

# ADDENDUM

## • VA Compensation & Pension (C&P) Examinations • (Unofficial Guide for Veterans in Thailand) (Published January 2020)

**Date: July 15, 2020**

1. **(Paragraph 8) Disability Benefits Questionnaire (DBQ)**. Effective April 1, 2020, the Department of Veterans Affairs (VA) removed all public facing DBQs from VA.gov.

**Reason:** FRAUD. Over the years, a number of companies had been offering medical evaluation services to Veterans that resulted in one or more completed DBQs. Many of the associated DBQ results were determined by VA to have been falsified. This is the reason why VA increasingly still scheduled a C&P exam even though a DBQ had already been completed by a private medical practitioner.

2. **(Paragraph 9) Medical Diagnoses**. See the paragraph 19 notation immediately below.

3. **(Paragraph 19) Review Completed DBQ**. VA continues to use electronic DBQs for C&P exams scheduled through Veterans Evaluation Services (VES) and paper DBQs for C&P exams scheduled through the U.S. Embassy. These DBQs are not available to the Veteran for review prior to a C&P exam.

4. **(Final Notes) “Self-Requested” Disability Exam**. VA is aware that DBQs continue to be shared in the public domain. Even though VA is still accepting these DBQs as evidence from private medical practitioners, VA is placing little weight on this private DBQ evidence due to the aforementioned fraud. VA recommends private medical practitioners write narrative-based medical reports instead.

5. The next planned review/update of this guide will be in 2021. Thank You for Serving!

**DBQ Removal:** [https://www.benefits.va.gov/compensation/dbq\\_disabilityexams.asp](https://www.benefits.va.gov/compensation/dbq_disabilityexams.asp)

## • VA Compensation & Pension (C&P) Examinations • (Unofficial Guide for Veterans in Thailand)

Tips for maximizing your Department of Veterans Affairs (VA)-requested Compensation and Pension (C&P) (and Appeals) Examination (for disability compensation benefits). **Know What to Expect:** <https://www.benefits.va.gov/compensation/claimexam.asp>.

**This unofficial guide covers VA C&P Examinations** (“C&P exam”), and not the full disability compensation benefits claims process. To begin, a C&P examiner’s case involvement is limited to the exam and he/she doesn’t know the status of a Veteran’s claim (only a VA regional office can answer questions about your claim). As a doctor who has performed a number of C&P exams, I have found that some Veterans arrive well-prepared for the exam, while others have not. Prudent Veterans actively manage their claims throughout the entire process, especially C&P exams.

**A C&P exam is for a medical evaluation, not treatment.** Being thoroughly prepared for your exam may lead to a favorable disability rating decision from the VA and possibly avoid the need to appeal one or more rating decisions (some appeals can be lengthy). There is always something new to learn about this process. I have compiled a list of tips and advice I have learned to-date.

