

Proposed changes to VA disability rating schedule



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The Department of Veterans Affairs has proposed changes to the VA Schedule for Rating Disabilities that pertain to the respiratory and auditory systems. The changes will incorporate medical advancements for treating certain disabilities and modern medical knowledge to more accurately compensate veterans for their service-connected disabilities, according to the VA.

“Veterans who currently receive compensation for a service-connected condition in these body systems will not have their disability rating impacted when the VA Schedule for Rating Disabilities is updated,” said Thomas Murphy, the acting undersecretary for benefits.

Some of the proposed changes include modernizing the evaluation criteria for sleep apnea by evaluating it based on the symptoms’ responsiveness to treatment. If symptoms are fully treated with a CPAP machine or other treatment, a veteran would be rated at 0% and not receive compensation; the VA will award progressively higher percentage evaluations based on how symptomatic the condition remains after

treatment.

In public comments, DAV stated that the proposed change is a failure to “address the functional impairment caused by sleep apnea” and asserted that the current 50% rating is appropriate.

For tinnitus (ringing in the ears), proposed changes would recognize that symptom as part of a veteran’s broader ailment. The veteran would receive service-connected compensation for tinnitus through the disease to which it is attributed, rather than as a stand-alone disability.

DAV also opposes this change, noting the proposal contradicts a legal precedent decided in 1994 that said veterans are entitled to separate evaluations—and distinct ratings—for conditions that stem from a single disability if they are not duplicative.

“No change to a veteran’s current rating would automatically occur due to these proposed changes,” said National Service Director Jim Marszalek. “When and if the proposed changes are finalized, veterans should seek assistance from a veterans service organization like DAV before filing a claim for increase to determine the impact of the final rules.”