#### Department of Veterans Affairs M21-1, Part III, Subpart iv

**Veterans Benefits Administration October 9, 2015**

**Washington, DC 20420**

#### Key Changes

|  |  |
| --- | --- |
| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Manual M21-1, Part III, “General Claims Process,” Subpart iv, “General Rating Process.”  ***Notes***:  The term “regional office” (RO) also includes pension management center (PMC), where appropriate.  Unless otherwise noted, the term “claims folder” refers to the official, numbered, Department of Veterans Affairs (VA) repository – whether paper or electronic – for all documentation relating to claims that a Veteran and/or his/her survivors file with VA.  Minor editorial changes have also been made to  update incorrect or obsolete references  add additional relevant references, where needed  reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic  clarify block labels and/or block text, and  bring the document into conformance with M21-1 standards. |

|  |  |
| --- | --- |
| Reason(s) for the Change | Citation |
| To clarify when use of the Exam Request Builder (ERB) tool is mandatory. | [M21-1, Part III, Subpart iv, Chapter 3, Section A, Topic 2, Block d (III.iv.3.A.2.d)](#_d.__ERB) |
| To add a reference. | [III.iv.3.A.2.e](#_e.__Requesting) |
| To add references. | [III.iv.3.A.2.f](#Topic2f) |
| To add that Disability Benefits Questionnaires (DBQs), medical reports, or opinions submitted by a VA or private health care provider can be accepted in lieu of an exam if otherwise adequate under relevant regulations. | [III.iv.3.A.3.b](#_b.__Use) |
| To add a new Block b with instructions on completing a medical opinion request in Centralized Administrative Accounting Transaction System (CAATS). | [III.iv.3.A.7.b](#Topic7b) |
| To clarify when the ERB tool is required for requesting a medical opinion. | [III.iv.3.A.7.c](#Topic7c) |
| To clarify text and add references. | [III.iv.3.A.7.d](#Topic7d) |
| To clarify procedures for requesting exams in Compensation and Pension Record Interchange (CAPRI) and CAATS. | [III.iv.3.A.16.a](#_a.__Steps) |

|  |  |
| --- | --- |
| Rescissions | None |

|  |  |
| --- | --- |
| Authority | By Direction of the Under Secretary for Benefits |

|  |  |
| --- | --- |
| Signature | Thomas J. Murphy, Director  Compensation Service |

|  |  |
| --- | --- |
| Distribution | LOCAL REPRODUCTION AUTHORIZED |

## Section A. Examination Requests Overview

|  |  |
| --- | --- |
| In This Section | This section contains the following topics: |

|  |  |
| --- | --- |
| Topic | Topic Name |
| 1 | General Information on Examination Requests |
| 2 | Examination Request Tools |
| 3 | Disability Benefits Questionnaires (DBQs) |
| 4 | Acceptable Clinical Evidence (ACE) Examinations |
| 5 | General Medical Examinations |
| 6 | Specialist Examinations |
| 7 | Medical Opinions |
| 8 | Aid and Attendance (A&A) and Housebound Examinations |
| 9 | Special Issue Claims and Other Types of Examination Requests |
| 10 | General Information on Social Surveys |
| 11 | Former Prisoner of War (FPOW) Protocol Examinations |
| 12 | FPOW Social Surveys |
| 13 | Pre-Discharge Examinations |
| 14 | Examinations of Pregnant Claimants |
| 15 | Examiner Review of the Claims Folder |
| 16 | Inputting Examination Requests |

#### 1. General Information on Examination Requests

|  |  |
| --- | --- |
| Introduction | This topic contains general information about examination requests, including  who may request an examination  appropriate examination facility  jurisdiction for examination requests for foreign resident beneficiaries  requesting Veteran Health Administration (VHA) examinations in the geographic jurisdiction of another regional office (RO)  when an examination or opinion is necessary  definition of general medical examination  definition of specialty examination  definition of specialist examination, and  Veteran’s legal rights at an examination. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Who May Request an Examination | Veterans Service Representatives (VSRs) in the development activity have primary responsibility for requesting examinations.  A Rating Veterans Service Representative (RVSR) or Decision Review Officer (DRO) may provide guidance as necessary and also have authority to request examinations.  In addition, a Veterans Service Center Manager (VSCM) or designee may authorize an examination in any case in which he/she believes it is warranted. |

|  |  |
| --- | --- |
| b. Appropriate Examination Facility | An ***appropriate examination facility*** is a VA examination facility or contract examination provider, *that can complete the examination(s) required by the specific claim*.  Regional offices (ROs) have the flexibility to request an examination from the VA Medical Center (VAMC) or designated contract provider closest to where the claimant lives or receives regular medical treatment.  ***References***: For more information on  requesting Veterans Health Administration (VHA) examinations in the geographic jurisdiction of another RO, see M21-1, Part III, Subpart iv, 3.A.1.d  jurisdiction for examinations of foreign resident beneficiaries, see M21-1, Part III, Subpart iv, 3.A.1.c  jurisdiction for examinations of reserve component participants in the Integrated Disability Evaluation System (IDES), see M21-1 Part III, Subpart I, 2.D.16.c  examinations of employees who work at an examining facility, see M21-1, Part III, subpart iv.1.B.1.c, and  examinations of VA-employee claimants, see M21-1 Part III, subpart iv, 3.B.1.b. |

|  |  |
| --- | --- |
| c. Jurisdiction for Examination Requests for Foreign Resident Beneficiaries | Effective October 22, 2014, all field and medical examinations requests for claims made by foreign resident beneficiaries will be processed by the  Pittsburgh RO, for  appeals  compensation, and  dual compensation & pension  Philadelphia Pension Management Center (PMC) for pension  ***References***: For more information on the   * permanent transfer of claims folders, see M21-1, Part III, Subpart ii,5.D.2 and, * responsibility for handling requests for foreign field examinations, see M21-1, Part III, Subpart vi.8.8.f. |

|  |  |
| --- | --- |
| d. Requesting VHA Examinations in the Geographic Jurisdiction of Another RO | Use the Exam Request Routing Assistant (ERRA) tool when requesting examinations that are in the geographic jurisdiction of another RO for  a Veteran living within the geographic jurisdiction of another RO, or  an employee-Veteran who must be examined elsewhere.  ROs authorized to request examinations in another RO’s jurisdiction include, but are not limited to those   * receiving brokered claims from another RO * with jurisdiction over special processing claims such as   exposure to radiation, mustard gas or lewisite, or Camp Lejeune contaminated water  Veteran employee claims, and  pre-discharge claims.  ***Note***: Requests for non-VHA examinations scheduled through a designated contractor are limited to the geographic area specified by the contractual agreement.  ***Reference***: For more information about the ERRA tool, see M21-1, Part III, Subpart iv, 3.A.2.b. |

|  |  |
| --- | --- |
| e. When an Examination or Opinion is Necessary | ***Reference***: For more information on when a medical examination or opinion is necessary, see     * M21-1, Part I, 1.C.3 * [38 CFR 3.326](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=2a02f5622dad7602982e869ef5115dd0&ty=HTML&h=L&r=SECTION&n=se38.1.3_1326), and * [38 CFR 3.159(c)(4)](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=2a02f5622dad7602982e869ef5115dd0&ty=HTML&h=L&r=SECTION&n=se38.1.3_1159). |

|  |  |
| --- | --- |
| f. Definition: General Medical Examination | The main purpose of a ***general medical examination*** is to screen all body systems and either  document normal findings, or  identify disabilities that are found or suspected.  ***Note***: The examiner must fully evaluate any disability that is found or suspected according to the applicable Disability Benefit Questionnaires (DBQ). Opinions addressing etiology and relationship to service are not typically provided by general medical examinations.  ***References***: For more information on  general medical examinations, see M21-1, Part III, Subpart iv, 3.A.5, and  general medical examination DBQs, see VA’s [DBQ switchboard](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/default.asp). |

|  |  |
| --- | --- |
| g. Definition: Specialty Examination | A ***specialty examination*** focuses on the disabilities that are specifically at issue in the Veteran’s claim. For example, if a Veteran claims that service-connected hypertension has worsened, an examination using the hypertension DBQ should be requested.  ***Notes***:   * Specialty examinations generally do not address disorders that are not at issue in the claim, even if the disorders are found or suspected during the examination. * Specialty examinations may be (and usually are) performed by non-specialist clinicians, but in unusual cases, or as requested by a Board of Veterans’ Appeals (BVA) remand, it may be necessary for the specialty examination to be performed by a specialist. |

|  |  |
| --- | --- |
| **h. Definition: Specialist Examination** | A ***specialist examination*** is any examination that is conducted by a clinician who specializes in a particular field.  ***Notes:***  All vision, hearing, dental, and psychiatric examinations *must* be conducted by a specialist.  In unusual cases, or as requested by a BVA remand, it may be necessary to request a specialist examination for other types of disabilities.  ***Reference***: For more information on specialist examinations, see M21-1, Part III, Subpart iv, 3.A.6 |

|  |  |
| --- | --- |
| i. Veteran’s Legal Rights at an Examination | A Veteran has no legal right to  be accompanied by counsel during an examination, or  record an examination. |