1. **Your Contact Details.** Ensure Pittsburgh VA Regional Office has **your** current local mailing address, **your** phone number and email address, and that **you are readily reachable**. Less evidence due to a missed C&P exam typically results in an unfavorable rating decision.
2. **Scheduling and Payment.** The VA uses either Veterans Evaluation Services (VES) (VA contractor) or the U.S. Embassy to schedule a C&P exam (based upon the medical condition being evaluated). For VES-scheduled exams, VES will give you a brief questionnaire to complete followed by an appointment time and location for the C&P exam (facilities list is non-releasable). VES pays the examiner directly; there is no invoice, receipt or medical certificate. Embassy-scheduled C&P exams require you to pay 100% up front (out-of-pocket) for the exam and then file a claim with the VA Foreign Medical Program (FMP) for payment consideration. Some diagnostic tests can be quite expensive, so plan accordingly.
3. **Treatment Records (Service, Private, and Veterans Health Administration (VHA)).** Leave nothing to chance! Do not assume that because you have submitted to the VA a copy of your treatment records and other relevant evidence, that you don’t need the information in those records for a C&P exam. Moreover, did you know that VHA treatment records are not automatically placed in a Veteran’s claims file (c-file)? Obtain and organize your treatment records by topic in chronological order. Also obtain and bring relevant diagnostic films (MRI, CT Scan, X-Ray, etc.) and your other relevant claim evidence. Bring your evidence to your C&P exam in case it’s not in your c-file, or the examiner needs information in it--make it easier for him/her to help you. For embassy-scheduled C&P exams, the VA typically does not provide the Veteran’s c-file to the C&P examiner. For VES-scheduled exams, the examiner is given temporary electronic access to the Veteran’s c-file, until exam completion.
4. **Veteran’s C-File.** C-files are now electronic. A c-file is a disorganized series of scanned documents that are not in a useful or chronological order, and can be thousands of pages. In view of this, telling the C&P examiner “*the VA has a copy of all that stuff*”, is unwise. Why would you not want to help the examiner to have **all relevant, organized evidence** in front of them? What if the VA has misread or lost part or all of your c-file? Why risk the VA not searching your entire c-file for evidence and your claim being rated “as-is”? It’s always best to assume the VA has mismanaged your c-file. During the C&P exam there will be insufficient time to search through many records for dates and evidence. **Preparation is key.**

5. **Medical “Nexus Opinion”.** Write a concise *nexus opinion* stating why you think your disability and military service are related. Know medically how your condition may be service-connected; do not guess or base it on loose personal opinion. For questionable medical relationships the VA requires references from a reputable medical journal or textbook to accept the association. There is no time for research during a C&P exam. Print out any references you think are relevant so the examiner may review the info for potential inclusion in the exam report. You generally don’t need these references if there is a clearly documented service-related problem or for a *presumptive* condition. Presumptive conditions (such as Agent Orange-related conditions) are on the VA website under *Military Exposures*.
6. **Medical History Summary.** Write a brief summary with important points and dates (timeline) for each medical issue, and bring those with you to your C&P exam. The summary you prepare may be the difference between claim grant and denial, or for example, a 30% rating versus 10%. Avoid using legalese and don’t overwhelm your examiner. Use bullet points with brief explanations of each and every treatment for that particular condition. What are your symptoms? Frequency? Severity? Paint a picture of when and how often symptoms occur. For each evaluation you have, one of the most important aspects is how that condition limits your ability to work. For example, if you have arthritis or instability in one or both knees, then it might prevent you from standing for prolonged periods of time or walking long distances, or you may have trouble using stairs and ladders. The focus is on how the medical issue limits your work activities, or even possibly prevents you from maintaining gainful employment. Also summarize limits to daily routines and relationships. Important dates:
  - a. When and where did you have an injury or first have symptoms (onset)?
  - b. When and where were you first diagnosed with that condition by a doctor?
  - c. When and where did you have tests, treatment, surgery?
7. **List Your Medications.** Prepare and bring a detailed list of your prescription and over-the-counter medications for each medical issue, including dosages, how you take them, and if any side effects. You should have this written down anyway, not just for the C&P exam. You may also bring all of your medications in a bag (if refrigeration is not required).
8. **Disability Benefits Questionnaire (DBQ).** A DBQ is the C&P exam report. More than 60 DBQs are available on the VA website (the names of the few DBQs not available for public use are listed in the FAQs). Reviewing the DBQ in advance will give you an idea of what the doctor will do and the questions they will ask. Once more, write down important points and dates before the exam, but do not make up a date if you are unsure. DBQs do not provide much space to write a lot of information so just an outline is all that is typically needed. To sum up: Even though it shouldn't be, **make it your job** to ensure the C&P examiner has all the information they need and that they perform the proper tests during the C&P exam.
9. **Medical Diagnoses.** In most cases, already have your medical condition diagnosed before you come in for the C&P exam and bring in the medical note or test result that states what your diagnosis is (an exception is if the VA has requested a specific diagnostic C&P exam). For example, if you think you have obstructive sleep apnea but have never been tested for it and come in for the C&P exam, it will not be possible to complete the respective DBQ. Also, if you had a sleep test that you say shows you have obstructive sleep apnea, but do not bring the test result to the C&P exam, the examiner cannot write obstructive sleep apnea on the DBQ. There are a number of DBQs like this. This means you need to do your homework. Find out from your personal doctor(s) what your diagnoses are; know and understand what is medically wrong with you and write it down. Write down new symptoms to include physical and psychological limitations not already medically recorded. Submit your new evidence to the VA and keep the list for your personal records. **Seize the initiative, help yourself.**

