



**DEPARTMENT OF VETERANS AFFAIRS**  
**Seattle Regional Office**  
**915 2nd Ave**  
**Seattle, WA 98174**

**GORDON GRAHAM**

**VA File Number**



**Represented By:**  
**ROBERT PAUL WALSH**

**Decision Review Officer Decision**  
**04/02/2015**

**INTRODUCTION**

The records reflect that you are a veteran of the Vietnam Era. You served in the Air Force from October 1, 1969 to February 21, 1973. You filed a new claim for benefits that was received on October 2, 2012. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

**DECISION**

Service connection for fibromyalgia and cryoglobulinemia is granted with an evaluation of 40 percent effective October 2, 2012.

**EVIDENCE**

- Treatment records, Gig Harbor Medical Clinic, 1/07 to 1/08
- Statement, Robert Findlay, M.D., dated 11/14/07
- Statement, [REDACTED] dated 2/9/08
- Treatment records, Richard Rynes, M.D., received 7/08
- Treatment records, Sanjik Oh, received 7/08

- Treatment records, VA Puget Sound Health Care System, 8/08 to 9/14
- Treatment records, Tacoma Digestive Center, received 10/08
- VA examinations, 3/6/15

### **REASONS FOR DECISION**

#### **Service connection for fibromyalgia and cryoglobulinemia as secondary to the service-connected disability of hepatitis C.**

Service connection for fibromyalgia and cryoglobulinemia has been established as related to the service-connected disability of hepatitis C. You provided a statement from one of your treating physicians indicating that your diagnosed fibromyalgia and cryoglobulinemia are most likely secondary to hepatitis C. Because the diagnosed cryoglobulinemia also produces Raynaud's-like symptoms in cold weather, it is being evaluated along with fibromyalgia (the criteria for which include consideration of Raynaud's-like symptoms).

Service connection is granted and an evaluation of 40 percent is assigned from October 2, 2012, the date we received your claim for service connection.

We have assigned a 40 percent evaluation for your fibromyalgia and cryoglobulinemia based on:

- Widespread musculoskeletal pain and tender points with symptoms of headache, paresthesias, sleep disturbance, Raynaud's-like symptoms, stiffness and irritable bowel symptoms that are constant, near constant and refractory to therapy

Widespread pain means pain in both the left and right sides of the body, that is both above and below the waist, and that affects both the axial skeleton (i.e., cervical spine, anterior chest, thoracic spine, or low back) and the extremities.

This is the highest schedular evaluation allowed under the law using the criteria outlined in the diagnostic code for fibromyalgia.

### **REFERENCES:**

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our web site, [www.va.gov](http://www.va.gov).



DEPARTMENT OF VETERANS AFFAIRS

APR 06 2015

GORDON A GRAHAM

In Reply Refer To: 346/DRO/KLV

CSS

GRAHAM, Gordon A

Dear Mr. Graham:

We made a decision on your claim for service connected compensation received on October 2, 2012.

This letter tells you what we decided. It includes a copy of our rating decision that gives the evidence used and reasons for our decision. We have also included information about additional benefits, what to do if you disagree with our decision, and who to contact if you have questions or need assistance.

### Your Award Amount and Payment Start Date

Your monthly entitlement amount did not change and is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason For Change
\$3,415.74	Dec 1, 2014	Cost of Living Adjustment

We are paying you as a veteran with one dependent. Your payment includes an additional amount for your spouse, Deborah. *Let us know right away if there is any change in your marital status (for example, death, divorce, annulment).*

### What We Decided

We determined that the following condition was related to your military service, so service connection has been granted:

Medical Description	Percent (%) Assigned	Effective Date
Fibromyalgia and cryoglobulinemia associated with Hepatitis C	40%	Oct 2, 2012

CSS [REDACTED]  
Graham, Gordon A

Your overall or combined rating remains at 100%. We do not add the individual percentages of each condition to determine your combined rating. We use a combined rating table that considers the effect from the most serious to the least serious conditions.

We have enclosed a copy of your Rating Decision for your review. It provides a detailed explanation of our decision, the evidence considered, and the reasons for our decision. Your Rating Decision and this letter constitute our decision based on your claim received on October 2, 2012. It represents all claims we understood to be specifically made, implied, or inferred in that claim.

We enclosed a VA Form 21-8760, "Additional Information for Veterans with Service-Connected Permanent and Total Disability," which explains certain factors concerning your benefits.

We enclosed a VA Form 21-8764, "Disability Compensation Award Attachment-Important Information," which explains certain factors concerning your benefits.

### **Are You Entitled to Additional Benefits?**

The Department of Education provides a program for Veterans to discharge their student loans. To be eligible, the Veteran must have a service-connected disability(ies) that is 100% disabling, or be totally disabled based on an Individual Unemployability determination. For more information concerning this benefit, please contact the U.S. Department of Education, Disability Discharge Loan Servicing Center P.O. Box 5200 Greenville, TX 75403-5200 or toll free at 1-800-433-7327. Visit their website at <http://ifap.ed.gov/disabilitydischarge/va.html>.

You may be eligible for government life insurance if you

- were released from active duty after April 25, 1951,
- are in good health (except for any service connected conditions), and
- apply within two years of this notification of your disability rating.

If you are totally disabled, you may be eligible to have your government life insurance premiums waived. The Insurance is called Service-Disabled Veterans Insurance (S-DVI), and you should receive a package within two weeks. This package will contain information about the insurance and an application. If you do not receive an S-DVI package, please contact the Insurance Center to request additional information. Call the Insurance toll free number, 1-800-669-8477, or visit the Insurance web site, <http://www.insurance.va.gov>, for further information about Service-Disabled Veterans Insurance.