



**Submission of Documents to
Department Of Veterans Affairs**

**Board Of Veterans Appeals
Litigation & Support Division
P.O. Box 27063
Washington, D.C 20038**

FAX: (844) 678-8979 or (202) 6324628

Veteran:	[REDACTED]	VSC:	VBASanJuan355
C-File or SSN:	[REDACTED]		
Street Address:	[REDACTED]		
City, State, Zip:	[REDACTED]		

Date: 1/15/2021	ATTN: BVA Intake
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From:	Gordon A. Graham	Exclusive Contact Requested
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Type of Document Submitted:

<input type="checkbox"/> Request for Board Hearing at VA Central Office in D.C.
<input type="checkbox"/> Request for Advancement of the Docket (Rule 900)
<input type="checkbox"/> Request for Copy of Hearing Transcript
<input type="checkbox"/> Submission of New and Relevant Evidence associated with the instant Appeal
<input type="checkbox"/> VAF 10182 NOTICE OF DISAGREEMENT (BVA Review)
<input type="checkbox"/> Motion for Reconsideration (MFR)
<input checked="" type="checkbox"/> Other Motion to Revise BVA Decision No. 18-34 533 dated 9/17/2019

Number of Pages Submitted (NOT including this cover sheet): Seventeen (17) Pages

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Board of Veterans Appeals
Litigation and Support Group
P.O. Box 27063
Washington DC 20038

1/15/2021

[REDACTED]
In reference to: BVA Docket No. 18-34 533

Motion to Revise the Decision of the Board

Movant, through counsel, avers the BVA Decision dated 9/17/2019 is arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law.

Movant further contends this error of fact has been perpetuated continuously in previous ratings decisions over the last fifty years (1975, 2010, 2015, 2016). The 3/23/1972 error created an outcome-determinative decision ever after. Further, the Board of Veterans Appeals (BVA), in Docket Number 18-34 533, failed to discern the clear and unmistakable error despite being pled with great specificity. By operation of law, BVA decision No. 18-34 533 must be revised at the Board level as finality occurred there.

Legal Standard of Review

"'Clear and unmistakable evidence,' as used in the governing statutes, has been interpreted to mean evidence that 'cannot be misinterpreted and misunderstood, i.e., it is undebatable.'" **Quirin v. Shinseki**, 22 Vet. App. 390, 396 (2009) (citing **Vanerson v. West**, 12 Vet. App. 254, 258-59 (1999)).

A motion to revise based on CUE is a collateral attack on a final decision by an RO or the Board. See **Disabled Am. Veterans v. Gober**, 234 F.3d 682, 696-98 (Fed. Cir. 2000); **Hillyard v. Shinseki**, 24 Vet. App. 343 (2011).

To establish CUE in a final decision of the Board, a claimant must show that (1) either the facts known at the time were not before the adjudicator or that the law then in effect was incorrectly applied, and (2) had the error not been made the outcome would have been manifestly different. **Grover v. West**, 12 Vet. App. 109, 112 (1999).

A determination that there was CUE must be based upon the record and the law that existed at the time of the prior adjudication in question. **May v. Nicholson**, 19 Vet. App. 310, 313 (2005).

The claimant must provide "some degree of specificity as to what the alleged error is, and, unless it is the kind of error . . . that, if true, would be CUE on its face, persuasive reasons must be given as to why the result would have been manifestly different but for the alleged error." **Fugo v. Brown**, 6 Vet. App. 40, 44 (1993); see also **Bustos v. West**, 179 F.3d 1378, 1380-81 (Fed. Cir. 1999).

CUE is the sort of error that is "undebatable, so that it can be said that reasonable minds could only conclude that the original decision was fatally flawed at the time it was made." **Russell v. Derwinski**, 3 Vet.App. 310, 313-14 (1992).

To establish CUE, it must be clear from the face of the decision that a particular fact or law had not been considered in the adjudication of the case. See **Crippen v. Brown**, 9 Vet. App. 412, 421 (1996) (citing **Eddy v. Brown**, 9 Vet. App. 52, 58 (1996)).