#### 2. Examination Request Tools

|  |  |
| --- | --- |
| **Introduction** | This topic contains information about tools used for requesting exams, including   * tools used for requesting examinations * exam request routing assistant (ERRA) tool * index of DBQ/exams by disability tool * examination request builder (ERB) tool * requesting examinations in * Compensation and Pension Record Interchange (CAPRI), and * Centralized Administrative Accounting Transaction System (CAATS). |

|  |  |
| --- | --- |
| Change Date | October 9, 2015 |

|  |  |
| --- | --- |
| a. Tools Used for Requesting Examinations | The examination request tools listed in this topic allow users to   * identify the examining facility location closest to the Veteran * identify the DBQs for the claimed disabilities * build the examination request, and * enter the examination request to the VA or VA contract examination facility. |

|  |  |
| --- | --- |
| b. ERRA Tool | Examination facilities designated to conduct exams are found in  the [Compensation and Pension Examination Request Routing Assistant (ERRA) web tool](http://vbacodmoint1.vba.va.gov/bl/21/DEMO/ZIP/default.asp), integrated with the [Contract Exam Scheduling Assistant](http://vbacodmoint1.vba.va.gov/bl/21/ZIP/default.asp).  The ERRA search results include information found for the   * facility routing location * the routing location and exam list comments * exam type details, and * approximate distance (from the zip code inquiry).   ***Important***: This tool is designed as a guide to assist in the routing of C&P examination requests. VA usage of this tool is mandatory. When routing an examination requests, take into account any   * local agreements * claimant preferences, or * topography/driving concerns.   ***Note***: The ERRA tool identifies if there is a local contract examination facility available.  ***Example***: A search for zip code 78550 produces the following statement: *According to the* [*Contract Exam Scheduling Assistant*](http://vbacodmoint1.vba.va.gov/bl/21/ZIP/default.asp)*, ZIP code 78550 is associated with QTC.*  ***Reference***: For more information on the ERRA tool, see [ERRA Quick Search Internet Explorer Accelerator Guide](http://vbaw.vba.va.gov/bl/21/DEMO/docs/ERRA_IE_Accelerator.docx). |

|  |  |
| --- | --- |
| **c. Index of DBQ/Exams by Disability Tool** | The [Index of DBQ/Exams by Disability tool](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/DBQByDisab.asp) allows users to search by a particular word, phrase, or diagnostic code (DC). Input information in the SEARCH CRITERIA text box, and the tool will generate suggested DBQs, DCs, and relevant legacy examination worksheets. |

|  |  |
| --- | --- |
| d. ERB Tool | The primary purpose of the [Exam Request Builder](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/erb/ERB.asp) (ERB) tool is to standardize the format for exam requests.  ***Important***:   * Use of the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/erb/ERB.asp) is mandatory when creating a(n) * examination or medical opinion request in the Compensation and Pension Record Interchange (CAPRI), or * medical opinion for a claim based on * combat experiences * Military Sexual Trauma (MST), or * service-connected (SC) death. * As with all automated tools, users should ensure the suggested language and examinations are adequate before inputting the exam requests.   ***Note***: Report any corrected information needed by e-mail to [VAVBAWAS/CO/CAPRI](mailto:VAVBAWAS/CO/CAPRI%20%3ccapri.vbaco@va.gov%3e).  ***Reference***: For more information on ERB functionality and training, see the [*Exam Request Builder Training Guide*](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/exam_builder_info.docx). |

|  |  |
| --- | --- |
| e. Requesting Examinations in CAPRI | Use CAPRI to request examinations from VHA.  ***Note:*** CAPRI may also be used to request observation and examination or social surveys.  ***References***: For additional information on   * exam requests in CAPRI, see * M21-1, Part III, Subpart v, 6.G, and * [Compensation Service CAPRI Intranet Web site](http://vbaw.vba.va.gov/bl/21/DEMO/capri.htm) * completing medical opinion requests in CAPRI, see M21-1, Part III, Subpart iv, 3.A.7.c * steps to inputting exam requests, see M21-1, Part III, Subpart iv, 3.A.16.a, and * VHA’s Compensation and Pension Clinic points of contact, see the [C&P Clinic POC List](http://vaww.demo.va.gov/files/CP_POC.xlsx). |

|  |  |
| --- | --- |
| f. Requesting Examinations in CAATS | Use the Centralized Administrative Accounting Transaction System (CAATS) to request examinations from contract examiners.  ***Note***: The contract exam sub-module of CAATS replaced the Veterans Examination Request Information System (VERIS).  ***References***: For more information about   * steps to inputting exam requests, see M21-1, Part III, Subpart iv, 3.A.16.a * completing medical opinion requests in CAATS, see M21-1, Part III, Subpart iv, 3.A.7.b, and * CAATS, see the * [CAATS Website](https://vaww.caats.va.gov/login.aspx?ReturnUrl=%2f), and * [*CAATS User Guide*](http://vbaw.vba.va.gov/bl/20/cfo/MLAC/docs/Volume%203%20Benefits%20contract%20Exam%20v5.zip)*.* |

#### 3. DBQs

|  |  |
| --- | --- |
| Introduction | This topic contains information about DBQs, including  the definition of DBQs  use and acceptance of DBQs for VA examinations and opinions, and   * DBQs and exam cancellations. |

|  |  |
| --- | --- |
| Change Date | October 9, 2015 |

|  |  |
| --- | --- |
| a. Definition: DBQs | ***DBQs*** are documents used to  elicit medical information needed to make decisions on claims, and  provide a standardized report format for medical examinations and opinions.  DBQs are designed for both internal use by the VHA and contract examiners. The majority of DBQs are also approved for public use by private providers.  ***References***: For more information on   * DBQs, see * VA’s [Forms website](http://www.va.gov/vaforms/), and * VA’s [DBQ switchboard](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/default.asp), and * DBQs submitted from a health care provider, see M21-1, Part III, Subpart iv, 3.D.2.d. |

|  |  |
| --- | --- |
| b. Use and Acceptance of DBQs for VA Examinations and Opinions | Use of DBQs to record the results of VA examinations and medical opinions is required.  However, if there is not a DBQ appropriate for a particular type of examination, or examination results or an opinion are submitted in another format, ***do not*** return the report as insufficient for rating purposes ***on that basis alone***.  In lieu of a DBQ completed by a VA examiner or contract examiner, decision makers can accept   * a DBQ, other medical report, or medical opinion completed by a VA or private health care provider, or * examination results not reported using a DBQ if the DBQ, examination, medical report, or opinion includes the findings and conclusions necessary to make the needed regulatory determinations on the issues as described in [38 CFR 3.326](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=2a02f5622dad7602982e869ef5115dd0&ty=HTML&h=L&r=SECTION&n=se38.1.3_1326); and [38 CFR 4.2](http://www.ecfr.gov/cgi-bin/text-idx?SID=2e952a0a8daaaa6e93437d24d25e676b&mc=true&node=se38.1.4_12&rgn=div8).   ***References***: For more information on  examination requirements and insufficient exams, see M21-1, Part III, Subpart iv, 3.D  DBQs completed by VA or non-VA health care providers, see M21-1, Part III, Subpart iv, 3.D.2.d   * returning examination reports as insufficient for rating purposes in CAPRI, see the [*CAPRI User’s Guide*](http://www.va.gov/vdl/application.asp?appid=133)   evaluating evidence generally, see M21-1, Part III, Subpart iv, 5, and  VA’s authority to develop for all evidence sufficient to render an informed decision, see [*Douglas v. Shinseki*](http://vbaw.vba.va.gov/bl/21/Advisory/CAVCDAD.htm#bmd)*,* 23 Vet. App. 19, 24, 25-26 (2009). |

|  |  |
| --- | --- |
| **c. DBQs and Exam Cancellations** | Use the table below for information on how to handle cases when notified by VHA that a scheduled examination(s) has been cancelled because the claimant intends on submitting a DBQ completed from his/her primary physician. RO personnel must attempt to contact the claimant, via telephone, prior to making a rating decision. |

|  |  |
| --- | --- |
| **If telephone contact ...** | **Then ...** |
| is made | * document the call on *VA Form 27-0820, Report of General Information*, and * inform the Veteran that he/she has 30 days to provide the DBQ. |
| is not made | send a follow-up letter explaining that we are giving him/her 30 days to submit the DBQ. Include the following text in the letter  **[Insert name of VAMC]** *advised us that they attempted to schedule you for an examination. However, you informed them that you would be submitting a DBQ from your primary care provider and would not be attending an examination. Please provide this information within 30 days. If we do not receive the evidence within 30 days from the date of this letter, we will rate your claim with the evidence we have. If this is incorrect information, please notify us and we will reschedule your examination.* |