10. **New Evidence.** You managing your C&P exam is an integral part of you actively managing your disability claim. If you have new and relevant evidence that you have not yet sent to the VA, you may bring it to your exam for review, however, the examiner isn't authorized to submit that evidence on your behalf. The U.S. Embassy, VES and the C&P examiner are **not** custodians of VA records, and for that reason, it's the Veteran's responsibility to submit new evidence to the VA. Ideally, you should have already submitted all of your medical evidence, which generally helps the examiner to have the most complete picture of your health status.
11. **Be Punctual.** Arrive at least 15 minutes early. Being on time shows that you take the exam and results seriously. After all, why disrespect the examiner and reduce your already limited exam time (or risk non-performance) by being late? So too, be polite and courteous, and don't waste precious time ranting about the VA. An examiner only gets to see the Veteran for a set period of time. Most critically, **NEVER MISS A C&P EXAM!** If you do, it's often cited as a reason for claim denial (or other unfavorable rating decision) because the VA assumes you abandoned your claim and uses the evidence on-hand to rate your claim "as-is". If you missed the exam, and have a valid reason, contact the VA at once and try to get it rescheduled.
12. **Bring a Helper.** Veterans sometimes downplay (diminish) their symptoms or may forget important facts, so pending **examiner approval**, it's a good idea to bring someone with you to the C&P exam to help you remember, especially your spouse or a significant other that regularly sees you and has witnessed your medical condition(s). Remember that your examiner needs to understand how your medical issue(s) impacts your daily life such as daily routines, your work and your relationships. A memory helper may prove beneficial.
13. **Stick to Facts.** Do not try to argue your claim to your examiner. Your examiner only needs the relevant facts that will help him/her determine the severity of your condition(s) and potential link to military service. Stick to concise facts about your medical condition(s) and be prepared to describe all related symptoms. **Stay on point, avoid irrelevancies.**
14. **Be Truthful.** Frivolous claims and issues hurt honest Veterans by delaying rating decisions VA-wide. The VA often requests repeated exams over time and if the Veteran's story differs each time (other than medically-confirmed changes) there can be evidence credibility problems for a claimant. It may seem obvious, but it's important that you don't exaggerate or lie about your condition (malingering). Some of the C&P exams require specific diagnostic tests to help determine the correct evaluation of the Veteran's claimed medical issue. If a C&P examiner detects inconsistencies, they are required to record these on the exam results. If you're caught in a lie, expect your claim to be denied and your full c-file to be reevaluated.
15. **Post-Traumatic Stress Disorder (PTSD) Exam.** More is not always better. Some Veterans want to record as many bad things as possible on their exam that they have witnessed, with the generally incorrect belief that the more they write the higher the disability rating. It is not seeing something bad that is important on the PTSD exam. It is how that bad thing affects you (occupational and social impairment). Most of the Veterans I've seen that were granted service connection for PTSD had only one or two stressor events. **Writing down more typically will not get you a higher rating.**
16. **"Increased Disability Compensation" Exam.** If your C&P exam is for a *rating increase* on a service-connected condition, bring to your exam the associated VA rating decision that awarded your current disability rating. The VA uses specific legal criteria in U.S.C. Title 38 (Chapter 1, Part 4) to award a disability rating, and the rating decision will explain to you why the VA awarded that rating. With that said, prior to filing a disability compensation claim for an increase in rating, it's prudent you first review the VA rating criteria (Schedule for Rating Disabilities) for that condition to see if you meet the criteria for a higher rating.

