, conducted December 27, 2024
- AUDIO Hearing loss and tinnitus Disability Benefits Questionnaire, conducted by Optum, January 9, 2025
- MUSC Hip and Thigh Disability Benefits Questionnaire, conducted by Optum, December 27, 2024
- MUSC Hand and Finger Disability Benefits Questionnaire, conducted by Optum, December 27, 2024

REASONS FOR DECISION



1. Service connection for left hip condition with degenerative arthritis, other than post-traumatic.

Service connection for left hip condition with degenerative arthritis, other than post-traumatic has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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)

An evaluation of 10 percent is assigned from August 14, 2024.

We have assigned a 10 percent evaluation for your left hip condition based on:

- Painful motion of the hip. (38 CFR §4.59 allows consideration of functional loss due to painful motion to be rated to at least the minimum compensable rating for a particular joint. Since you demonstrate painful motion of the thigh at the hip, the minimum compensable evaluation of 10 percent is assigned.)

Additional symptom(s) include:

- Flexion of the thigh beyond 45 degrees
- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

The provisions of 38 CFR §4.40 and §4.45 concerning functional loss due to pain, fatigue, weakness, or lack of endurance, incoordination, and flare-ups, as cited in *DeLuca v. Brown* and *Mitchell v. Shinseki*, have been considered and applied under 38 CFR §4.59.

A higher evaluation of 20 percent is not warranted for limitation of flexion of the thigh unless the evidence shows:

- Flexion of the thigh limited to 21-30 degrees. (38 CFR 4.71a)

2. Service connection for right hip condition with degenerative arthritis, other than post-traumatic.

Service connection for right hip condition with degenerative arthritis, other than post-traumatic has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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)

An evaluation of 10 percent is assigned from August 14, 2024.

We have assigned a 10 percent evaluation for your right hip condition based on:

- Painful motion of the hip. (38 CFR §4.59 allows consideration of functional loss due to painful motion to be rated to at least the minimum compensable rating for a particular joint. Since you demonstrate painful motion of the thigh at the hip, the minimum compensable evaluation of 10 percent is assigned.)

Additional symptom(s) include:

- Flexion of the thigh beyond 45 degrees
- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

The provisions of 38 CFR §4.40 and §4.45 concerning functional loss due to pain, fatigue, weakness, or lack of endurance, incoordination, and flare-ups, as cited in DeLuca v. Brown and Mitchell v. Shinseki, have been considered and applied under 38 CFR §4.59.

A higher evaluation of 20 percent is not warranted for limitation of flexion of the thigh unless the evidence shows:

- Flexion of the thigh limited to 21-30 degrees. (38 CFR 4.71a)

3. Service connection for right knee condition with patellar tendinopathy.

Service connection for right knee condition with patellar tendinopathy has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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)

An evaluation of 10 percent is assigned from August 14, 2024.

We have assigned a 10 percent evaluation for your right knee condition with chronic pain based on:

- Painful motion of the knee (38 CFR §4.59 allows consideration of functional loss due to painful motion to be rated to at least the minimum compensable rating for a particular joint. Since you demonstrate painful motion of the knee, the minimum compensable evaluation of 10 percent is



assigned)

The provisions of 38 CFR §4.40 and §4.45 concerning functional loss due to pain, fatigue, weakness, or lack of endurance, incoordination, and flare-ups, as cited in *DeLuca v. Brown and Mitchell v. Shinseki*, have been considered and applied under 38 CFR §4.59.

A higher evaluation of 20 percent is not warranted for limitation of flexion of the knee unless the evidence shows:

- Limitation of flexion of 16 to 30 degrees. (38 CFR 4.71a)

Additionally, a higher evaluation of 20 percent is not warranted for limitation of extension of the knee unless the evidence shows:

- Limitation of extension of 15 to 19 degrees. (38 CFR 4.71a)

4. Service connection for high, impairment of right hip.

Service connection for high, impairment of right hip has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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 noncompensable evaluation is assigned from August 14, 2024.

