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Title 38, Part 4

*Schedule for Rating Disabilities*

**Veterans Benefits Administration**

Supplement No. 55

Covering period of *Federal Register* issues  
through August 1, 2015

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# GENERAL INSTRUCTIONS

Custom Federal Regulations Service™

## Supplemental Materials for *Book C*

Code of Federal Regulations

Title 38, Part 4

*Schedule for Rating Disabilities*

## Veterans Benefits Administration

Supplement No. 55

5 August 2015

Covering the period of Federal Register issues  
through August 1, 2015

When **Book C** was originally prepared, it was current through final regulations published in the *Federal Register* of 24 March 1992. These supplemental materials are designed to keep your regulations up to date. You should file the attached pages immediately, and record the fact that you did so on the *Supplement Filing Record* which is at page C-8 of Book C, *Schedule for Rating Disabilities*.

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## FILING INSTRUCTIONS

**Book C, Supplement No. 55  
August 5, 2015**

| <i>Remove these<br/><u>old pages</u></i> | <i>Add these<br/><u>new pages</u></i> | <i>Section(s)<br/><u>Affected</u></i> |
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|                        |                        |            |
|------------------------|------------------------|------------|
| 4.71a-5 to 4.71a-6     | 4.71a-5 to 4.71a-6     | §4.71a     |
| 4.71a-29 to 4.71a-30   | 4.71a-29 to 4.71a-30   | §4.71a     |
| App. A-1 to App. A-2   | App. A-1 to App. A-2   | Appendix A |
| App. A-11 to App. A-12 | App. A-11 to App. A-12 | Appendix A |

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## HIGHLIGHTS

### Book C, Supplement No. 55 August 5, 2015

**Supplement Highlights references:** Where substantive changes are made in the text of regulations, the paragraphs of *Highlights* sections are cited at the end of the relevant section of text. Thus, if you are reading §3.263, you will see a note at the end of that section which reads: “Supplement *Highlights* references—6(2).” This means that paragraph 2 of the *Highlights* section in Supplement No. 6 contains information about the changes made in §3.263. By keeping and filing the *Highlights* sections, you will have a reference source explaining all substantive changes in the text of the regulations.

**Supplement frequency:** This Book C (*Schedule for Rating Disabilities*) was originally supplemented four times a year, in February, May, August, and November. Beginning 1 August 1995, supplements will be issued *every month* during which a final rule addition or modification is made to the parts of Title 38 covered by this book. Supplements will be numbered consecutively as issued.

### **Modifications in this supplement include the following:**

1. On 16 July 2015, the VA published a final rule effective that same day, publishing interpretive guidance for diagnostic codes (DC) 5051 through 5056, which establish rating criteria for prosthetic implant replacements of joints of the musculoskeletal system. The Schedule for Rating Disabilities under these DCs allows for a 1-year, 100-percent disability evaluation upon prosthetic replacement of a joint. This final rule clarifies that VA's longstanding interpretation of DCs 5051 through 5056 is that a 100-percent evaluation will be in place for a period of one year when the total joint, rather than the partial joint, has been replaced by a prosthetic implant. Changes:

- In §4.71a, added a Note to Prosthetic Implants table, and
- In Appendix A, revised entries for 5051 through 5056.



**5055** Knee replacement (prosthesis).

Prosthetic replacement of knee joint:

- For 1 year following implantation of prosthesis .....100
- With chronic residuals consisting of severe painful motion or weakness in the affected extremity .....60
- With intermediate degrees of residual weakness, pain or limitation of motion rate by analogy to diagnostic codes 5256, 5261, or 5262.
- Minimum rating.....30

**5056** Ankle replacement (prosthesis).

Prosthetic replacement of ankle joint:

- For 1 year following implantation of prosthesis .....100
- With chronic residuals consisting of severe painful motion or weakness .....40
- With intermediate degrees of residual weakness, pain or limitation of motion rate by analogy to 5270 or 5271.
- Minimum rating.....20

**Note:** The term "prosthetic replacement" in diagnostic codes 5051 through 5056 means a total replacement of the named joint. However, in DC 5054, "prosthetic replacement" means a total replacement of the head of the femur or the acetabulum.

Note (1): The 100 pct rating for 1 year following implantation of prosthesis will commence after initial grant of the 1-month total rating assigned under § 4.30 following hospital discharge.

Note (2): Special monthly compensation is assignable during the 100 pct rating period the earliest date permanent use of crutches is established.