Facts

For Reference' Sake, Refer to Exhibit A

1. Movant sought medical treatment for a "liver condition" at the San Juan, Puerto Rico VAMC (hereinafter SJVAMC) on 9/10/1970, 55 days following separation from the U.S. Army. See VA Form 10-2827 dated 9/10/1970.
2. On 9/15/1970, Movant was admitted as an inpatient for acute hepatitis not otherwise specified. Pursuant to 38 CFR §3.155(1970) Movant filed an informal claim in writing identifying the entitlement he sought while an inpatient between 9/15/1970 and 9/27/1970.
3. VA Form 07-3101, bearing Movant's new claims number, [REDACTED] was date stamped as received by the Veterans Benefits Administration variously on 9/18/1970, 10/08/1970, 10/23/1970, 12/28/1970 and 1/05/1971. In the upper righthand corner is a box (#1) labeled "**Type of Claim**". The box contains two abbreviations- "Orig." and "Hosp."- presumed to be abbreviations for "Original" and "Hospital" claim.
4. On 2/24/1971, still suffering from malaise and nausea, Movant reported for a liver scan with contrast. The radiologist opined a persistent acute liver disease was afoot when compared to a similar study done 9/1/1970- 5 months and 23 days earlier. (VA Form SF 515)
5. Movant was again admitted as an inpatient to the San Juan P.R. VAMC 9 months later from 6/25/1971 to 6/28/1971 for continued malaise with anorexia and underwent a liver biopsy. The Doctor diagnosed persistent, active, viral hepatitis with moderate activity. (VA Form SF 519).

6. Movant submitted his VA Form 21-526 on 9/17/1971 and timely completed the requirement of §3.155 for a formal claim. The claim number assigned was [REDACTED]
7. A 12/22/1971 c&p examination found no evidence of 'abdominal condition or liver stigmata.'
8. A handwritten Ratings Decision was promulgated on 3/23/1972 denying entitlement to service connection for Hepatitis. Item J on VA Form 21-6796 Rating Decision held the original claim was filed on 9/17/1971- i.e., more than one year after separation from the service. The claims file number in Block #2 was [REDACTED]
9. Subsequent rating decisions in 1975, 2010, 2015, 2016 and the 9/17/2019 BVA appeal now being collaterally attacked here have continued to allege the original claim was filed on 9/17/1971 and no earlier. There are no other claims file numbers of record.

BVA Decision No. 18-34 533

On page 2 of BVA Decision No. 18-34 533, dated 9/19/2019, Veterans Law Judge (VLJ) Matthew Tenner held in the Findings of Fact #8:

"The March 1972 rating decision denying entitlement to service connection for a liver condition does not contain an outcome-determinative error in applying the law extant at that time to the facts that were before the adjudicator."

In the Conclusions of Law section, under Item #6, the Trier of fact concluded:

"The criteria to establish CUE in the RO's March 1972 decision denying connection for a liver condition have not been met. 38 U.S.C. §§5109A, 7105©; 38 C.F.R. §§3.104, 3.105."

On 12/20/2017, movant filed the instant Motion to Revise the 3/23/1972 rating decision. In keeping with the strictures of **Fugo** *supra*, Movant was careful

to identify, with a great degree of specificity, the nature of the clear and unmistakable error. On page 6 of the 12/20/2017 Motion to Revise filing, Movant stated:

*"Movant clearly and unmistakably qualified for service connection on July 15th, 1970 based entirely on his VA medical records alone. His claim was well grounded based on the evidence of record, statute (38 USC §310) and regulation (38 CFR §3.303(d)). That the evidence was not before the adjudicator is hardly Movant's fault. The presumption of regularity that VA employees are knowledgeable of their duties confirms Mr. Perez-Soto's signing of the VAF 10-2827 and the subsequent acknowledgement of eligibility can only be seen as an informal claim that was subsequently transmitted or acted upon by VA personnel and officially transmitted to the Veterans Benefits Administration. It was a matter of record from September 10th, 1970 on. The presumption of regularity states government personnel are presumed competent in their assigned duties. The presumption can only be rebutted by material evidence to the contrary. **Thus, if the VA certified that Mr. Perez-Soto presented for treatment of a disease or injury and determined it was incurred in active service and he was dutifully entitled, it is presumed they communicated Movant's informal intention to file to the VBA for proper disposition. Eligibility arose on July 16th, 1970, the day following release from active service. As the Informal claim was subsequently introduced on an approved VAF 21-526 within the required year from separation and prior to June 15th, 2015, it qualifies under the definition of an "informal claim" which was officially and subsequently completed within the filing time (one year) on a properly prescribed form approved by the Veterans Administration at that time.** (emphasis added)*

Thus, reasonable minds can agree that the error was described with a clear and unmistakable degree of specificity in Movant's 12/20/2017 collateral attack brief per the holding in **Fugo** *supra*.

Nowhere in the four corners of the 9/17/2019 BVA decision can there be ascertained any mention of the 10/31/1970 informal claim nor a Reasons or Bases discussion addressing why the informal claim did not toll the later filing of

the VA Form 21-526. The VA Form 07-3101 is documented, date-stamped proof the claim had been accepted, CEST'd and an End Product code assigned. In fact, the 1/05/1971 document unequivocally states the benefit sought (Box 17- Hepatitis) and shows preliminary development had begun- including determining the character of movant's discharge. Reasonable minds can only concur VA's issuance of the VA Form 07-3101 clearly and unmistakably confirms receipt of Movant's informal claim and were now seeking his service treatment records (STRs).

Application of §§3.1; 3.155; 3.400(b)

Movant subsequently received a VA Form 21-526 by mail from VA in the spring of 1971 following his earlier informal request while an inpatient of the SJVAMC, for entitlement to a liver condition. Movant timely returned the VA Form 21-526 on 9/17/1971 in compliance with the Secretary's regulation (§3.155(1970)). Clear and unmistakable evidence, as iterated above in the legal standard of review discussion, and used in the governing statutes, has been interpreted to mean evidence that cannot be misinterpreted and misunderstood, i.e., it is undebatable. *Quirin supra*. Not one, but two documents (VA Forms 10-2827 and 07-3101), confirm an original, informal claim was applied for and filed while Movant was hospitalized and later accepted-including the issuance of a claims file number confirming his submission and the preliminary development of the claim. Movant asks the trier of fact to take judicial note of the fact the claims file number was issued fully 8 months and 5 days prior to the filing of the 9/17/1971 VA Form 21-526. Absent a claims filing, there would be no reason to issue a claims file number.

Further, the evidence of record at the time the Movant completed the submission of his formal 9/17/1971 claim clearly and unmistakably showed the informal claim was on file and actively being adjudicated at the San Juan VBA.

VLJ Tenner's conclusion of law In BVA Appeal No. 18-34 533 held Movant sought service connection for a liver condition **no earlier than** September

VLJ Tenner's conclusion of law in BVA Appeal No. 18-34 533 held Movant sought service connection for a liver condition no earlier than September 17, 1971. This is a clear and unmistakable error of fact. There is no discussion of any claims filing-formal or informal prior to 9/17/1971.

The Secretary, however, does not dispute the doctor's diagnosis of persistent viral hepatitis with demonstrated liver damage documented in a June 26, 1971 liver biopsy- fully ten months after the Veteran was initially hospitalized for same. This, too, was within the one-year window of separation from service and subsequent to the informal claims filing. The liver biopsy and results prove the disease was persistent and compensable during the pendency of the claim or appeal.