#### 4. ACE Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information on ACE examinations, including  examinations based on ACE  categories of examinations where the ACE process is prohibited, and   * examination requests and ACE |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Examinations Based on ACE | In lieu of scheduling an in-person examination, VHA examiners generally (subject to some limitations) have the option to complete a DBQ based on review of existing paper and/or electronic medical evidence. They may also conduct a telephone interview with the claimant. Examinations based upon medical records and history without an in-person clinical examination or testing are known as ***Acceptable Clinical Evidence or ACE examinations*** or the ***ACE process***.  ***Reference***: For more information on categories of examinations where the ACE process is prohibited, see M21-1, Part III, Subpart iv, 3.A.4.b. |

|  |  |
| --- | --- |
| b. Categories of Examinations Where the ACE Process is Prohibited | The ACE process is not available in the following categories of examinations  exams by contract examiners (who do not have electronic access to VHA treatment records)  exams by VHA examiners when necessary electronic medical records are not available for their review  Integrated Disability Evaluation System (IDES), Quick Start or Benefits Delivery at Discharge (BDD) pre-discharge programs  exams required by BVA remands  general medical examinations  female sexual arousal disorder (FSAD) exams, and  mental disorders examinations, including medical opinions for claimed conditions secondary to an SC mental disorder. This specifically applies to *physical* secondary conditions related to SC mental disorders, such as bruxism.  ***Example***: A claimant who is SC for posttraumatic stress disorder (PTSD) due to MST files a claim for FSAD secondary to PTSD. Both the Gynecological DBQ and PTSD medical opinions will require in-person examinations.  VBA may also specifically require an in-person examination, but in the interest of expediting the claims process, RO employees should not routinely exclude the use of the ACE process absent a compelling reason, particularly for the following conditions  hearing loss  tinnitus  cardiac conditions  amyotrophic lateral sclerosis, and  any terminal condition. |

|  |  |
| --- | --- |
| c. Examination Requests and ACE | When entering an examination request in CAPRI, ensure that the examination request  specifies that the ACE process is permitted, or  clearly states that the ACE process may not be used and an in-person examination is required to complete the DBQ.  ***Notes***:   * VBA has updated the DBQ templates in CAPRI to include the ACE check boxes that contain the rationale for the use of ACE, requiring the clinician to identify the materials relied on when using ACE to prepare the DBQ. * The ERB contains the appropriate ACE language to include in the CAPRI examination request.   ***Reference***: For more information on requirements of ACE examinations, see M21-1 Part III, Subpart iv, 3.D.2.k. |

#### 5. General Medical Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information about general medical examinations, including  when to request a general medical examination  when a general medical examination is not necessary  conducting a general medical examination, and  citing medical conditions to be examined. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. When to Request a General Medical Examination | A general medical examination containing a full report of complaints and functional impairments is the preferred type of examination in cases concerning original compensation claims (if received within one year of discharge).  It may also be appropriate to request a general medical examination to obtain evidence in claims for individual unemployability (IU), service connection (SC) under [38 CFR 3.317](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1317), or Veteran’s Pension.  ***Important***:  A well-performed general medical examination is usually of greater value than a number of specialist examinations that are not correlated.  When requesting a general medical examination to evaluate an original compensation claim received within one year of discharge, do not specify that the examiner also complete specialty examinations for each claimed disability. However, consider whether specialist examinations are required by virtue of the specific claims. This policy applies to examinations requested from VHA as well as from private providers under VA contract.  ***References***: For more information on   * specialist examinations, see M21-1 Part III, subpart iv, 3.A.6, and * requesting exams related to claims for IU, see M21-1, Part IV, subpart ii, 2.F.2.c. |

|  |  |
| --- | --- |
| b. When a General Medical Examination is Not Necessary | It is not necessary to request a general medical examination if an original claim for compensation is being rated many years after separation from service.  ***Exception***: In claims for IU, SC under [38 CFR 3.317](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1317), or Veteran’s Pension filed more than one year after service, a general medical examination may be appropriate. General Medical DBQs exist for compensation, Veteran’s Pension, and Gulf War claims. |

|  |  |
| --- | --- |
| c. Conducting a General Medical Examination | When the medical examiner conducts the examination, he/she should confirm the existence of and evaluate  all disabilities listed in the examination request, and  any other disabilities the Veteran identifies during the examination.  ***Note***: Opinions addressing etiology and relationship to service are *not* typically provided by general medical examinations.  ***Reference***: For more information on DBQs used for general medical examinations, see VA’s [DBQ switchboard](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/default.asp). |

|  |  |
| --- | --- |
| d. Citing Medical Conditions to Be Examined | The examination request for a general medical examination should clearly cite the conditions or particular diagnoses that require attention. |

#### 6. Specialist Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information about specialist examinations, including  examinations routinely performed by specialists  who may request other types of specialist examinations  when to request a specialist examination  who determines the choice of examiner, and  DSM-5 and mental disorders specialty examinations. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Examinations Routinely Performed by Specialists | Some examinations are routinely performed by specialists. These examinations include  hearing  vision  dental, and  psychiatric. |

|  |  |
| --- | --- |
| b. Who May Request Other Types of Specialist Examinations | In certain circumstances, specialist examinations for other conditions can be requested by  the VSR or RVSR  the medical examiner, or  BVA. |

|  |  |
| --- | --- |
| c. When to Request a Specialist Examination | Request a specialist examination only if it is considered essential for rating purposes.  ***Example***: A specialist examination may be requested  if an issue is unusually complex  if there are conflicting opinions or diagnoses that must be reconciled, or  based on a BVA remand. |

|  |  |
| --- | --- |
| d. Who Determines the Choice of Examiner | The choice of examiners is up to the VA medical facility conducting the examination, unless the BVA remand specifies that the examination must be conducted by a  “*Board-certified specialist in …*,” or  “specialist who is Board qualified.”  Some DBQs require a specialist to complete the examination. The DBQ will identify specialist requirements in one of the first paragraphs on the form.  ***Note***: In the absence of a BVA remand, ROs may not designate qualification requirements for a specialist examination. |

|  |  |
| --- | --- |
| e. DSM- 5 and Mental Disorders Specialty Examinations | Effective August 4, 2014, [38 CFR 4.125](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.4_1125) was amended to reflect that a diagnosis of a mental disorder must conform to the standards set in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5). Before that date, the regulation required diagnoses to conform to the DSM-IV.  For new examination requests on or after August 27, 2014, VHA examinations must be performed using DSM-5 criteria. No comment to that effect is required on requests for mental disorders or PTSD DBQs.  Refer to the following table for guidance on whether to request a new examination under the DSM-5 in a claim for SC or Veteran’s Pension where the record contains a mental health DBQ based on historic DSM-IV criteria. |

|  |  |
| --- | --- |
| **If ...** | **Then ...** |
| the DSM-IV exam on the issue of SC or Veteran’s Pension   * is otherwise adequate for rating purposes * renders an Axis I diagnosis of a mental disorder, and * supports a grant of the benefit sought in view of the evidence of record | do not request a new examination. |
| the DSM-IV exam on the issue of SC or Veteran’s Pension does not satisfy all of the criteria above | request a new examination. |
| the DSM-IV exam on the issue of reevaluation is otherwise adequate for rating purposes | do not request a new examination.  ***Note***: The regulation changes do not affect VA’s evaluation criteria for mental disorders. |
| the DSM-IV exam on the issue of reevaluation is not otherwise adequate for rating purposes. | request a new examination. |

