

## COMPENSATION AND PENSION DISABILITY EXAMINATIONS

**1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) directive outlines VHA policy for the performance of Compensation and Pension (C&P) disability examinations when such examinations are required to adjudicate Veterans' claims for disability benefits.

**2. SUMMARY OF MAJOR CHANGES:** Major changes include:

- a. Clarifying policy requirements for VHA completing C&P disability examinations.
- b. Streamlining the responsibilities section to more clearly define roles for each entity.

**3. RELATED ISSUES:** VHA Directive 1602, Medical Review Assistance to Board of Veterans' Appeals Cases, February 19, 2016, and VHA Directive 1603, Training and Certification of Clinicians Performing VA Disability Examinations, dated November 15, 2016. **NOTE:** *All references herein to VA and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.*

**4. RESPONSIBLE OFFICE:** The Office of Disability and Medical Assessment (10NC8) is responsible for the contents of this VHA directive. Questions should be directed to the Chief Officer, Office of Disability and Medical Assessment, at 202-461-6699.

**5. RESCISSIONS:** VHA Directive 1046, dated April 23, 2014, is rescinded.

**6. RECERTIFICATION:** This VHA directive is scheduled for recertification on or before the last working day of December 2023. This VHA directive will continue to serve as national policy until it is recertified or rescinded.

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Executive in Charge

**NOTE:** *All references herein to VA and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.*

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## COMPENSATION AND PENSION DISABILITY EXAMINATIONS

### 1. PURPOSE

This Veterans Health Administration (VHA) directive outlines VHA policy for the performance of Compensation and Pension (C&P) disability examinations when such examinations are required to adjudicate Veterans' claims for disability benefits.

**AUTHORITY:** Title 38 United States Code (U.S.C.) 5103A; 38 Code of Federal Regulations (CFR) 3.159, 3.326, and Part 4.

### 2. BACKGROUND

When Veterans submit claims to the Veterans Benefits Administration (VBA) for service-connected compensation or non-service-connected pension benefits, a C&P disability examination may be requested by the VBA if necessary to adjudicate the claim. VHA performs these examinations pursuant to the duty to assist provisions of 38 U.S.C. 5103A and 38 CFR 3.159, and in accordance with the requirements of 38 CFR 3.326 and 38 CFR Part 4.

**NOTE:** *Procedural guidance can be found on the Office of Disability and Medical Assessment (DMA) Web site at <http://vaww.demo.va.gov>. This is an internal VA Web site that is not available to the public. The policy covered in this directive is separate and distinct from the policy covered in VHA Directive 1602, Medical Review Assistance to Board of Veterans' Appeals Cases, dated February 19, 2016.*

### 3. POLICY

It is VHA policy to provide a C&P disability examination or medical opinion when requested by the Veterans Benefits Administration for the purpose of adjudicating a Veteran's claim for disability benefits. **NOTE:** *The type of specialty or general examination required and who conducts the examinations is a local VHA facility determination unless specified in Board of Veterans' Appeals remand instructions.*

### 4. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health is responsible for ensuring overall VHA compliance and support for the policy under this directive.

b. **Deputy Under Secretary for Operations and Management.** The Deputy Under Secretary for Health for Operations and Management is responsible for:

(1) Communicating the contents of this directive to each Veterans Integrated Services Network (VISN).

(2) Ensuring that each VISN Director supports the fulfillment of the terms of this directive in all VA medical facilities within that VISN.

(3) Providing oversight of VISNs to assure compliance with this directive, relevant standards, and applicable regulations.

c. **Chief Officer, Office of Disability and Medical Assessment.** The Chief Officer, Office of Disability and Medical Assessment is responsible for:

(1) Providing policy, procedures, training, and guidance on the VHA disability C&P examination process. **NOTE:** *These materials can be found on the Office of Disability and Medical Assessment (DMA) Web site at <http://vaww.demo.va.gov>. This is an internal VA Web site that is not available to the public.*

(2) Monitoring and reporting VHA C&P workload and performance to VHA internal stakeholders.

(3) Establishing and maintaining a certification program for VHA disability examiners in accordance with VHA Directive 1603, Training and Certification of Clinicians Performing VA Disability Examinations, dated November 15, 2016.

(4) Collaborating with VBA to promote efficiency.

(5) Collaborating with DoD to provide a seamless transition between military service and VA.

d. **Veterans Integrated Service Network Director.** Each Veterans Integrated Service Network (VISN) Director is responsible for ensuring:

(1) VA medical facilities in their VISN adhere to the requirements of this directive.

(2) Ensuring compliance with this directive by using VISN-wide or VHA-wide resources to support completing C&P disability examinations.

e. **VA Medical Facility Director.** The VA medical facility Director is responsible for:

(1) Ensuring that C&P disability examinations are processed in accordance with this directive and all related policy and guidance.

(2) Ensuring VHA examiners conduct C&P disability examinations in accordance with the format on Disability Benefits Questionnaires (DBQs) or other approved examination templates and applicable VHA and VBA policies and procedures.

(3) Collaborating with VA Office of Information and Technology (OIT) to ensure IT applications supporting VHA completion of C&P disability examinations are up to date.

(4) Ensuring all C&P examiners are trained and have completed all required C&P disability examination certification courses in accordance with VHA Directive 1603.

(5) Ensuring C&P examiners have support of specialist staff when needed to meet the requirements of this directive and related policies.

(6) Ensuring capacity to meet VHA timeliness standards for Veteran's and Servicemember's VA disability benefit claims.

f. **VA Office of Information and Technology.** VA Office of Information and Technology has assumed responsibility for ensuring IT applications supporting VHA completion of C&P disability examination are up to date.

## 5. TRAINING REQUIREMENTS

See VHA Directive 1603, Training and Certification of Clinicians Performing VA Disability Examinations, dated November 15, 2016, for information about training requirements.

## 6. RECORDS MANAGEMENT

All records regardless of format (paper, electronic, electronic systems) created by this directive shall be managed per the National Archives and Records Administration (NARA) approved records schedules found in VA Records Control Schedule 10-1. If you have any questions regarding any aspect of records management you should contact your facility Records Manager or your Records Liaison.

## 7. REFERENCES

- a. 38 U.S.C. 5103A.
- b. 38 CFR 3.159.
- c. 38 CFR 3.326.
- d. 38 CFR Part 4.
- e. VHA Directive 1602, Medical Review Assistance to Board of Veterans' Appeals Cases, dated February 19, 2016.
- f. VHA Directive 1603, Training and Certification of Clinicians Performing VA Disability Examinations, dated November 15, 2016.
- g. VA Records Control Schedule 10-1.
- h. Office of Disability and Medical Assessment (DMA) Web site, <http://vaww.demo.va.gov>. **NOTE:** *This is an internal VA Web site that is not available to the public.*