COMBINATIONS OF DISABILITIES

- 5104** Anatomical loss of one hand and loss of use of one foot..... 100<sup>1</sup>
  - 5105** Anatomical loss of one foot and loss of use of one hand ..... 100<sup>1</sup>
  - 5106** Anatomical loss of both hands..... 100<sup>1</sup>
  - 5107** Anatomical loss of both feet ..... 100<sup>1</sup>
  - 5108** Anatomical loss of one hand and one foot ..... 100<sup>1</sup>
  - 5109** Loss of use of both hands..... 100<sup>1</sup>
  - 5110** Loss of use of both feet ..... 100<sup>1</sup>
  - 5111** Loss of use of one hand and one foot..... 100<sup>1</sup>
- <sup>1</sup>Also entitled to special monthly compensation.

**AMPUTATIONS: UPPER EXTREMITY**

|                         |                                        | Rating          |                 |
|-------------------------|----------------------------------------|-----------------|-----------------|
|                         |                                        | <i>Major</i>    | <i>Minor</i>    |
| Arm, amputation of:     |                                        |                 |                 |
| <b>5120</b>             | Disarticulation .....                  | 90 <sup>1</sup> | 90 <sup>1</sup> |
| <b>5121</b>             | Above insertion of deltoid .....       | 90 <sup>1</sup> | 80 <sup>1</sup> |
| <b>5122</b>             | Below insertion of deltoid .....       | 80 <sup>1</sup> | 70 <sup>1</sup> |
| Forearm, amputation of: |                                        |                 |                 |
| <b>5123</b>             | Above insertion of pronator teres..... | 80 <sup>1</sup> | 70 <sup>1</sup> |
| <b>5124</b>             | Below insertion of pronator teres..... | 70 <sup>1</sup> | 60 <sup>1</sup> |
| <b>5125</b>             | Hand, loss of use of.....              | 70 <sup>1</sup> | 60 <sup>1</sup> |

MULTIPLE FINGER AMPUTATIONS

|             |                                           |                 |                 |
|-------------|-------------------------------------------|-----------------|-----------------|
| <b>5126</b> | Five digits of one hand, amputation ..... | 70 <sup>1</sup> | 60 <sup>1</sup> |
|-------------|-------------------------------------------|-----------------|-----------------|

Four digits of one hand, amputation of:

|             |                                    |                 |                 |
|-------------|------------------------------------|-----------------|-----------------|
| <b>5127</b> | Thumb, index, long and ring.....   | 70 <sup>1</sup> | 60 <sup>1</sup> |
| <b>5128</b> | Thumb, index, long and little..... | 70 <sup>1</sup> | 60 <sup>1</sup> |
| <b>5129</b> | Thumb, index, ring and little..... | 70 <sup>1</sup> | 60 <sup>1</sup> |
| <b>5130</b> | Thumb, long, ring and little ..... | 70 <sup>1</sup> | 60 <sup>1</sup> |
| <b>5131</b> | Index, long, ring and little.....  | 60              | 50              |

Three digits of one hand, amputation of:

|             |                              |    |    |
|-------------|------------------------------|----|----|
| <b>5132</b> | Thumb, index and long .....  | 60 | 50 |
| <b>5133</b> | Thumb, index and ring.....   | 60 | 50 |
| <b>5134</b> | Thumb, index and little..... | 60 | 50 |
| <b>5135</b> | Thumb, long and ring.....    | 60 | 50 |
| <b>5136</b> | Thumb, long and little.....  | 60 | 50 |
| <b>5137</b> | Thumb, ring and little ..... | 60 | 50 |
| <b>5138</b> | Index, long and ring .....   | 50 | 40 |
| <b>5139</b> | Index, long and little ..... | 50 | 40 |
| <b>5140</b> | Index, ring and little ..... | 50 | 40 |
| <b>5141</b> | Long, ring and little.....   | 40 | 30 |



**THE COCCYX**

|             |                                                   | Rating |
|-------------|---------------------------------------------------|--------|
| <b>5298</b> | Coccyx, removal of:                               |        |
|             | Partial or complete, with painful residuals ..... | 10     |
|             | Without painful residuals .....                   | 0      |

(Authority: 38 U.S.C. 1155)

[29 FR 6718, May 22, 1964, as amended at 34 FR 5062, Mar. 11, 1969; 40 FR 42536, Sept. 15, 1975; 41 FR 11294, Mar. 18, 1976; 43 FR 45350, Oct. 2, 1978; 51 FR 6411, Feb. 24, 1986; 61 FR 20439, May 7, 1996; 64 FR 32410, June 17, 1999; 67 FR 48785, July 26, 2002; 67 FR 54349, Aug. 22, 2002; 68 FR 51456, Aug. 27, 2003; 69 FR 32450, June 10, 2004; 80 FR 42041, July 16, 2015]

