

HOW DISABILITY RATINGS WORK

The VA determines a disability rating after reviewing your service medical records (“SMR”), C&P exam report and any other evidence submitted to them in support of your claim based upon the criteria below. You may have one or more symptoms in a higher disability rating, but still receive a lower rating that reflects where MOST of your symptoms are present. If you have multiple injuries, disability ratings are not added together (60% + 40% ≠ 100%). The VA has an internal ranking system of injuries that will determine your final disability rating.

COMMON RATINGS FOR DISEASES AND INJURIES OF THE SPINE

PERCENTAGE

DESCRIPTION

100%

Unfavorable ankylosis of the entire spine.

50%

Unfavorable ankylosis of the entire thoracolumbar spine.

40%

- Unfavorable ankylosis of the entire cervical spine; or,
- Forward flexion of the thoracolumbar spine 30 degrees or less; or,
- Favorable ankylosis of the entire thoracolumbar spine

30%

- Forward flexion of the cervical spine 15 degrees or less; or,
- Favorable ankylosis of the entire cervical spine..

20%

- Forward flexion of the thoracolumbar spine greater than 30 degrees but not greater than 60 degrees; or,
- Forward flexion of the cervical spine greater than 15 degrees but not greater than 30 degrees; or,
- The combined range of motion of the thoracolumbar spine not greater than 120 degrees; or,
- The combined range of motion of the cervical spine not greater than 170 degrees; or,
- Muscle spasm or guarding severe enough to result in an abnormal gait or abnormal spinal contour such as scoliosis, reversed lordosis,
- Or abnormal kyphosis.

10%

- Forward flexion of the thoracolumbar spine greater than 60 degrees but not greater than 85 degrees; or,
- Forward flexion of the cervical spine greater than 30 degrees but not greater than 40 degrees; or,
- Combined range of motion of the thoracolumbar spine greater than 120 degrees but not greater than 235 degrees; or,
- Combined range of motion of the cervical spine greater than 170 degrees but not greater than 335 degrees; or,
- Muscle spasm, guarding, or localized tenderness not resulting in abnormal gait or abnormal spinal contour; or,
- Vertebral body fracture with loss of 50 percent or more of the height.

If you disagree with your rating, Contact ADVOCATE at (202) 600-7819. You have a limited amount of time to appeal your rating and preserve the effective date of your claim.

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INTERVERTEBRAL DISC SYNDROME BASED ON INCAPACITATING EPISODES

PERCENTAGE

DESCRIPTION

60%

With incapacitating episodes having a total duration of at least 6 weeks during the past 12 months.

40%

With incapacitating episodes having a total duration of at least 4 weeks but less than 6 weeks during the past 12 months.

20%

With incapacitating episodes having a total duration of at least 2 weeks but less than 4 weeks during the past 12 months.

10%

With incapacitating episodes having a total duration of at least one week but less than 2 weeks during the past 12 months.

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