#### 7. Medical Opinions

|  |  |
| --- | --- |
| Introduction | This topic contains information about medical opinions, including  who may request a medical opinion  completing the medical opinion request   * in CAATS * in CAPRI   procedure for identifying the evidence in a medical opinion request in ERB  maintaining objectivity in medical opinion requests  medical opinions required for remands  instructions for providing medical opinions – claims under 38 U.S.C. 1151  medical opinions in the hearing loss and tinnitus DBQ  avoiding asking for legal conclusions in medical opinion requests  when to obtain an independent medical opinion  initiating a request for an independent medical opinion  submitting a request for an independent medical opinion, and  processing requests for an independent medical opinion. |

|  |  |
| --- | --- |
| Change Date | October 9, 2015 |

|  |  |
| --- | --- |
| a. Who May Request a Medical Opinion | Journey-level VSRs who have completed training specified by Central Office (CO) may prepare basic or straightforward medical opinion requests without RVSR or DRO review.  Subject to the exception below, the VSCM will designate categories of opinions that are sufficiently basic or straightforward.  ***Exception***: Only RVSRs or DROs may prepare complex medical opinion requests. These include issues involving:   * compensation under [38 U.S.C. 1151](http://www.law.cornell.edu/uscode/text/38/1151) * aggravation (including *Allen* aggravation) * diagnostic variation or conflicting medical evidence * questions of credibility of evidence presented to the examiner, or * any other matters specified by the VSCM such as   rare disorders/rare etiologies, or  sensitive or high priority claims.  ***Notes***:   * A VSCM may authorize a medical opinion in any case in which he/she believes it is warranted.   A medical opinion request must be signed by the person who prepared it.  Generally any VSR may order an examination using the Hearing Loss and Tinnitus DBQ, which includes certain routine etiology opinions. However, in cases where a separate Medical Opinion DBQ is required to solicit an opinion not included on the DBQ, the opinion request should be prepared by an RVSR or DRO.  ***References***: For more information on  independent medical opinions under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328), see M21-1 Part III, Subpart iv, 3.A.7.m, and  medical opinions and the Hearing Loss and Tinnitus DBQ, see M21-1 Part III, Subpart iv, 3.A.7.h. |

|  |  |
| --- | --- |
| **b. Completing Medical Opinion Requests in CAATS** | If requesting a medical opinion from a contract examination facility, ROs must use the CAATS application. Use the table below to determine how to generate the language for the medical opinion request(s). |

|  |  |
| --- | --- |
| **If requesting a medical opinion based on ...** | **Then generate the medical opinion language using ...** |
| * combat experiences * MST, or * SC death | the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/erb/ERB.asp).  ***Reference***: For more information on the procedure for using the ERB tool to generate medical opinion language, see   * M21-1, Part III, Subpart iv, 3.A.7.c and d, and * [*ERB User Guide*](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/exam_builder_info.docx). |
| all other types of claims | the embedded templates within CAATS. |

|  |
| --- |
| ***Important***: ROs must create all required tracked items in the appropriate claims-processing system for the requested exam(s).  ***References***: For more information on   * requesting exams in CAATS, see the [*CAATS User Guide*](http://vbaw.vba.va.gov/bl/20/cfo/MLAC/docs/Volume%203%20Benefits%20contract%20Exam%20v5.zip), and * creating a tracked item, see the * Veterans Benefits Management System (*[VBMS) User’s Guide](http://vbaw.vba.va.gov/VBMS/docs/VBMS_Release_9_0_UserGuide.pdf)*, or * Modern Award Processing- Development ([*MAP-D) User’s Guide*](http://vbaw.vba.va.gov/VetsNet/Claims_Docs/webhelp/Claim_Development1.htm). |

|  |  |
| --- | --- |
| c. Completing Medical Opinion Requests Using the ERB Tool | As stated in M21-1 Part III, Subpart iv, 3.A.2.d, use of the ERB tool is mandatory in   * all CAPRI exam/medical opinion requests, and * specific medical opinion requests in CAATS.   When requesting a medical opinion using the ERB tool, follow the steps in the table below. |

|  |  |
| --- | --- |
| **Step** | **Action** |
| 1 | Determine which examination facility to use.  ***Reference***: For assistance with locating the appropriate exam facility, see the [ERRA tool](http://vbacodmoint1.vba.va.gov/bl/21/DEMO/ZIP/default.asp). |
| 2 | * Select the appropriate medical opinion template, and * populate all required fields in the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/erb/ERB.asp).   ***Reference***: For more information, see the [*ERB User Guide*](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/exam_builder_info.docx). |
| 3 | Edit the generated medical opinion language to ensure it is case-specific and will result in the necessary opinion. |
| 4 | Create all required tracked items in the appropriate claims-processing system.  ***Reference***: For more information on creating a tracked item, see   * [*VBMS User’s Guide*](http://vbaw.vba.va.gov/VBMS/docs/VBMS_Release_9_0_UserGuide.pdf), or * *MAP-D* [*MAP-D User’s Guide*](http://vbaw.vba.va.gov/VetsNet/Claims_Docs/webhelp/Claim_Development1.htm) *Guide*. |
| 5 | * Open either the CAPRI or CAATs application. |
| 6 | Select all required exams and medical opinion DBQs. |
| 7 | Paste the ERB exam request language into the REMARKS field. |

|  |
| --- |
| ***References***: For more information on inputting a(n)   * exam request, see M21-1, Part III, Subpart iv, 3.A.16.a, and * medical opinion request in * CAPRI, see the [*CAPRI User’s Guide*](http://www.va.gov/vdl/application.asp?appid=133), and * CAATS, see the [*CAATS User Guide*](http://vbaw.vba.va.gov/bl/20/cfo/MLAC/docs/Volume%203%20Benefits%20contract%20Exam%20v5.zip). |

|  |  |
| --- | --- |
| d. Procedure for Identifying the Evidence in a Medical Opinion Request in ERB | Identify all pertinent evidence for the examiner to review in the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/erb/ERB.asp) by completing the TAB screen. For each tabbed item of evidence, populate the   * ASSOCIATED EXAM field * EVIDENCE field * TAB NAME field * DATE field * DESCRIPTION field, and * LOCATION field.   ERB will generate language in the exam request based on the completion of these fields.  ***References***: For more information on   * ERB fields, see the [*ERB User Guide*](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/exam_builder_info.docx) * requirement to identify relevant evidence for an examiner’s review, see M21-1, Part III, Subpart iv, 3.A.15.d, and * annotating or bookmarking evidence in the electronic claims folder (eFolder), see M21-1, Part III, Subpart iv, 3.A.15.e and f. |

|  |  |
| --- | --- |
| e. Maintaining Objectivity in Medical Opinion Requests | When requesting medical opinions, RO employees should Identify all relevant evidence for the examiner’s review, both favorable and unfavorable. However, maintain objectivity when preparing medical opinion requests.  Use a neutral and unbiased tone.  Do not slant the facts.  Do *not* communicate that VA prefers one answer or outcome over another.  ***Reference***: For more information on requesting a medical opinion in an impartial manner, see [*Douglas v. Shinseki*](http://vbaw.vba.va.gov/bl/21/Advisory/CAVCDAD.htm#bmd)*,* 23 Vet. App. 19, 24, 25-26 (2009). |

|  |  |
| --- | --- |
| f. Medical Opinions Required For Remands | When requesting an opinion in compliance with BVA remand instructions explain specifically what is needed.  Quoting the instructions from BVA on the medical opinion request may be helpful, but try to avoid legal jargon.  ***Important***: Do not simply refer the examiner to the claims folder containing the remand instructions. |

|  |  |
| --- | --- |
| g. Instructions for Providing Medical Opinions – Claims Under 38 U.S.C. 1151 | When requesting a medical opinion for a claim involving benefits under [38 U.S.C. 1151](http://www.law.cornell.edu/uscode/text/38/1151), use the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/ExamRequestBuilder.docm) to generate the appropriate language. Ensure the generated request asks the provider only the specific opinion(s) required by the facts of the case.  ***Note***: Do *not* request an examiner under VA’s contract examination program to provide an examination or medical opinion on a claim involving benefits under [38 U.S.C. 1151](http://www.law.cornell.edu/uscode/text/38/1151). |

|  |  |
| --- | --- |
| h. Medical Opinions in theHearing Loss and Tinnitus DBQ | The DBQ for hearing loss and tinnitus contains specific sections for etiology opinions. However, examiners generally are not expected to provide unsolicited medical opinions and in some types of hearing loss and tinnitus claims (such as claims for an increased evaluation) an opinion may not be routinely required.  In any case involving SC for hearing loss or tinnitus where an etiology opinion is required, follow the medical opinion procedures outlined in M21-1, Part III, Subpart iv, 3.A.7.b and c.  ***Exception***: If tinnitus is not claimed, but reported during the conduct of the exam, examiners will provide this etiology opinion even when not solicited.  ***Important***:  Do not submit a separate medical opinion DBQ unless a medical opinion is needed that is not included on the DBQ.  The claims folder should be sent when an etiology opinion or other opinion is required.  ***Reference***: For more information see the [Hearing Loss and Tinnitus DBQ](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/docs/InternalDBQs/AUDIO%20-%20Hearing%20Loss%20and%20Tinnitus%20DBQ%20-%206-9-11.doc). |