**Supplement *Highlights* references:** 16(1), 26(2), 30(1), 31(1), 33(1), 35(1), 55(1).

**TABLE II**  
**RATINGS FOR MULTIPLE LOSSES OF EXTREMITIES WITH DICTATOR’S RATING CODE AND**  
**38 CFR CITATION**  
 Impairment of other extremity

| Impairment of one extremity                                               | Anatomical loss or loss of use below elbow    | Anatomical loss or loss of use below knee     | Anatomical loss or loss of use above elbow (preventing use of prosthesis) | Anatomical loss or loss of use above knee (preventing use of prosthesis) | Anatomical loss near shoulder (preventing use of prosthesis) | Anatomical loss near hip (preventing use of prosthesis) |
|---------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------|
| Anatomical loss or loss of use below elbow                                | M Codes M-1 a, b, or c, 38 CFR 3.350(c)(1)(i) | L Codes L-1 d, e, f, or g, 38 CFR 3.350(b)    | M 1/2 Code M-5, 38 CFR 3.350(f)(1)(x)                                     | L 1/2 Code L-2 c, 38 CFR 3.350(f)(1)(vi)                                 | N Code N-3, 38 CFR 3.350(f)(1)(xi)                           | M Code M-3 c, 38 CFR 3.350(f)(1)(viii)                  |
| Anatomical loss or loss of use below knee                                 | 3.350(b)                                      | L Codes L-1 a, b, or c, 38 CFR 3.350 (1)(iii) | L 1/2 Code L-2 b, 38 CFR 3.350(f)(1)(i)                                   | L 1/2 Code L-2 a, 38 CFR 3.350(f)(1)(iv)                                 | M Code M-3 b, 38 CFR 3.350(f) (1)(ii)                        | M Code M-3 a, 38 CFR 3.350(f)                           |
| Anatomical loss or loss of use above elbow (preventing use of prosthesis) |                                               |                                               | N Code N-1, 38 CFR 3.350(d)(1)                                            | M Code M-2 a, 38 CFR 3.350(c) (1)(iii)                                   | N 1/2 Code N-4 38 CFR 3.350(f) (1)(ix)                       | M 1/2 Code M-4 c, 38 CFR 3.350(f) (1)(xi)               |
| Anatomical loss or loss of use above knee (preventing use of prosthesis)  |                                               |                                               |                                                                           | M Code M-2 a, 38 CFR 3.350(c) (1)(ii)                                    | M 1/2 Code M-4 b, 38 CFR 3.350(f) (1)(vii)                   | M 1/2 Code M-4 a, 38 CFR 3.350(f) (1)(v)                |
| Anatomical loss near shoulder (preventing use of prosthesis)              |                                               |                                               |                                                                           |                                                                          | O Code O-1, 38 CFR 3.350(e) (1)(i)                           | N Code N-2 b, 38 CFR 3.350(d) (3)                       |
| Anatomical loss near hip (preventing use of prosthesis)                   |                                               |                                               |                                                                           |                                                                          |                                                              | N Code N-2 a, 38 CFR 3.350(d) (2)                       |

Note: Need for aid attendance or permanently bedridden qualifies for subpar. L. Code L-1 h, i (38 CFR 3.350(b)). Paraplegia with loss of use of both lower extremities and loss of anal and bladder sphincter control qualifies for subpar. O. Code O-2 (38 CFR 3.350(e)(2)). Where there are additional disabilities rated 50% or 100%, or anatomical or loss of use of a third extremity see 38 CFR 3.350(f)(3), (4), or (5). (Authority: 38 U.S.C. 1115)

