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

**Veterans Benefits Administration July 8, 2015**

**Washington, DC 20420**

#### Transmittal Sheet

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| 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***: * 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 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 and/or deleted blocks within a topic
* update section and topic titles to more accurately reflect their content
* clarify block labels and/or Block text, and
* bring the document into conformance with M21-1 standards.
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| Reason(s) for the Change | Citation |
| To add new Block a providing guidance on the elements necessary to grant direct service connection (SC). | M21-1, Part IV, Subpart ii, Chapter 2, Section B, Topic 1, Block a (IV.ii.2.B.1.a) |
| To clarify the requirements of direct SC based on chronicity under 38 CFR 3.303(b). | IV.ii.2.B.1.b |
| To add new Block d providing guidance on the establishment of direct SC under 38 CFR 3.303(a) and the required evidence. | IV.ii.2.B.1.d |
| * To clarify guidance on the presumption of soundness and aggravation analysis.
* To add references including to *Horn v. Shinseki* and *Gilbert v. Shinseki*.
 | IV.ii.2.B.1.f |
| To relocate information formerly contained in old Blocks g-h to new Topic 2. | IV.ii.2.B.1.g-h (old) |
| To add new Block h providing guidance on the consideration of presumption of soundness at entry into service under 38 U.S.C. 1111 which had previously been located in old Topic 6. | IV.ii.2.B.1.h |
| To add guidance regarding when unauthorized absence should be considered a break in service for determinations of active continuous service. | IV.ii.2.B.1.i |
| To clarify when the presumption of soundness is applicable in claims based on injury or disease during a period of active duty for training.  | IV.ii.2.B.1.j |
| To add a guidance that posttraumatic stress disorder (PTSD) due to military sexual trauma (MST) that occurred during a period of inactive duty for training may be considered disabled by an injury under 38 U.S.C 101(2) and (24). | IV.ii.2.B.1.k |
| To add new Topic 2 with guidance on determining presumptive SC, including new Blocks a-d regarding* overview of presumptive SC
* the definition of other organic diseases of the nervous system
* establishing presumptive SC for chronic tropical diseases, and
* establishing presumptive SC for radiogenic diseases under 38 CFR 3.309(d).
 | IV.ii.2.B.2 |
| To provide guidance on awarding SC for scars when there is an approximate balance of evidence for and against the claim. | IV.ii.2.B.3.c |
| * To enhance and clarify the guidance on the presumption of soundness and its role in aggravation analysis under *Horn v. Shinseki* and *Wagner v. Principi*.
* To provide additional references related to considering the presumption of soundness at entry into service.
 | IV.ii.2.B.4.a |
| To add new Block b providing guidance on establishing pre-existence of a disability when there is a presumption of soundness.  | IV.ii.2.B.4.b |
| To add new Block c providing guidance on evaluating medical evaluation board reports and physical evaluation board reports.  | IV.ii.2.B.4.c |
| To add new Block d providing guidance on considering lay evidence when making determinations regarding presumption of soundness. | IV.ii.2.B.4.d |
| To add new Block e providing guidance on making determinations of aggravation when there is a presumption of soundness for a pre-existing condition. | IV.ii.2.B.4.e |
| To add guidance regarding the evidence required to either support or rebut a claimant’s claim for SC based on aggravation of a pre-existing condition. | IV.ii.2.B.4.f |
| To add new Block h providing guidance on deducting the disability evaluation that existed at the time of entrance into active service from the present disability evaluation. | IV.ii.2.B.4.h |
| To add new Block i providing guidance to distinguish between the presumption of soundness and the presumption of aggravation. | IV.ii.2.B.4.i |
| To add guidance to also send *VA Form 21-4142a, General Release for Medical Provider Information to the Department of Veterans Affairs*, to the claimant when developing for evidence to support a claim of aggravation of a non-service-connected disability by a service-connected disability. | IV.ii.2.B.5.c |
| To provide more guidance on congenital or developmental defects vs. developmental or hereditary diseases.  | IV.ii.2.B.6.a |
| To clarify guidance on establishing SC for congenital or developmental defects and provide additional references. | IV.ii.2.B.6.b |

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| Rescissions | None |

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

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| Signature | Thomas J. Murphy, DirectorCompensation Service |

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