|  |  |
| --- | --- |
| i. Avoiding Asking for Legal Conclusions in Medical Opinion Requests | Do *not* request a medical authority to make conclusions of law, which is a responsibility inherent to the rating activity. To prevent confusion, avoid using the word “opinion” when asking the examiner a question about any issue that does not require a formal medical opinion.  ***Examples***:  Do *not* request the medical authority to determine if there is loss of use of an extremity; ask for a description of the remaining function of the extremity.  Do *not* ask the medical authority to determine if a particular disability is “service-connected” or “SC.” Instead, identify the in-service injury, event, or illness, as well as current disability, and ask the examiner to provide an opinion as to whether or not the current disability was caused by or the result of the identified in-service injury, event, or illness.  Do *not* ask the medical authority to provide an opinion as to whether a Veteran is “unemployable” or “entitled to individual unemployability.” Instead, in the *Remarks* section of the examination request, ask the examiner to comment on the Veteran’s ability to function in an occupational environment and to describe functional limitations. |

|  |  |
| --- | --- |
| j. When to Obtain an Independent Medical Opinion | If warranted by the medical complexity or the controversy of a pending claim, an independent medical opinion under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328) may be obtained from medical experts who are not VA employees.  ***Notes***:   * VA Central Office has the responsibility for deciding if the independent medical opinion is warranted and what medical expert to use. * Under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328), contract examiners who perform examinations during the usual claims process are considered hired in the service of VA; and therefore, are not appropriate medical experts for the purposes of providing an independent medical opinion. |

|  |  |
| --- | --- |
| k. Initiating a Request for an Independent Medical Opinion | A request for an independent medical opinion under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328), in conjunction with a pending claim, may be initiated by the  RO  claimant, or  claimant’s representative. |

|  |  |
| --- | --- |
| l. Submitting a Request for an Independent Medical Opinion | Submit a request for an independent medical opinion under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328)  in writing  through the VSCM, and  by stating, in detail,  the reasons why the opinion is necessary, and  the specific information or opinion required. |

|  |  |
| --- | --- |
| m. Processing Requests for an Independent Medical Opinion | The table below describes how to process a request for an independent medical opinion under [38 CFR 3.328](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1328) and identifies the responsible parties. |

|  |  |  |
| --- | --- | --- |
| **Stage** | **Who is Responsible** | **Description** |
| 1 | RVSR  DRO, or   * service organization representative | Brings the request for an independent medical opinion to the attention of the VSCM. |
| 2 | VSCM | Decides whether the request has merit. |
| 3 | VSCM | Does the request have merit?  If *yes*, refers the request to Compensation Service (211) for review.  If *no*, denies the request without the need for referral to Compensation Service.  ***Important***: This determination may be contested as part of an appeal on the primary issue under consideration. |
| 4 | Compensation Service | Decides whether the request has merit. |
| 5 | Compensation Service | Does the request have merit?  If *yes*  notifies the claimant that the request has been approved  obtains the opinion from the appropriate medical expert, and  sends a copy of the opinion when it is available.  If *no*, denies the request.  ***Important***: This determination may be contested as part of an appeal on the primary issue under consideration. |

#### 8. A&A and Housebound Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information about A&A and Housebound examinations, including  purpose of an A&A and Housebound examination  when an A&A and Housebound examination may be useful  requesting an A&A and Housebound examination, and  locally devised checklists. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Purpose of an A&A and Housebound Examination | The Aid and Attendance (A&A) and Housebound examination is designed to  pinpoint findings relevant to A&A determinations under [38 CFR 3.351](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=2c4db4128ba52d5220b44b1b0ed6f81c&ty=HTML&h=L&r=SECTION&n=se38.1.3_1351) and [38 CFR 3.352](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=2c4db4128ba52d5220b44b1b0ed6f81c&ty=HTML&h=L&r=SECTION&n=se38.1.3_1352), and  provide a basis for determining if the Housebound benefit may be paid if need for A&A is not shown. |

|  |  |
| --- | --- |
| b. When an A&A and Housebound Examination May Be Useful | It may be useful to request an A&A and Housebound examination before a final determination is made, especially if the evidence of record demonstrates a reasonable probability of entitlement to A&A or Housebound benefits but is not sufficient to allow the benefit. |

|  |  |
| --- | --- |
| c. Requesting an A&A and Housebound Examination | When requesting an A&A and Housebound examination   * select the A&A and Housebound examination field in either CAPRI or CAATS, and * ensure any relevant information for the examiner is placed in the REMARKS field.   ***Note***: A DBQ does not exist at this time for A&A and Housebound examinations.  ***Reference***: For more information on developing for A&A and housebound status, see M21-1, Part V, Subpart iii, 2.A.3. |

|  |  |
| --- | --- |
| d. Locally Devised Checklists | ROs are not authorized to create local checklists for A&A and/or Housebound Examinations.  Checklists created and submitted by individual treatment providers should be evaluated as any other item of evidence. However, *Yes* or *No* blocks do not provide sufficient descriptive information to assess the extent of a claimant’s incapacitation. |

#### 9. Special Issue Claims and Other Types of Examination Requests

|  |  |
| --- | --- |
| Introduction | This topic contains information about other types of examination requests, including  examinations of non-Veteran claimants and beneficiaries  hospital observation  field examinations  examinations of incarcerated Veterans  board examinations  reexaminations by a different examiner, and  homeless Veterans examination requests |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Examinations of Non-Veteran Claimants and Beneficiaries | Schedule examinations of non-Veteran claimants and beneficiaries  only after approval by the VSCM, or  to determine if a  claimant is entitled to A&A or Housebound benefits  Chapter 18 birth defect diagnosis exists  claimant was insane at the time he/she caused the death of the Veteran  child claimant is helpless and/or incompetent, and/or  beneficiary is competent to handle his/her funds.  ***Reference***: For more information on   * Chapter 18 birth defects eligibility and development, see M21-1, Part VI, 2, B, and * the facts to be considered in a wrongful and intentional death, see M21-1, Part III, Subpart v, 1.F.3. |

|  |  |
| --- | --- |
| b. Hospital Observation | To properly visualize and evaluate complex disability issues the rating activity may request a period of hospitalization for observation and examination. |

|  |  |
| --- | --- |
| c. Field Examinations | Request a field examination when it is not possible, through the routine examination process, to  determine the competency of the beneficiary  assess employment and social adjustment, or  substantiate items of evidence regarding the existence of disease or injury prior to enlistment.  ***Reference***: For more information on requests for field examinations, see M21-1, Part III, Subpart vi, 8.8.a. |

|  |  |
| --- | --- |
| d. Examinations of Incarcerated Veterans | An incarcerated Veteran is entitled to a VA compensation examination as part of the duty to assist. Requests for examination for IU are to be treated as claims for increased evaluation of the underlying disability(ies) for incarcerated Veterans. Examinations for claims for IU are to be scheduled even though there may be no award of IU while the Veteran is incarcerated.  When examination of an incarcerated Veteran is required, the RO and/or the local VHA Medical Examination Coordinator must confer with prison authorities to determine whether the Veteran should be  escorted to a VA medical facility for examination by VHA personnel, or  examined at the prison by  VHA personnel  prison medical providers at VA expense, or  fee-basis providers contracted by VHA.  ***Important***: Because some State laws restrict the movement of and access to prison inmates, neither of the above options may be possible. In such cases, documentation of substantial efforts to schedule and conduct the examination must be added to the claims folder.   * VSRs must document all efforts made to schedule an examination including identifying and requesting the assistance of the appropriate prison officials. * VHA compensation clinics are required to provide documentation that they have made substantial attempts to schedule and conduct the examination and that they have exhausted all possible avenues for obtaining access to the incarcerated Veteran for the examination.   ***References***: For more information on  limitations on payment of compensation for incarcerated Veterans, see [38 U.S.C. 5313](http://www.law.cornell.edu/uscode/text/38/5313)  VA’s duty to examine incarcerated Veterans, see   * [*Bolton v. Brown*](http://vbaw.vba.va.gov/bl/21/Advisory/CAVCDAD.htm), 8 Vet. App. 185 (1995) * [*Wood v. Derwinski*](http://vbaw.vba.va.gov/bl/21/advisory/CAVC/1991dec/Wood3.doc), 1 Vet.App.190 (1991), and * [DMA Fact Sheet 11-001](http://vaww.demo.va.gov/files/FactSheets/2012/factsheetincarceratedvetsexam_revised.pdf)   VHA Medical Examination Coordinators, see [C&P Exam Point of Contact List](http://vaww.demo.va.gov/files/CP_POC.xlsx), and  VHA policy on incarcerated Veteran examinations, see [VHA DIRECTIVE 1046](http://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=2999). |

