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VA Presumptive Disability Benefits

Saturday, 10 May 2008

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Department of Veterans Affairs "Presumptive" Disability Benefits for Certain Groups of Veterans What is "Presumptive" Service Connection?

VA presumes that specific disabilities diagnosed in certain veterans were caused by their military service. VA does this because of the unique circumstances of their military service. If one of these conditions is diagnosed in a veteran in one of these groups, VA presumes that the circumstances of his/her service caused the condition, and disability compensation can be awarded.

What Conditions are "Presumed" to be Caused by Military Service?

Veterans in the groups identified below: Entitlement to disability compensation may be presumed under the circumstances described and for the conditions listed.

Veterans within one year of release from active duty: Individuals diagnosed with chronic diseases (such as arthritis, diabetes, or hypertension) are encouraged to apply for disability compensation.

Veterans deployed to the Southwest Asia Theater of Operations from August 2, 1990, to July 31, 1991: Individuals diagnosed with amyotrophic lateral sclerosis (ALS)/Lou Gehrig's disease are encouraged to apply for disability compensation.

Former Prisoners of War

Vietnam Veterans(Exposed toAgent Orange)

Atomic Veterans(Exposed to Ionizing Radiation)

(1) Imprisoned for any length of time, and disability at least 10 percent disabling:

- psychosis
- any of the anxiety states
- dysthymic disorder

- organic residuals of frostbite
- post-traumatic osteoarthritis
- heart disease or hypertensive vascular disease and their complications
- stroke and its residuals

(2) Imprisoned for at least 30 days, and disability at least 10 percent disabling:

- avitaminosis
- beriberi
- chronic dysentery
- helminthiasis
- malnutrition (including optic atrophy)
- pellagra
- any other nutritional deficiency
- irritable bowel syndrome
- peptic ulcer disease
- peripheral neuropathy
- cirrhosis of the liver

Served in the Republic of Vietnam between 1/9/62 and 5/7/75:

- chloracne or other acneform disease similar to chloracne*
- porphyria cutanea tarda*
- soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma or mesothelioma)
- Hodgkin's disease
- multiple myeloma
- respiratory cancers (lung, bronchus, larynx, trachea)
- non-Hodgkin's lymphoma

- prostate cancer
- acute and subacute peripheral neuropathy*
- type 2 diabetes
- chronic lymphocytic leukemia

*Must become manifest to a degree of 10 percent or more within a year after the last date on which the veteran was exposed to an herbicide agent during active military, naval, or air service.

Participated in atmospheric nuclear testing; occupied or was a POW in Hiroshima or Nagasaki; service before 2/1/92 at a diffusion plant in Paducah, KY, Portsmouth, OH, or Oak Ridge, TN; or service before 1/1/74 at Amchitka Island, AK:

- all forms of leukemia (except for chronic lymphocytic leukemia)
- cancer of the thyroid, breast, pharynx, esophagus, stomach, small intestine, pancreas, bile ducts, gall bladder, salivary gland, urinary tract (renal pelvis, ureter, urinary bladder and urethra), brain, bone, lung, colon, ovary
- bronchiolo-alveolar carcinoma
- multiple myeloma
- lymphomas (other than Hodgkin's disease)
- primary liver cancer (except if cirrhosis or hepatitis B is indicated)

Gulf War Veterans(Undiagnosed Illness)

Served in the Southwest Asia Theater of Operations during the Gulf War with condition at least 10 percent disabling by

12/31/11. Included are medically unexplained chronic multi-symptom illnesses defined by a cluster of signs or symptoms that have existed for six months or more, such as:

- chronic fatigue syndrome
- fibromyalgia
- irritable bowel syndrome
- any diagnosed or undiagnosed illness that the Secretary of Veterans Affairs determines warrants a presumption of service connection

Signs or symptoms of an undiagnosed illness include: fatigue, skin symptoms, headaches, muscle pain, joint pain, neurological symptoms, respiratory symptoms, sleep disturbance, GI symptoms, cardiovascular symptoms, weight loss, menstrual disorders

For More Information, Call Toll-Free 1-800-827-1000 or Visit Our Web Site at <http://www.va.gov/>.
Compensation and Pension Service - February 2007