**Appendix A to Part 4 — Table of Amendments and Effective Dates Since 1946**

| <i>Sec.</i> | <i>Diagnostic code No.</i> |                                                                              |
|-------------|----------------------------|------------------------------------------------------------------------------|
| 4.71a       | 5000                       | Evaluation February 1, 1962.                                                 |
|             | 5001                       | Evaluation March 11, 1969.                                                   |
|             | 5002                       | Evaluation March 1, 1963.                                                    |
|             | 5003                       | Added July 6, 1950.                                                          |
|             | 5012                       | Criterion March 10, 1976.                                                    |
|             | 5024                       | Criterion March 1, 1963.                                                     |
|             | 5025                       | Added May 7, 1996.                                                           |
|             | 5051                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5052                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5053                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5054                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5055                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5056                       | Added September 22, 1978. Note July 16, 2015.                                |
|             | 5100-5103                  | Removed March 10, 1976.                                                      |
|             | 5104                       | Criterion March 10, 1976.                                                    |
|             | 5105                       | Criterion March 10, 1976.                                                    |
|             | 5164                       | Evaluation June 9, 1952.                                                     |
|             | 5166                       | Criterion September 22, 1978.                                                |
|             | 5172                       | Added July 6, 1950.                                                          |
|             | 5173                       | Added June 9, 1952.                                                          |
|             | 5174                       | Added September 9, 1975; removed September 22, 1978.                         |
|             | 5211                       | Criterion September 22, 1978.                                                |
|             | 5212                       | Criterion September 22, 1978.                                                |
|             | 5214                       | Criterion September 22, 1978.                                                |
|             | 5216                       | Preceding paragraph criterion September 22, 1978.                            |
|             | 5217                       | Criterion August 26, 2002.                                                   |
|             | 5218                       | Criterion August 26, 2002.                                                   |
|             | 5219                       | Criterion September 22, 1978; criterion August 26, 2002.                     |
|             | 5220                       | Preceding paragraph criterion September 22, 1978; criterion August 26, 2002. |
|             | 5223                       | Criterion August 26, 2002.                                                   |
|             | 5224                       | Criterion August 26, 2002.                                                   |
|             | 5225                       | Criterion August 26, 2002.                                                   |
|             | 5226                       | Criterion August 26, 2002.                                                   |
|             | 5227                       | Criterion September 22, 1978; criterion August 26, 2002.                     |
|             | 5228                       | Added August 26, 2002.                                                       |
|             | 5229                       | Added August 26, 2002.                                                       |
|             | 5230                       | Added August 26, 2002.                                                       |
|             | 5235-5243                  | Replaces 5285-5295 September 26, 2003.                                       |
|             | 5243                       | Criterion September 26, 2003.                                                |
|             | 5255                       | Criterion July 6, 1950.                                                      |
|             | 5257                       | Evaluation July 6, 1950.                                                     |
|             | 5264                       | Added September 9, 1975; removed September 22, 1978.                         |

|       |           |                                                                                                                                                 |
|-------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------|
|       | 5275      | Criterion March 10, 1976; criterion September 22, 1978.                                                                                         |
|       | 5285-5292 | Revised to 5235-5243 September 26, 2003.                                                                                                        |
|       | 5293      | Criterion March 10, 1976; criterion September 23, 2002; revised and moved to 5235-5243 September 26, 2003.                                      |
|       | 5294      | Evaluation March 10, 1976; revised and moved to                                                                                                 |
|       | 5235-5243 | September 26, 2003.                                                                                                                             |
|       | 5295      | Evaluation March 10, 1976; revised and moved to                                                                                                 |
|       | 5235-5243 | September 26, 2003.                                                                                                                             |
|       | 5296      | Criterion March 10, 1976.                                                                                                                       |
|       | 5297      | Criterion August 23, 1948; criterion February 1, 1962.                                                                                          |
|       | 5298      | Added August 23, 1948.                                                                                                                          |
| 4.73  |           | Introduction NOTE criterion July 3, 1997.                                                                                                       |
|       | 5317      | Criterion September 22, 1978.                                                                                                                   |
|       | 5324      | Added February 1, 1962.                                                                                                                         |
|       | 5325      | Criterion July 3, 1997.                                                                                                                         |
|       | 5327      | Added March 10, 1976; criterion October 15, 1991; criterion July 3, 1997.                                                                       |
|       | 5328      | Added NOTE March 10, 1976.                                                                                                                      |
|       | 5329      | Added NOTE July 3, 1997.                                                                                                                        |
| 4.84a |           | Table V criterion July 1, 1994.                                                                                                                 |
|       | 6010      | Criterion March 11, 1969.                                                                                                                       |
|       | 6019      | Criterion September 22, 1978.                                                                                                                   |
|       | 6029      | NOTE August 23, 1948; criterion September 22, 1978.                                                                                             |
|       | 6035      | Added September 9, 1975.                                                                                                                        |
|       | 6050-6062 | Removed March 10, 1976.                                                                                                                         |
|       | 6061      | Added March 10, 1976.                                                                                                                           |
|       | 6062      | Added March 10, 1976.                                                                                                                           |
|       | 6063-6079 | Criterion September 22, 1978.                                                                                                                   |
|       | 6064      | Criterion March 10, 1976.                                                                                                                       |
|       | 6071      | Criterion March 10, 1976.                                                                                                                       |
|       | 6076      | Evaluation August 23, 1948.                                                                                                                     |
|       | 6080      | Criterion September 22, 1978.                                                                                                                   |
|       | 6081      | Criterion March 10, 1976.                                                                                                                       |
|       | 6090      | Criterion September 22, 1978; criterion September 12, 1988.                                                                                     |
| 4.84b | 6260      | Added October 1, 1961; criterion October 1, 1961; evaluation March 10, 1976; removed December 18, 1987; re-designated §4.87a December 18, 1987. |
| 4.87  |           | Tables VI and VII replaced by new Tables VI, VIA, and VII December 18, 1987. 6200-6260 revised and re-designated §4.87 June 10, 1999.           |
| 4.87a | 6200-6260 | Moved to §4.87 June 10, 1999.                                                                                                                   |
|       | 6275-6276 | Moved from §4.87b June 10, 1999.                                                                                                                |