|  |  |
| --- | --- |
| e. Board Examinations | There should be at least two physicians, preferably three, on “board examinations” and at least one, preferably all, should be a recognized specialists in the particular field involved.  The rating activity has the authority to request board examinations to  reconcile differing diagnoses, or  resolve particularly complex issues concerning  awards of Special Monthly Compensation (SMC), or  entitlement to specially adapted housing (SAH). |

|  |  |
| --- | --- |
| f. Reexaminations by a Different Examiner | The rating activity may request that the claimant be reexamined by another medical examiner if compelling reasons exist.  To request a reexamination  prepare another examination request  annotate it to show that reexamination is necessary  identify any specific information needed in the examination report, and  include the name and the facility of the medical examiner who conducted the prior examination.  ***Reference***: For more information on preparing examination requests, see M21-1, Part III, Subpart iv, 3.A.16. |

|  |  |
| --- | --- |
| g. Homeless Veteran Examination Requests | All processing of homeless and at immediate risk of homelessness claims must be expedited by the RO. Request examinations for these claims via CAPRI and add the following comment in the examination request  *Claim for a homeless or at imminent risk of homelessness Veteran, expeditious processing is requested.*  ***Note***: Do not request expeditious examinations through contract examiners.  ***References***: For more information on homeless Veteran claims priority processing, see M21-1, Part III, Subpart ii, 1.D.2. |

#### 10. General Information on Social Surveys

|  |  |
| --- | --- |
| Introduction | This topic contains general information about social surveys, including  description of a social survey  when social surveys can be used to evaluate social and occupational impairment  when social surveys should be used to evaluate physical or mental disability  who conducts a social survey  considerations when requesting a social survey, and  returning social surveys for clarification. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Description of a Social Survey | A social survey is an interview with the Veteran to assess the impact of disability on the capacity to interact with others and function in an occupational setting.  This type of information may be used in conjunction with objective clinical findings when, for example, evaluating psychiatric disabilities, examining FPOWs, or considering IU. |

|  |  |
| --- | --- |
| b. When Social Surveys Can be Used to Evaluate Social and Occupational Impairment | A social survey is an acceptable type of evaluation of social or occupational impairment if  the rating issue pertains to the evaluation of disability, and  a VA examination has established the diagnosis.  ***Reference***: For information on social surveys for FPOWs, see M21-1, Part III, Subpart iv, 3.A.12. |

|  |  |
| --- | --- |
| c. When Social Surveys Should Be Used to Evaluate Physical or Mental Disability | When a clinical examination alone would not provide sufficient information to assess the impact of physical and/or mental disability on the Veteran’s capacity to interact with others and function in an occupational setting, request a social survey.  A social survey may be especially useful in cases concerning Veterans with  psychiatric illness  arrested tuberculosis  loss of limbs, sight, or hearing  physical disfigurement resulting in feelings of inferiority, or  epilepsy.  ***Important***: Do not request a social survey in a case involving epilepsy without first obtaining the consent of the claimant. |

|  |  |
| --- | --- |
| d. Who Conducts a Social Survey | Social workers are responsible for conducting comprehensive social surveys for medical and rating purposes. In some instances, a designated VHA Coordinator, such as homeless Veterans coordinators or FPOW coordinators may be responsible for conducting the social surveys. |

|  |  |
| --- | --- |
| e. Considerations When Requesting a Social Survey | A DBQ does not exist for social surveys. Include ample information on the examination request concerning the  purpose of the examination, and  evidence required for rating purposes to assist the social worker conducting the survey. |

|  |  |
| --- | --- |
| f. Returning Social Surveys for Clarification | If the rating activity determines that the social survey report is inadequate for rating purposes, it must return the report for clarification. |

#### 11. FPOW Protocol Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information about FPOW protocol examinations, including  reviewing FPOW claims  considerations when requesting an FPOW protocol examination  when to order initial FPOW protocol examinations, and  how to order initial FPOW protocol examinations. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Reviewing FPOW Claims | Review all FPOW claims, including original claims, reopened claims, and claims for an increased evaluation, to determine if the  Veteran’s record confirms FPOW status, and  Veteran was examined under the FPOW protocol, including a social survey.  ***References***: For more information on   * FPOW status, see M21-1, Part III, Subpart v, 1.C * developing claims that are based on FPOW status, see M21-1, Part IV, Subpart ii, 1.G, and * service records for FPOW claims, see M21-1, Part III, Subpart iii, 2.G. |

|  |  |
| --- | --- |
| b. Considerations When Requesting an FPOW Protocol Examination | If the FPOW was not examined under the FPOW protocol, request an examination utilizing the FPOW Protocol DBQ, unless it  would be inadvisable in light of the Veteran’s medical condition, or  is specifically declined by the Veteran or the Veteran’s representative.  ***Note***: Monetary benefits to an FPOW will not be denied unless the claimant has been ***offered*** a complete physical examination conducted at a Department of Veterans Affairs (VA) hospital or outpatient clinic.  ***Reference***: For more information on examination requirements, see [38 CFR 3.326](http://www.ecfr.gov/cgi-bin/text-idx?SID=77be6f0ef1bb613989da71ec9f4ee09c&node=se38.1.3_1326&rgn=div8) |

|  |  |
| --- | --- |
| c. When to Order Initial FPOW Protocol Examinations | Order an initial FPOW protocol DBQ even if medical evidence to support the claim is not of record but FPOW status is established.  ***Note***: The FPOW Protocol DBQ is restricted to internal use only and must be completed by a VHA facility. Contract examiners are not authorized to complete the FPOW Protocol DBQ. |

|  |  |
| --- | --- |
| d. How to Order Initial FPOW Protocol Examinations | On the examination request for an initial FPOW protocol examination  utilize the ERB to build the examination request  select POW in the SPECIAL CONSIDERATION(S) box in CAPRI  clearly note that an examination under the FPOW protocol is required, and  request an examination of all claimed and noted disabilities, as well as all other conditions characteristically associated with confinement as a FPOW.  ***Notes***:   * The examiner is required to review the claims folder for *all* FPOW examinations. * The Veteran is required to complete *VA Form 10-0048,* *Former POW Medical History*, before the examination. VHA mails the form to the Veteran with instructions to complete the form and bring the form on the date of examination. * The forms completed by the Veteran and the completed DBQ will be returned to the requesting RO.   ***References***: For more information on   * FPOW examinations, see the * [*FPOW Protocol DBQ*](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/docs/InternalDBQs/ZZZ%20-%20Former%20Prisoner%20of%20War%20(POW)%20Protocol%20DBQ%209-20-11.doc),and * [C&P Disability Examinations Procedure Guide](http://vaww.demo.va.gov/files/DMADisabilityExaminationsProcedureGuide12-18-14.pdf), and * the ERB tool, see M21-1 Part III, Subpart iv, 3.A.2.d. |

#### 12. FPOW Social Surveys

|  |  |
| --- | --- |
| Introduction | This topic contains information about FPOW social surveys, including  participation in FPOW social surveys  handling examinations that do not include an FPOW social survey  automatic scheduling of FPOW social surveys, and  specific scheduling of FPOW social surveys. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Participation in FPOW Social Surveys | As social surveys are a voluntary examination for FPOWs, no claim should be prejudiced by the failure of an FPOW to cooperate in accomplishing the survey. |

|  |  |
| --- | --- |
| b. Handling Examinations That Do Not Include an FPOW Social Survey | If a social survey was to be conducted for an FPOW but was not, then return the examination as insufficient for rating purposes *unless* it is indicated that the FPOW declined to participate in the social survey. |

|  |  |
| --- | --- |
| c. Automatic Scheduling of FPOW Social Surveys | VHA automatically schedules a social survey after receiving an examination request for a special FPOW protocol examination. |

|  |  |
| --- | --- |
| d. Specific Scheduling of FPOW Social Surveys | In cases where a special FPOW examination is already of record and an additional examination for psychiatric disability is necessary, for which a social survey is advisable, specifically request a social survey in the *Remarks* section of the examination request.  Use the table below to determine whether to specifically schedule an FPOW social survey in such cases.  ***Important***: Honor all specific requests for a social survey from FPOWs or their representatives. |

|  |  |
| --- | --- |
| **If a social survey...** | **Then ...** |
| was not conducted within the one year period before receipt of the claim | request a social survey. |
| was conducted within the one year period before receipt of the claim | do not request another social survey unless there is an indication that the social/employment situation has changed. |
| is needed prior to other appellate procedures in cases where  a notice of disagreement (NOD) has been filed  the issue on appeal is either SC or evaluation of a psychiatric disability, and   * upon review of the claims folder, prior to pre-certification of the appeal, it is found that a social survey was not considered in the denial | request a social survey. |