17. **New Issues on Exam Day.** The C&P examiner cannot add new issues, forms or tests to the C&P exam unless he/she determines it to be relevant to the exam. For example, if VES requests a diabetes exam, and the examiner determines during the exam that the Veteran has erectile dysfunction due to diabetes, the examiner is allowed to add the exam for erectile dysfunction. Conversely, if the Veteran says that they've also been having headaches--that are unrelated to the diabetes--the examiner is **not** authorized to add the exam for headaches.
18. **A "Review Exam".** The VA may request a *Review Examination* of a service-connected condition. This exam may result in a current rating being continued, increased, or reduced or severed (terminated). One such example of a reduction is for lung cancer. A Veteran may have been awarded temporary 100% disability for a year due to lung cancer and is then reevaluated after a year. If the review exam shows no signs of cancer, the VA will likely propose to reduce the rating. Rating proposals usually have a short deadline so don't set it aside and forget about it, else you miss the time limit to provide new and relevant evidence. A reduced (or severed) rating may also result in reduced (or discontinued) compensation. It's best to timely respond to a rating proposal than to appeal an unfavorable decision. Lastly, if you do not attend your review exam the VA is required by law to propose a reduction or termination of your benefits.
19. **Review Completed DBQ.** For C&P exams scheduled by the VA through the U.S. Embassy, once the C&P exam report is finished, review your copy for accuracy. Doctors do occasionally make clerical mistakes and an error in a Social Security number, a misspelled name, or an error in a date or condition may occur. If you detect an error, contact the C&P examiner as soon as possible; it can be corrected. Conversely, if the VA uses VES to schedule the C&P exam, VA contract terms ban a Veteran's review of the DBQ before submission to the VA, and the examiner is unable to give you a copy being that DBQs are completed electronically on VES' secure website (the examiner isn't given a final copy). To obtain a copy of the C&P exam report(s) the VA specifies you must request it from the VA.
20. **Examiner's Role Ends.** An examiner's case involvement ends upon C&P exam completion. Please do not expect or ask the examiner to keep adding on information later via addendums to the same C&P exam report that has already been submitted to the VA. And again, please do not ask the examiner about the status of your disability claim; he/she doesn't know.
21. **VA Rating Decision.** C&P examiners do not make rating decisions. After a C&P exam is completed and the results submitted to the VA, the VA will in due course decide the Veteran's claim (no set schedule), and **will contact the Veteran directly**. If you disagree with part or all of the rating decision, do not go back to the C&P examiner. **Instead, the VA will stipulate in the rating decision the Veteran's Appeal Rights.**

◆ ————— • **FINAL NOTES** • ————— ◆

- **Travel Expenses.** In 2016, FMP ended travel/meals/lodging reimbursement for C&P exams.
- **"Self-Requested" Disability Exam.** When a Veteran "*self-requests*" a disability exam from a private doctor (using a VA DBQ), it is **not** an official VA C&P exam. While it's true that DBQs help to support the VA's Fully Developed Claims (FDC) Program, increasingly, the VA seems to still be requesting C&P exams nonetheless.
- **Closing Comments.** This guide is not claim advice or a substitute for official assistance, but it may benefit some of you who will have a C&P exam. While others are trained and accredited to assist with preparing and filing VA disability claims and appeals, the above tips from a C&P examiner's perspective will hopefully help your C&P exam to run smoother and be more productive. A C&P exam is a medical evaluation, not treatment, and is time-limited. Arrive prepared. Be forthright. Minimize unrelated conversation. **Help your examiner to help you!**