#### Department of Veterans Affairs M21-1, Part IV, Subpart ii

**Veterans Benefits Administration June 23, 2015**

**Washington, DC 20420**

#### Transmittal Sheet

|  |  |
| --- | --- |
| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Manual M21-1, Part IV, “Compensation DIC, and Death Compensation Benefits,” Subpart ii, “Compensation.”  ***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 * update the term “VCAA notice” to “section 5103 notice” * update the term “notification letter” to “decision notice” * update obsolete terminology, where appropriate * renumber each topic based on the standard that the first topic in each section is Topic 1 * reassign alphabetical designations to individual blocks, where necessary, to account for new, moved 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 delete guidance not to establish an end product (EP) for incomplete claims as one is required to send correspondence. * To add reference for substantially complete claims and handling incomplete claims. | M21-1, Part IV, Subpart ii, Chapter 1, Section E, Topic 1, Block a  (IV.ii.1.E.1.a) |
| * To include specific evidence development requests to add to Section 5103 notice using Veterans Benefits Management System (VBMS) for claims related to Southwest Asia service. * To add note to request clarification of specific joints/areas affected when Veterans allege musculoskeletal pain. * To add references. | IV.ii.1.E.1.b |
| To add new block with an exhibit of the 5103 notice letter attachment “Submitting Evidence for Claims About Gulf War Undiagnosed Illness.” | IV.ii.1.E.1.c |
| To add new block on verifying Southwest Asia service using information contained on DD Form 214 and actions to take if service cannot be verified with DD Form 214. | IV.ii.1.E.1.d |
| * To add service personnel records to records that should be requested from service department. * To delete obsolete instructions for calling the Veteran’s Reserve or National Guard unit to verify Southwest Asia service. | IV.ii.1.E.1.e |
| To add a new block f containing guidance on requesting medical evidence in claims under 38 CFR 3.317, previously located in deleted topic 19. | IV.ii.1.E.1.f |
| To add a new block g containing clarified guidance on considering whether to clarify or corroborate lay statements that was previously located in deleted topic 19. | IV.ii.1.E.1.g |
| * To add a new block h containing clarified guidance on requesting medical examinations and opinions in claims under 38 CFR 3.317 that was previously located in deleted topic 19. * To clarify the regulatory basis for the standard. * To provide a revised example. | IV.ii.1.E.1.h |
| To add a new topic to cover examinations in claims based on Southwest Asia service. | IV.ii.1.E.2 |
| To add a block based on guidance previously located in deleted topic 19, providing enhanced guidance on determining when a Gulf War examination is necessary. | IV.ii.1.E.2.a |
| To add a block based on guidance previously located in deleted topic 19 providing enhanced guidance on the impact of evidence of a known clinical diagnosis on the determination of whether a Gulf War examination is necessary. | IV.ii.1.E.2.b |
| To add an example of when a Gulf War examination is necessary. | IV.ii.1.E.2.c |
| To add a block based on guidance previously located in deleted topic 19, providing enhanced guidance that a Gulf War examination is unnecessary when the claim is already substantiated. | IV.ii.1.E.2.d |
| To add an example of when a Gulf War examination is unnecessary because the claim is substantiated. | IV.ii.1.E.2.e |
| To add a second example of when Gulf War examination is unnecessary because the claim is substantiated. | IV.ii.1.E.2.f |
| To a block providing guidance on when a Gulf War examination is unnecessary because there is no potential 38 CFR 3.317 entitlement. | IV.ii.1.E.2.g |
| To add an example of when a Gulf War examination is unnecessary because there is no potential 38 CFR 3.317 entitlement. | IV.ii.1.E.2.h |
| To add a block based on guidance previously located in deleted topic 19 on requesting an examination in a Southwest Asia claim. | IV.ii.1.E.2.i. |
| To add a block based on guidance previously located in deleted topic 19 providing an exhibit of the “Notice to Examiners in Southwest Asia Claims.” | IV.ii.1.E.2.j |
| To delete previous topic 19. All material has been incorporated in topics 1 or 2 or the material is off topic and located elsewhere in the M21-1. |  |

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

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

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

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