#### 13. Pre-Discharge Examinations

|  |  |
| --- | --- |
| Introduction | This topic contains information about Pre-Discharge examinations, including  who is eligible for Pre-Discharge examination  what the Separation Health Assessment (SHA) covers, and  general medical examinations and the SHA. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. Who Is Eligible for Pre-Discharge Examination | The Pre-Discharge program is available to service members with no more than 180 days remaining until discharge at select military installations that contain VA intake sites.  ***References***: For more information on   * who may file a Pre-Discharge claim, see M21-1, Part III, Subpart i, 2.A.1.b, and * claims that are not processed in the Pre-Discharge program, see M21-1, Part III, Subpart i, 2.A.1.e. |

|  |  |
| --- | --- |
| b. What the SHA Examination Covers | The Separation Health Assessment (SHA) is a single separation examination which supports the VA disability compensation process and the DoD separation/retirement process. It includes the Separation History and Physical Examination Program (SHPE).  Service members who do not file claims with VA will receive an SHA/ SHPE at their local military treatment facility (MTF) in connection with their transition processing. The SHA/SHPE captures the service member’s current health information in a way that is easily accessible by both DoD and VA.  The SHA process provides service members with an improved general medical examination, which includes an audiogram, any specialty exams deemed necessary, and a full lab analysis, using VA’s examination protocols. The service member completes and provides the *DD Form 2807-1, Report of Medical History*, to the examiner. The examiners will complete their designated section of the *DD Form 2807-1*, and the completed form will be added to the service member’s service treatment records (STRs).  ***Note:***  The service member may elect to upload the completed *DD Form 2807-1* into eBenefits with the Pre-Discharge claim(s) application instead of bringing the form to the SHA examination. |

|  |  |
| --- | --- |
| **c. General Medical Examinations and the SHA** | Effective October 2013, all eligible Pre-Discharge claimants receive an SHA, which replaced the General Medical (GEN MED) examination.  The SHA DBQ is being added to CAPRI/CAATS and is an available selection at most facilities. Select the SHA DBQ if it is available at the requesting examination facility and add the comment: *BDD* (or *Quick Start*) *claim.*  If the SHA DBQ is not available in CAPRI or CAATS, select the GEN MED DBQ and add the following statement to the comments: *BDD (or Quick Start) claim: SHA DBQ is requested.*  ***Reference***: For more information about the SHA DBQ, see the *Disability and Medical Assessment Fact Shee*t [*REVISED DMA 15-001*](http://vaww.demo.va.gov/files/FactSheets/2015/FactSheetDMA-15-005.pdf) |

#### **14.** **Examinations of Pregnant Claimants**

|  |  |
| --- | --- |
| Introduction | This topic contains information about examinations for pregnant claimants including  general information on examinations for pregnant claimants  ancillary conditions of pregnancy  tests not recommended for pregnant claimants  how pregnancy affects participation in the Pre-Discharge program, and  options for processing claims for pregnant claimants. |

|  |  |
| --- | --- |
| Change Date | July 30, 2015 |

|  |  |
| --- | --- |
| a. General Information on Examinations for Pregnant Claimants | Many pregnant claimants submit claims for conditions that are either  directly related to pregnancy, or  acute and transitory and expected to resolve upon delivery.  Some physical examinations and routine tests required to accurately rate the disabilities identified in claims are complicated and not recommended or normally performed on pregnant women since they may pose a significant health risk to the woman or baby. |

|  |  |
| --- | --- |
| b. Ancillary Conditions of Pregnancy | Some ancillary conditions common to pregnancy are  anemia  back pain  edema in the legs  gestational diabetes  hypertension  shortness of breath, and  urinary tract infections. |

|  |  |
| --- | --- |
| c. Tests Not Recommended for Pregnant Claimants | Tests and procedures that are not recommended for pregnant claimants include  x-rays  pulmonary function tests (PFT), and  range of motion examinations.  ***Note***: When pregnancy is known, include a comment in the exam request that the claimant is pregnant. |

|  |  |
| --- | --- |
| d. How Pregnancy Affects Participation in the Pre-Discharge Program | The regional office of jurisdiction (ROJ) processes and rates Pre-Discharge claims for pregnant service members locally. Pregnant service members may file Pre-Discharge claims up to 180 days prior to separation/retirement; however, the claims are excluded from processing at BDD Rating Activity Sites (RAS) and Quick Start Consolidated Processing Sites (CPS).  Since pregnancy prohibits certain diagnostic tests and procedures, the examiner may be unable to accurately assess the claimant’s medical condition. This would preclude completion of the examination and the rating process until conclusion of the pregnancy.  ***Reference***: For more information on exclusions from RAS and CPS processing, see M21-1, Part III, Subpart i, 2.A.1.e. |

|  |  |
| --- | --- |
| e. Options for Processing Claims for Pregnant Claimants | There are three options for processing claims for pregnant claimants. An RVSR at the receiving RO should determine, on an individual basis, which of the following actions is appropriate based on the claimed contentions  defer the entire examination until conclusion of the pregnancy  rate the entire claim based on existing STRs and evidence of record, or  rate any claimed conditions that may be awarded based on existing STRs and evidence, and defer consideration of any additional disabilities that may not be examined until conclusion of the pregnancy.  ***Example***: SC for an amputated finger can be awarded based on STRs, but the other claimed issues require specific tests that are prohibited due to pregnancy and must be deferred until the pregnancy concludes and a full examination can be conducted.  ***Reference***: For more information on intermediate rating decisions and deferred issues, see M21-1, Part III, Subpart iv, 6.A. |

#### 15. Examiner Review of the Claims Folder

|  |  |
| --- | --- |
| Introduction | this topic contains information about inputting examination requests, including   * importance of claims folder review * examinations requiring claims folder review * requesting examiner review of the claims folder * requirement to identify relevant evidence for the examiner’s review * bookmarking documents for examiner review, and * annotating documents for examiner review. |

|  |  |
| --- | --- |
| **Change Date** | July 30, 2015 |

|  |  |
| --- | --- |
| **a. Importance of Claims Folder Review** | Folder review helps VA ensure that the examiner is given the fullest evidentiary picture possible. The claims folder often contains a history of treatment of the disability at issue. In order to provide an adequate basis for the findings and conclusions of an examination, the examiner needs access to that history.  ***References***: For more information on  sending the claims folder in connection with a VA examination or opinion, see [VAOPGCPREC 20-95](http://www.va.gov/ogc/docs/1995/Prc20-95.doc)   * examinations requiring claims folder review, see M21-1, Part III, Subpart iv, 3.A.15.b, and * requesting examiner review of the claims folder, see M21-1, Part III, Subpart iv, 3.A.15.c. |

|  |  |
| --- | --- |
| **b. Examinations Requiring Claims Folder Review** | The examiner must review the claims folder for the following DBQs or claim types   * SC under [38 CFR 3.317](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1317) * cold injury residuals * FPOW Protocol * Gulf War General Medical * medical opinions, including etiology opinions in hearing loss and tinnitus claims * mental health exams * traumatic brain injury * BVA remands * 1151 Claims * ACE   environmental hazards in Iraq, Afghanistan, and other military installations, and  IDES claims.  ***Note***: For pension claims, sending the claims folder for review is not required. However, medical records received with the claim relevant to the issue of whether the claimant is currently permanently and totally disabled due to nonservice-connected causes must be uploaded into the eFolder.  ***References***: For more information on  requesting medical opinions, see M21-1, Part III, Subpart iv, 3.A.7  handling examinations in claims for SC for PTSD, see M21-1, Part III, Subpart iv, 4.H.5  requesting examinations in claims for SC under [38 CFR 3.317](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=4f37eddd401a23753883deb8ce72d226&ty=HTML&h=L&r=SECTION&n=se38.1.3_1317), see M21-1, Part IV, Subpart ii, 1.E.2  ordering initial FPOW protocol examinations, see M21-1, Part III, Subpart iv, 3.A.11.c, and  examinations based on ACE see M21-1, Part III, Subpart iv, 3.A.4, and   * eFolders, see M21-1, Part III, subpart ii, 4.G.2. |

|  |  |
| --- | --- |
| **c. Requesting Examiner Review of the Claims Folder** | To ensure examination requests clearly indicate claims folder review is required, follow the procedures in the table below. |