By operation of law, a claimant's disease or injury must be compensable during the pendency of the claim or appeal. Here in the instant case, the evidence of record reflects a liver scan with contrast was conducted on 2/24/1971-during the pendency of the claim- showing an enlarged liver and spleen. The author (Julio V. Rivera, M.D.) opined the image "appeared to point to persistence of an active liver disease". (emphasis added). Similar findings showing permanent, ongoing liver damage were confirmed and diagnosed in a liver biopsy on June 26, 1971-again, well within the pendency of the claim- diagnosing a compensable liver condition. The presence of a compensable disease process was thus established. Entitlement arose on 7/16/1970.

The Secretary alleges no liver disability was evinced at a 12/22/1971 VA c&p examination. The legal standard of review requires a claimant need merely exhibit compensable signs and symptoms during the pendency of the claim or appeal. The absence of evidence of "abdominal condition or liver stigmata" at the 12/22/1971 c&p examination was not fatal to Movant's claim. Movant does not argue over *how* the evidence was evaluated. This would be impermissible by law. **Russell** *supra*.

Summary

A clear and unmistakable error occurred in the 3/23/1972 rating. The VBA355 Regional Office Ratings Board ignored or overlooked the informal claim associated with the claims file on 10/23/1970 which was mechanically date-stamped as received by the VBA on 10/23/1970, 12/28/1970 and yet again on 1/05/1971. The rating dated 3/23/1972 stated unequivocally that the **original**, [formal] claim was filed on 9/17/1970. Reasonable minds can only concur the evidence rebuts this finding of fact. This was an error of fact which then provoked an error of law. The error manifestly changed the outcome of the claim-i.e., entitlement to service connection for a liver condition within one year of separation from service. See §§3.155; 3.400(1970). There can be only one permissible view of the evidence showing an informal claim was filed within one year of separation from service. The error is undebatable.

But for the error, Movant would have been granted service connection based solely on §§3.155; 3.303(a); 3.400; 4.114 DC 7345. By operation of law, Movant is entitled to an effective date for service connection of 7/16/1970-the day after separation from active duty.

Movant is terminally ill. His Hepatocellular Carcinoma (HCC) has been diagnosed as fatal and incurable. He is being treated with drugs (Nivolumab) which are hoped to marginally extend his lifespan. He was advanced on the docket due to medical condition in the 9/17/2019 appeal and asks for the same consideration now.

Wherefore, Movant implores the trier of fact to reverse his previous conclusions of law which have been clearly and unmistakably rebutted by the VA's very own contemporary evidence in the claims file. There simply cannot be two views on the subject of whether an informal claim was, or was not, filed tolling the 9/17/1970 claim under §3.155 (1970).

Respectfully submitted,



Gordon A. Graham POA/EIP
Counsel for Movant [REDACTED]

Attachments: Exhibit A- VA Form 10-2827 dated 9/10/1970; VA Form 07-3101 dated 9/18/1970, 10/8/1970, 10/23/1970, 12/28/1970, 1/05/1971; VA Form SF 519; VA Form SF 515 dated 6/26/1971; VA Form 21- 6796 dated 3/23/1972

Exhibit A

VA Forms Showing Filing of an Informal Claim On 9/18/1970

1. VA Form 10-2827
2. VA Form 07-3101
3. VA Form SF 515
4. VA Form SF 519
5. VA Form 21-6796

DUPLICATE

Form Approved
Budget Bureau No. 76-R0078

VETERANS ADMINISTRATION

APPLICATION FOR OUTPATIENT TREATMENT

2. CLAIM NO.

C-

3. VETERAN'S LAST NAME - FIRST NAME - MIDDLE NAME

Perez, Soto, Roberto

4. NAME SERVED UNDER IN MILITARY SERVICE IF DIFFERENT FROM ITEM 3

None

5. VETERAN'S ADDRESS

135 Flores St.
Caguas, P.R.

6. TELEPHONE NO.

788-
1929

7. DATE OF BIRTH

7A. ARE YOU A VA EMPLOYEE?

