

• VA Compensation & Pension (C&P) Examinations • (Unofficial Guide for Veterans in Thailand)

This guide contains helpful tips to maximize your Department of Veterans Affairs (VA)-requested Compensation and Pension (C&P) (and Appeals) Examination (for disability compensation benefits). **What to Expect:** <https://www.benefits.va.gov/compensation/claimexam.asp>.

This unofficial guide covers VA C&P Examinations (“C&P exam”), and not the full disability compensation benefits claims process. To begin, a C&P examiner’s case involvement is limited to the exam and he/she doesn’t know the status of a Veteran’s claim or appeal (only a VA regional office can answer status questions). As a doctor who has performed a number of C&P exams, I have found that some Veterans arrive well-prepared for the exam, while others have not. Prudent Veterans actively manage their claims throughout the entire process, especially C&P exams.

A C&P exam is for a medical evaluation, not treatment. Being thoroughly prepared for your exam may lead to a favorable disability rating decision from VA and possibly avoid the need to appeal one or more rating decisions (some appeals can be lengthy). There is always something new to learn about this process. I have compiled a list of tips and advice I have learned to-date.

1. **Your Contact Details.** Ensure VA has **your** current local mailing address, **your** telephone number, **your** email address, and also ensure that **you are readily reachable**. Less evidence due to a missed C&P exam typically results in an unfavorable rating decision.
2. **Scheduling and Payment.** VA uses Veterans Evaluation Services (VES) (VA contractor) or the U.S. Embassy to schedule a C&P exam (based upon medical condition being evaluated). For VES-scheduled exams, VES will give you a brief questionnaire to complete followed by an appointment time and location for the C&P exam (facilities list is non-releasable). VES pays the examiner directly; there is no invoice, receipt or medical certificate. Embassy-scheduled C&P exams require you to pay 100% up front (out-of-pocket) for the exam and then file a claim with the VA Foreign Medical Program (FMP) for payment consideration. Some diagnostic tests can be quite expensive so plan accordingly.
3. **Treatment Records (Service, Private, and Veterans Health Administration (VHA)).** Leave nothing to chance! Do not assume that because you have submitted to VA a copy of your treatment records and other relevant evidence, that you don’t need the information in those records for a C&P exam. Moreover, did you know that VHA treatment records are not automatically placed in a Veteran’s claims file (c-file)? Obtain and organize your treatment records by topic in chronological order including relevant diagnostic imaging reports (MRI, CT scan, X-Ray, etc.). Bring your relevant claim evidence to your C&P exam in case it’s been inadvertently deleted from your c-file and/or the examiner needs information in it--make it easier for him/her to help you. For embassy-scheduled C&P exams, VA typically does not provide the Veteran’s c-file to the C&P examiner. For VES-scheduled exams the examiner is given temporary electronic access to the Veteran’s c-file, until exam completion.
4. **Veteran’s C-File.** C-files are now electronic. A c-file is a disorganized series of scanned documents that are not in a useful or chronological order, and can be thousands of pages. In view of this, telling the C&P examiner “*the VA has a copy of all that stuff*” is unwise. Why would you not want to help the examiner to have **all relevant, organized evidence** in front of them? What if VA has misread or lost part or all of your c-file? Why risk VA not searching your entire c-file for evidence and your claim being rated “as-is”? Appeals are unpleasant. It’s always best to assume VA has mismanaged your c-file. During the C&P exam there will be insufficient time to search through many records for dates and evidence. **Preparation is key.**

