**VA SPOTLIGHT**

This is the first in a series of stories bringing light to the dark side of the VA’s treatment of some Veterans applying for disability. Whether out of frustration, desperation, anger, or ‘just to make it right” they contacted me, and together, we fought the injustice.

These are actual cases and claims. I have changed names and identifying information for confidentiality reasons.

Act One: The Present

This Vietnam Veteran was diagnosed with a TBI, Post concussive disorder, PTSD, vertigo, major depression and mild neurocognitive disorder. He was also awarded Special Monthly Compensation due to being housebound due to his service connected injuries.

Act Two: The Problem

This combat veteran applied for unemployability and a permanent and total rating.

After his C&P exam, he was floored when he opened the VA decision letter: “TBI lowered to 10%.”

The decision letter stated: “The VA exam showed improvement in your symptoms.” The letter went on to say, “Possibility of continued improvement in TBI and PTSD symptoms.”

Seriously!? A housebound vet with long standing physical and psychological injuries has suddenly improved! It must be a miracle. But, he didn’t think so. And neither did I.

When I became involved I found that this Veteran’s TBI occurred in service 30 years ago! He had a lifetime of cognitive and memory problems. The standard clinical guideline for cognitive improvement with rehab is 18 to 24 months. The VA was saying he could still improve 30 years later! So they reduced his rating. A rating reduction can be devastating; decreasing monthly benefits, money, and security.

Act Three: The Solution

What I found, was that the C&P exam was horribly inadequate. The examiner said that there was TBI improvement, but gave no evidence of improvement.

The doctor did not perform any type of cognitive or memory testing. He made a statement about improvement, without clinical evidence, then reduced the veteran’s rating!

I wrote my report highlighting the lack of evidence in the C&P exam, provided sound clinical evidence of the veteran’s continued psychological difficulties that he was experiencing to this day, and made the clinical case for a permeant and total 100% rating.

Act Four: The Unexpected Problem

The veteran, now feeling empowered and hopeful, showed this new report to his VSO (Veteran Service Officer). The VSO read it, handed it back to him, and told him, ‘Don’t do it!’ ‘There could be negative consequences,’ he said. ‘They could reduce your rating further. Throw it away and keep what you’ve got.’

This Vietnam Veteran did not listen to the VSO. He did the opposite. He knew what was right. He ignored the unfounded warnings of the VSO and submitted my report anyway.

Act Five: We Won!

When he checked the status of his claim. “I nearly died!” he told me. The VA changed his rating to Permanent and Total, and reinstated his full TBI rating. We won! But most importantly, HE WON!

Epilogue

Sloppy clinical work. Incompetent people with power. VA Counselors who are suppose to give advice and guidance, but instead stand in the way.

All of these systemic problems within the VA negatively affect veterans and their benefits.

One determined Veteran, who knew what was happening to him was wrong, who had fought in a war, and then had to fight the system, kept fighting. And he won. He did the right thing.

Brett Valette, Ph.D.

Clinical Psychologist

[www.veteranspsychevaluations.com](http://www.veteranspsychevaluations.com)

FaceBook: Veterans Psych Evaluations

xxxxxxxxxxxx