|       |                                                                  |
|-------|------------------------------------------------------------------|
| 9421  | Added November 7, 1996; Title August 4, 2014.                    |
| 9422  | Added November 7, 1996; Title August 4, 2014.                    |
| 9423  | Added November 7, 1996; Title August 4, 2014.                    |
| 9424  | Added November 7, 1996; Title August 4, 2014.                    |
| 9425  | Added November 7, 1996; Title August 4, 2014.                    |
| 9431  | Added November 7, 1996.                                          |
| 9432  | Added November 7, 1996.                                          |
| 9433  | Added November 7, 1996; Title August 4, 2014.                    |
| 9434  | Added November 7, 1996.                                          |
| 9435  | Added November 7, 1996; Title August 4, 2014.                    |
| 9440  | Added November 7, 1996.                                          |
| 9500  | Criterion March 10, 1976; criterion February 3, 1988.            |
| 9501  | Criterion March 10, 1976; criterion February 3, 1988.            |
| 9502  | Criterion March 10, 1976; criterion February 3, 1988.            |
| 9503  | Removed March 10, 1976.                                          |
| 9504  | Criterion September 9, 1975; removed March 10, 1976.             |
| 9505  | Added March 10, 1976; criterion February 3, 1988.                |
| 9506  | Added March 10, 1976; criterion February 3, 1988.                |
| 9507  | Added March 10, 1976; criterion February 3, 1988.                |
| 9508  | Added March 10, 1976; criterion February 3, 1988.                |
| 9509  | Added March 10, 1976; criterion February 3, 1988.                |
| 9510  | Added March 10, 1976; criterion February 3, 1988.                |
| 9511  | Added March 10, 1976; criterion February 3, 1988.                |
| 9520  | Added November 7, 1996.                                          |
| 9521  | Added November 7, 1996.                                          |
| 4.132 | Re-designated as §4.130 November 7, 1996.                        |
| 4.150 | 9900 Criterion September 22, 1978; criterion February 17, 1994.  |
|       | 9901 Criterion February 17, 1994.                                |
|       | 9902 Criterion February 17, 1994.                                |
|       | 9903 Criterion February 17, 1994.                                |
|       | 9905 Criterion September 22, 1978; evaluation February 17, 1994. |
|       | 9910 Removed February 17, 1994.                                  |
|       | 9913 Criterion February 17, 1994.                                |
|       | 9914 Added February 17, 1994.                                    |
|       | 9915 Added February 17, 1994.                                    |
|       | 9916 Added February 17, 1994.                                    |

[29 FR 6718, May 22, 1964, as amended at 34 FR 5064, Mar. 11, 1969; 40 FR 42541, Sept. 15, 1975; 41 FR 11291, Mar. 18, 1976; 41 FR 34258, Aug. 13, 1976; 43 FR 45362, Oct. 2, 1978; 46 FR 43666, Aug. 31, 1981; 52 FR 44122, Nov. 18, 1987; 52 FR 46439, Dec. 7, 1987; 72 FR 12983, Mar. 20, 2007; 72 FR 16728, Apr. 5, 2007; 73 FR 54708, 54711, Sept. 23, 2008; 73 FR 69554, Nov. 19, 2008; 77 FR 6467, Feb. 8, 2012; 79 FR 45101, Aug. 4, 2014; 80 FR 42042, July 16, 2015]

**Supplement *Highlights* references:** 42(1), 45(1,2), 52(1), 54(1), 55(1).

*End of Appendix A*