5. **Medical “Nexus Opinion”.** Write a concise *nexus opinion* stating why you think your disability and military service are related. Know medically how your condition may be service-connected; do not guess or base it on loose personal opinion. For questionable medical relationships VA requires references from a reputable medical journal or textbook to accept the association. There is no time for research during a C&P exam. Print out any references you think are relevant so the examiner may review the info for potential inclusion in the exam report. You generally don’t need these references if there is a clearly documented service-related problem, or for a *presumptive* condition. Presumptive conditions (such as Agent Orange-related conditions) are found on the VA website under *Military Exposures*.
6. **Medical History Summary.** Write a brief summary with important points and dates (timeline) for each medical issue, and bring those with you to your C&P exam. The summary you prepare may be the difference between claim grant and denial, or for example, a 30% rating versus 10%. Avoid using legalese and don’t overwhelm your examiner. Use bullet points with brief explanations of each and every treatment for that particular condition. What are your symptoms? Frequency? Severity? Paint a picture of when and how often symptoms occur. For each evaluation you have, one of the most important aspects is how that condition limits your ability to work. For example, if you have arthritis or instability in one or both knees, then it might prevent you from standing for prolonged periods of time or walking long distances, or you may have trouble using stairs and ladders. The focus is on how the medical issue limits your work activities, or even possibly prevents you from maintaining gainful employment. Also summarize limits to daily routines and relationships. Important dates:
 - a. When and where did you have an injury or first have symptoms (onset)?
 - b. When and where were you first diagnosed with that condition by a doctor?
 - c. When and where did you have tests, treatment, surgery?
7. **List Your Medications.** Prepare and bring a detailed list of your prescription and over-the-counter medications for each medical issue, including dosages, how you take them, and if any side effects. You should have this written down anyway, not just for the C&P exam. You may also bring all of your medications in a bag (if refrigeration is not required).
8. **Medical Diagnoses.** In most cases, have your medical condition diagnosed before you come in for the C&P exam and bring in the medical note or test result that states what your diagnosis is (an exception is if VA has requested a diagnostic C&P exam). For example, if you think you have obstructive sleep apnea but have never been tested for it and come in for the C&P exam, it will not be possible for the examiner to complete the respective Disability Benefits Questionnaire (DBQ). Also, if you had a sleep test that you say shows you have obstructive sleep apnea, but do not bring the test result to the C&P exam the examiner cannot write obstructive sleep apnea on the DBQ. There are a number of DBQs like this. This means you need to do your homework. Find out from your personal doctor(s) what your diagnoses are; know and understand what is medically wrong with you and write it down. Write down new symptoms to include physical and psychological limitations not already medically recorded. **Submit your new evidence to VA and keep the list for your personal records.**
9. **C&P Exam and Report.** In most cases, **secure web-based** DBQs (VA internal use only) are used by C&P examiners as the exam protocol and to report results. If you’re able to find a now-discontinued public copy DBQ for your medical issue (or March 2002 VA C&P Service Clinician’s Guide) reviewing it in advance will give you a general idea of what the examiner will do and the questions they’ll ask. Once more, write down important points and dates before the exam but do not make up a date if you are unsure. DBQs do not provide much space to write a lot of information so just an outline is all that is typically needed. Lastly, even though it shouldn’t be, **make it your job** to ensure the examiner has all the information they need and that they perform the proper tests during the C&P exam. **Help yourself.**

10. **New Evidence.** You managing your C&P exam is an integral part of you actively managing your disability claim. If you have new and relevant evidence that you have not yet sent to VA, you may bring it to your exam for potential review, however, the examiner isn't authorized to submit that evidence on your behalf. The U.S. Embassy, VES and the C&P examiner are **not** custodians of VA records, and for that reason, it's the Veteran's responsibility to submit new evidence to VA. Ideally, you should have already submitted all of your medical evidence, which generally helps the examiner to have the most complete picture of your health status.
11. **Be Punctual.** Arrive at least 15 minutes early. Being on time shows that you take the exam and results seriously. After all, why disrespect the examiner and reduce your already limited exam time (or risk non-performance) by being late? So too, be polite and courteous, and don't waste precious time ranting about VA. An examiner only gets to see a Veteran for a set period of time. Most critically, **NEVER MISS A C&P EXAM!** If you do, it's often cited as a reason for claim denial (or other unfavorable rating decision) because VA assumes you abandoned your claim and uses the evidence of record to rate your claim "as-is". If you missed the exam and have a valid reason (good cause), contact VA at once and try to get it rescheduled.
12. **Bring a Helper.** Veterans sometimes downplay (diminish) their symptoms or may forget important facts, so **pending examiner approval**, it's a good idea to bring a support person with you to the C&P exam to help you remember, especially your spouse or a significant other that regularly sees you and has witnessed your medical condition(s). Remember that your examiner needs to understand how your medical issue(s) impacts your ability to function such as daily routines, your work and your relationships. A memory helper may prove beneficial.
13. **Stick to Facts.** Do not try to argue your claim to your examiner. Your examiner only needs the relevant facts that will help him/her determine the severity of your condition(s) and potential link to military service. Stick to concise facts about your medical condition(s) and be prepared to describe all related symptoms. **Stay on point, avoid irrelevancies.**
14. **Be Truthful.** Frivolous claims and issues hurt honest Veterans by delaying rating decisions VA-wide. VA often requests repeated exams over time and if the Veteran's story differs each time (other than medically-confirmed changes) there can be evidence credibility problems for a claimant. It may seem obvious, but it's important that you don't exaggerate or lie about your condition (malingering). Some C&P exams require specific diagnostic tests to help determine the correct evaluation of the Veteran's claimed medical issue. If a C&P examiner detects inconsistencies, he/she is required to record these on the exam results. If you're caught in a lie (discredited), expect an unfavorable rating decision and your full c-file to be reevaluated.
15. **Post-Traumatic Stress Disorder (PTSD) Exam.** More is not always better. Some Veterans want to record as many bad things as possible on their exam that they have witnessed, with the generally incorrect belief that the more they write the higher the disability rating. It is not seeing something bad that is important on the PTSD exam. It is how that bad thing affects you (occupational and social impairment). Most of the Veterans I've seen that were granted service connection for PTSD had only one or two stressor events. **Writing down more typically will not get you a higher disability rating.**
16. **"Increased Disability Compensation" Exam.** If your C&P exam is for a *rating increase* claim on a service-connected condition, bring to your exam the associated VA rating decision that awarded your current disability rating. VA uses specific legal criteria in 38 CFR (Chapter 1, Part 4 - Schedule for Rating Disabilities) to award a disability rating, and the rating decision will explain to you why VA awarded it. Likewise, prior to filing a disability compensation claim for an increase in rating, it's prudent you first review the same disability rating criteria in 38 CFR for that condition to see if you meet the criteria for a higher rating.

