



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

MICHAEL LITTLE

VA File Number

**Represented By:
VETERANS OF FOREIGN WARS OF THE US
Rating Decision
02/19/2020**

INTRODUCTION

The records reflect that you are a veteran of the Gulf War Era. You served in the Navy from January 22, 2003 to October 25, 2006, from May 15, 2008 to May 25, 2009 and from October 16, 2009 to November 11, 2010. You filed a claim for increased evaluation that was received on December 23, 2019. Based on a review of the evidence listed below, we have made the following decisions on your claim.

DECISION

1. Basic eligibility to Dependents' Educational Assistance is established from June 19, 2019.
2. Evaluation of post traumatic stress disorder (PTSD) and major depressive disorder, which is currently 100 percent disabling, is continued.

EVIDENCE

- Intent to File Documentation received June 19, 2019

- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits with your claim for increase and permanent and total benefits received December 23, 2019
- Treatment Records from the Wilmington VA Medical Center dated January 30, 2019 through January 3, 2020
- VA contract examination through Veteran Evaluation Services dated January 17, 2020
- Treatment Records from Walter Reed Army Medical Center received February 7, 2020

REASONS FOR DECISION

1. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35.

Eligibility to Dependents' Educational Assistance is derived from a veteran who was discharged under other than dishonorable conditions; and, has a permanent and total service-connected disability; or a permanent and total disability was in existence at the time of death; or the veteran died as a result of a service-connected disability. Also, eligibility exists for a serviceperson who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as: missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power. (38 USC Ch. 35, 38 CFR 3.807)

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

This benefit is granted from June 19, 2019, the date we received your intent to file as your claim was received within one year and the associated examination shows that permanent and total was warranted. (38 CFR 3.155; 38 CFR 3.400; 38 CFR 21.3021(r))

2. Evaluation of post traumatic stress disorder (PTSD) and major depressive disorder currently evaluated as 100 percent disabling.

The evaluation of post traumatic stress disorder (PTSD) and major depressive disorder is continued as 100 percent disabling.

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.

We have assigned a 100 percent evaluation for your post traumatic stress disorder (PTSD) and unspecified depressive disorder based on:

- Forgetting names
- Depressed mood
- Near-continuous depression affecting the ability to function independently, appropriately and effectively
- Disturbances of motivation and mood

MICHAEL LITTLE

3 of 3

- Mild memory loss
- Persistent delusions
- Chronic sleep impairment
- Near-continuous panic affecting the ability to function independently, appropriately and effectively
- Panic attacks more than once a week
- Total occupational and social impairment
- Persistent hallucinations
- Difficulty in adapting to stressful circumstances
- Difficulty in adapting to work
- Inability to establish and maintain effective relationships
- Difficulty in adapting to a worklike setting
- Anxiety
- Forgetting directions

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

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

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

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.