We have assigned a 0 percent evaluation for your right hip condition based on:

- Limitation of abduction of the thigh, motion possible beyond 10 degrees
- Limitation of adduction of the thigh, can cross legs
- Limitation of internal rotation of the thigh
- Limitation of rotation of the thigh, can toe-out more than 15 degrees on the affected leg

Additional symptom(s) include:

- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

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 limitation of extension of the thigh unless



the evidence shows:

- Extension of the thigh limited to 5 degrees. (38 CFR 4.71a)

Additionally, a higher evaluation of 10 percent is not warranted for limitation of flexion of the thigh unless the evidence shows:

- Flexion of the thigh limited to 31-45 degrees. (38 CFR 4.71a)

Additionally, a higher evaluation of 10 percent is not warranted for impairment of the thigh unless the evidence shows:

- Limitation of adduction of the thigh, cannot cross legs; or,
- Limitation of rotation of the thigh, cannot toe-out more than 15 degrees on the affected leg. (38 CFR 4.71a)

5. Service connection for left hand condition with mallet fingers

Service connection for left hand condition with chronic pain and deformity of index finger with arthritis has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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 noncompensable evaluation is assigned from August 14, 2024.

A noncompensable evaluation is assigned unless motion of a joint is significantly limited. (38 CFR 4.69, 38 CFR 4.71a, 38 CFR 4.31)

6. Service connection for thigh, impairment of left hip.

Service connection for Thigh, impairment of left hip has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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 noncompensable evaluation is assigned from August 14, 2024.

We have assigned a 0 percent evaluation for your left hip condition based on:



- Limitation of abduction of the thigh, motion possible beyond 10 degrees
- Limitation of adduction of the thigh, can cross legs
- Limitation of internal rotation of the thigh
- Limitation of rotation of the thigh, can toe-out more than 15 degrees on the affected leg

Additional symptom(s) include:

- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

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 limitation of extension of the thigh unless the evidence shows:

- Extension of the thigh limited to 5 degrees. (38 CFR 4.71a)

Additionally, a higher evaluation of 10 percent is not warranted for limitation of flexion of the thigh unless the evidence shows:

- Flexion of the thigh limited to 31-45 degrees. (38 CFR 4.71a)

Additionally, a higher evaluation of 10 percent is not warranted for impairment of the thigh unless the evidence shows:

- Limitation of adduction of the thigh, cannot cross legs; or,
- Limitation of rotation of the thigh, cannot toe-out more than 15 degrees on the affected leg. (38 CFR 4.71a)

7. Service connection for thigh, limitation of extension of left hip.

Service connection for thigh, limitation of extension of left hip has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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 noncompensable evaluation is assigned from August 14, 2024.

We have assigned a 0 percent evaluation for your left hip condition based on:

- Extension of the thigh limited beyond 5 degrees



Additional symptom(s) include:

- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

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 limitation of extension of the thigh unless the evidence shows:

- Extension of the thigh limited to 5 degrees. (38 CFR 4.71a)

8. Service connection for thigh, limitation of extension of right hip.

Service connection for thigh, limitation of extension of right hip has been established as directly related to military service. (38 CFR 3.303, 38 CFR 3.304)

The effective date of this grant is August 14, 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 noncompensable evaluation is assigned from August 14, 2024.

We have assigned a 0 percent evaluation for your right hip condition based on:

- Extension of the thigh limited beyond 5 degrees

Additional symptom(s) include:

- Painful Abduction
- Painful Adduction
- Painful Extension
- Painful External Rotation
- Painful Internal Rotation

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 limitation of extension of the thigh unless the evidence shows:

- Extension of the thigh limited to 5 degrees. (38 CFR 4.71a)



9. Service connection for bilateral hearing loss.

Service connection may not be established for disability due to impaired hearing unless the auditory threshold in any of the frequencies 500, 1000, 2000, 3000, or 4000 Hertz is 40 decibels or greater; or the auditory thresholds for at least three of the frequencies 500, 1000, 2000, 3000, or 4000 Hertz are 26 decibels or greater; or speech recognition scores using the Maryland CNC Test are less than 94 percent. (38 CFR 3.385)

In this case, the evidence of record does not show audiometric findings which meet the criteria for a grant of service connection for defective hearing.

Service connection may be granted for a disability which began in military service or was caused by some event or experience in service. Service connection for bilateral hearing loss is denied because the medical evidence of record fails to show that this disability has been clinically diagnosed. (38 CFR 3.303, 38 CFR 3.304)

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

Service connection for bilateral hearing loss is denied since this condition neither occurred in nor was caused by service. (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)

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.

10. Compensation for lower back condition with chronic pain.

The issue of compensation for lower back condition with chronic pain is deferred for the following information: VA medical opinion

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



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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>