|  |  |
| --- | --- |
| If requesting the examination from | Then ... |
| VHA using CAPRI | In the [ERB tool](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/ExamRequestBuilder.docm)   * on the INTRODUCTION screen, use the C-FILE TYPE drop down menu to indicate the format(s) of the claims folder, and * on the EXAM REQUEST ENTRY screen, ensure that REVIEW E-FOLDER/REVIEW CLAIMS FOLDER box is checked. |
| a contract examiner using CAATS | In CAATS, on the EXAM REQUEST DETAILS screen, chose one of the following from the SEND CLAIM FILE TO CONTRACTOR drop down menu     * *Shipping* * *VBMS* * *Virtual VA* * *No*, or * *ECFT*. |

|  |
| --- |
| ***Important:*** When requesting an examination for a sensitive-level case, check the SENSITIVE box on the INTRODUCTION screen in the ERB tool.  ***Reference***: For more information on using the ERB tool, see the [*ERB UserGuide*](http://vbacodmoint1.vba.va.gov/bl/21/sitevisit/docs/exam_builder_info.docx). |

|  |  |
| --- | --- |
| **d. Requirement to Identify Relevant Evidence for the Examiner’s Review** | RO employees must ensure that each piece of relevant evidence in the   * paper claims folder is tabbed, or * eFolder is either bookmarked *or* annotated following the standardized procedures outlined in M21-1, Part III, Subpart iv, 3.A.15.e and f.   ***Important***: All pertinent evidence, to include STRs, must be scanned into the eFolder prior to requesting any examination. This includes any case where a VHA examiner may complete an ACE examination.  ***Reference***: For more information about bookmarking and annotating documents in the eFolder, see M21-1, Part III, Subpart ii, 4.G.2. |

|  |  |
| --- | --- |
| **e. Bookmarking Documents for Examiner Review** | ROs must follow the standardized steps in the table below to bookmark documents in the claims folder for the examiner’s review.  ***Important***: While there are multiple bookmark types available in VBMS, when bookmarking evidence for an examiner’s review, ROs must use the medical bookmark. |

|  |  |
| --- | --- |
| **Step** | **Action** |
| 1 | Locate the document in which you want to add a bookmark. |
| 2 | Click on the bookmark icon in the TOOLS column. The BOOKMARKSprompt box appears. |
| 3 | For each document in the eFolder that contains information to be reviewed by a VA examiner, select the medical bookmark (heart shape icon).  ***Example***: The veteran has claimed a right knee and left shoulder condition. A review of the STRs shows treatment for chondromalacia patella of the right knee and a rotator cuff tear of the left shoulder. An examiner will need to review the records. |
| 4 | In the expanded prompt box that appears, type the   * tab name, and * contention(s) name.   cid:image004.png@01D0C620.1C2D7A60 |
| 5 | * Click the working notes bookmark (note paper icon). * In the expanded prompt box list * the condition treated, and * the pages where treatment can be found for the relevant conditions.   cid:image005.png@01D0C620.1C2D7A60 |

|  |  |
| --- | --- |
| **f. Annotating Documents for Examiner Review** | ROs must follow the standardized steps in the table below to annotate documents in the claims folder for the examiner’s review.  ***Important***: There are many available styles of annotations. For the purpose of promoting consistency, use only the note annotation when tabbing evidence for the examiner’s review. |

|  |  |
| --- | --- |
| **Step** | **Action** |
| 1 | Locate the document you want to annotate. |
| 2 | Click on the annotator view icon next to the document name. |
| 3 | The document will open with an additional toolbar located at the top. Click on the add an annotation button. |
| 4 | Hold down the left mouse button and drag the cursor over a small area where you want the annotation to appear. This action will bring up the text box that allows you to type out notes or details for consideration. |
| 5 | * In the ANNOTATION text box, select *Note.* * In the text field, list the * tab name * relevant contentions, and * page numbers where treatment can be found in the document.   cid:image001.png@01D0C620.A0C51CB0 |
| 6 | Click the SAVE button in the toolbar. |

#### 16. Inputting Examination Requests

|  |  |
| --- | --- |
| Introduction | This topic contains information about inputting examination requests, including   * steps to requesting an examination, and   completing a CAPRI examination request. |

|  |  |
| --- | --- |
| Change Date | October 9, 2015 |

|  |  |
| --- | --- |
| a. Steps to Requesting an Exam | Follow the steps below when inputting an exam request. |

|  |  |
| --- | --- |
| **Step** | **Action** |
| 1 | Prior to requesting an examination, ensure all required development actions are completed. |
| 2 | Ensure the evidence which substantiates the examination request meets the requirements under [38 CFR 3.159(c)(4)](http://www.ecfr.gov/cgi-bin/text-idx?SID=837c0234766a0682c855e9394a54e0b6&mc=true&node=se38.1.3_1159&rgn=div8). |
| 3 | Identify the appropriate examination facility.  ***Reference***: For more information on appropriate exam facilities, see M21-1 Part III, Subpart iv, 3.A.1.b. |
| 4 | Identify all appropriate DBQs and/or medical opinions for all claimed contentions when an examination is warranted.  ***Reference***: For more information on DBQs, see the [Index of DBQ/Exams by Disability tool](http://vbacodmoint1.vba.va.gov/bl/21/DBQ/DBQByDisab.asp). |
| 5 | Identify the exams which require a claims folder review by the examiner.  ***Reference***: For more information on claims folder review, see M21-1 Part III, Subpart iv, 3.A.15. |
| 6 | If folder review is required   * ensure all pertinent records are uploaded into VBMS, Virtual VA or in the paper claims folder, and * all relevant records are * annotated or bookmarked in the eFolder, or * tabbed in the paper claims folder.   ***Reference***: For more information on bookmarking and annotating records, see M21-1, Part III, Subpart iv, 3.A.15.e and f. |
| 7 | * If requesting an exam in CAPRI, use the ERB tool to generate standardized text for the exam request. * If requesting an exam in CAATS, use either the ERB tool or the embedded templates to generate the exam request language.   ***Reference***: For more information on when use of the ERB tool is required, see M21-1 Part III, Subpart iv, 3.A.2.d. |
| 8 | * If using the ERB tool, * paste the ERB-generated text into the COMMENTS field in either CAPRI or CAATS, and * proceed to the next step. * If using CAATS to generate the exam request language, proceed to the next step. |
| 9 | Complete all other required entries in either CAPRI or CAATS. |
| 10 | Is there an eFolder?   * If *yes*, * upload the exam request into the eFolder, and * in the CATEGORY-TYPE field enter *Medical Records – VAX & AMIE- Request Worksheets: VA 21-2507a Request for Physical Examination.* * If *no*, * print the examination request, and * reverse file it in the center portion of the paper claims folder pending receipt of the completed examination report. |
| 11 | Create a tracked item for exam examination requested.  ***Reference***: For more information on tracked items, see   * [*VBMS User Guide*](http://vbaw.vba.va.gov/VBMS/docs/VBMS_Release_9_0_UserGuide.pdf), and * [*MAP-D User Guide*](http://vbaw.vba.va.gov/VetsNet/Claims_Docs/webhelp/Claim_Development1.htm). |

|  |  |
| --- | --- |
| b. Completing a CAPRI Examination Request | After utilizing the ERB to create the exam, fully complete all fields on the examination request screen in CAPRI, being sure to address the following.   * The examination location selected should be the appropriate facility identified using the guidance in M21-1, Part III, Subpart iv, 3.A.2.a. * Under LIST OF EXAMS, select all appropriate DBQs. Do not check DBQs for specific body systems if requesting a general medical examination. * Under the CLAIM TYPE field, select the relevant claim type. Only one selection can be made. * Under the SPECIAL CONSIDERATIONS field select any priority processing reason(s) that applies * AGE OF CLAIM * FDC * HOMELESS * NOT APPLICABLE * POW, and/or * TERMINAL. * For LAST RATING EXAM DATE field the default entry is *N/A*. However where there was a prior examination pertinent to the examination being entered, delete *N/A* and enter the date of the pertinent prior examination. * In REMARKS * transfer all text generated by the ERB tool   do not use manual, regulation, or code citations  if the examinee is not the Veteran indicate the examinee’s relationship to the Veteran along with the Veteran’s name and VA claim number, and  if the examinee is rated incompetent, note that fact.  ***Reference***: For more information on completing a CAPRI examination request, see the [*CAPRI User’s Guide*](http://www.va.gov/vdl/documents/Financial_Admin/CAPRI/dvba_27_p187_um.pdf). |