17. **New Issues on Exam Day.** The C&P examiner cannot add new issues, forms or tests to the C&P exam unless he/she determines it to be relevant to the exam. For example, if VES requests a diabetes exam and the examiner determines during the exam that the Veteran has erectile dysfunction due to diabetes, the examiner is allowed to add the exam for erectile dysfunction. Conversely, if the Veteran says they've also been having headaches--that are unrelated to the diabetes--the examiner is **not** authorized to add the exam for headaches.
18. **A "Review Exam".** VA may request **reexamination** of a service-connected condition. This exam may result in a current rating being either continued or increased, or reduced or severed (terminated). One such example of a reduction is for lung cancer. A Veteran may have been awarded temporary 100% disability for a year due to lung cancer and is then reevaluated after a year. If the review exam shows no signs of cancer, VA will likely propose to reduce the rating. Rating proposals usually have a short deadline so don't set it aside and forget about it, else you miss the time limit to provide new and relevant evidence. A reduced (or severed) rating may also result in reduced (or discontinued) compensation. It's best to timely respond to a rating proposal than to appeal an unfavorable decision. Lastly, if you fail to attend your review exam VA is required by law to propose a reduction or termination of your benefits.
19. **Review Completed DBQ.** (When authorized). For C&P exams scheduled by VA through the U.S. Embassy, ask to review the completed exam report for accuracy (before it's submitted). Examiners do occasionally make clerical mistakes and an error in a Social Security number, a misspelled name, or an error in a date or condition may occur. If you detect an error, contact the C&P examiner as soon as possible; it can be corrected. Conversely, when VA uses VES to schedule a C&P exam, VA contract terms ban a Veteran's review of the DBQ before submission to VA, and the examiner is unable to give you a copy being that DBQs are completed electronically on VES' secure website (the examiner isn't given a final copy). To obtain a copy of the C&P exam report(s) VA policy specifies you must request it from VA.
20. **Examiner's Role Ends.** An examiner's case involvement ends upon C&P exam completion. Please do not expect or ask the examiner to keep adding on information later via addendums to the same C&P exam report that has already been submitted to VA. And again, please do not ask the examiner about the status of your disability claim; he/she doesn't know.
21. **VA Rating Decision.** C&P examiners do not make rating decisions. After a C&P exam is completed and the results submitted to VA, VA will in due course decide the Veteran's claim (or appeal) (no set schedule) and **will contact the Veteran directly**. If you disagree with part or all of the rating decision, do not go back to the C&P examiner. **Instead, VA will stipulate in the rating decision the Veteran's Appeal Rights.**

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- **Travel Expenses.** In 2016, FMP ended travel/meals/lodging reimbursement for C&P exams.
- **Public DBQs Discontinued.** Public DBQs were an excellent preparatory tool for a C&P exam. But, all is not lost. For a general idea of what to expect during a C&P exam, many discontinued DBQs can still be found online (or ask around). The 2002 VA C&P Service Clinician's Guide is also available: <http://www.benefits.va.gov/warms/docs/admin21/guide/cliniciansguide.doc>.
- **Closing Comments.** Use of this guide is strictly voluntary. It is not claim advice or a substitute for official assistance, but it may benefit some of you scheduled for a C&P exam. While others are trained and accredited to assist you with your VA disability claim or appeal, the above tips from a C&P examiner's perspective will hopefully help your C&P exam to run smoother and be more productive. A C&P exam is a medical evaluation, not treatment, and is time-limited. Arrive prepared. Be forthright. Minimize unrelated chit-chat. **Help your examiner help you!**