☐ YES

☒ NO

HISTORY OF ACTIVE MILITARY SERVICE (If applicable, also give your present reserve military status)

8. BRANCH OF SERVICE

☒ ARMY

☐ NAVY

☐ AIR FORCE

☐ MARINE CORPS

☐ COAST GUARD

(OTHER)

9. SERVICE NO.

10. ENTERED ACTIVE DUTY

DATE

PLACE

11. SEPARATED FROM ACTIVE DUTY

DATE

PLACE

11A. GRADE AND ORGANIZATION

12. TYPE OF RELEASE

☒ DISCHARGE ☐ SEPARATION

☐ RETIREMENT

13. TYPE OF DISCHARGE, SEPARATION, OR RETIREMENT

☒ HONORABLE ☐ NOT HONORABLE

☐ FOR DISABILITY ☐ NOT FOR DISABILITY

14. BENEFIT(S) PREVIOUSLY APPLIED FOR

☐ OUTPATIENT MEDICAL TREATMENT

☐ OUTPATIENT DENTAL TREATMENT

☐ OTHER (Specify)

15. LOCATION OF CLAIMS FOLDER

16. DISEASE OR INJURY WHICH YOU CLAIM TO BE SERVICE-CONNECTED AND FOR WHICH TREATMENT IS REQUESTED

Hepatitis - acute

MEDICAL OR DENTAL TREATMENT RECEIVED, SINCE DISCHARGE, FOR CONDITIONS LISTED IN ITEM 16

(Complete items 17, 18, and 19 if this is first application for treatment of condition(s) shown in item 16)

17. DATES (Month and year)

9/10/70

18. WHERE OR FROM WHOM

VAH

19. APPROXIMATE DATE THIS CONDITION WAS FIRST NOTICED

20. HAVE YOU EVER BEEN DISCHARGED FROM HOSPITAL OR DOMICILIARY BECAUSE OF DISCIPLINARY ACTION, AWOL, OR AGAINST MEDICAL ADVICE?

☐ YES

☐ NO

(If "Yes," give place and date)

MEDICAL OR DENTAL TREATMENT RECEIVED, DURING MILITARY SERVICE, FOR CONDITIONS LISTED IN ITEM 16

(No entry necessary in items 21 and 22 if service connection is established for condition(s) requiring treatment)

21. DATES (Month and year)

22. CONDITIONS TREATED AND PLACES OF TREATMENT (Give name and location of station in which you were treated - be specific)

None

Complete items 23 and 24 if this is an application for dental benefits.

23. HAVE YOU BEEN A PRISONER OF WAR?

☐ YES

☒ NO

(If "Yes," give name of country)

24. IS THE DENTAL CONDITION FOR WHICH YOU DESIRE TREATMENT THE RESULT OF COMBAT WOUNDS OR TRAUMA (INJURY) TO YOUR FACE OR JAW?

☐ YES ☐ NO

(If "Yes," give date and place of treatment in items 21 and 22)

25. IF TREATMENT IS AUTHORIZED BUT CANNOT BE FURNISHED AT A VA CLINIC, GIVE NAME AND ADDRESS OF PHYSICIAN OR DENTIST BY WHOM YOU WISH TO BE TREATED

26. HAVE YOU ASSIGNED POWER OF ATTORNEY TO A SERVICE ORGANIZATION?

☐ YES

☒ NO

(If "Yes," give name of organization)

27. DATE

9/10/70

28. SIGNATURE OF APPLICANT

[Redacted Signature]

THIS SPACE FOR OFFICE USE ONLY

REASON AND SOURCE OF DATA (Copy rating here unless rating sheet or extract is furnished, or has been requested. Continue on reverse if necessary)

PRIMA FACIE BLIG

Circ. 98-62-32

STATUS

☒ ELIGIBLE

☐ INELIGIBLE

DATE OF RATING

VA REGULATION

60602

MEDICAL OR DENTAL ACTION AUTHORIZED

GI Clinic

NAME OF STATION

VAH

DATE

9/10/70

SIGNATURE OF ELIGIBILITY CLERK

[Redacted Signature]

DATE

9/21/70

SIGNATURE OF MEDICAL OR DENTAL OFFICER

[Redacted Signature]

II 3.2.20

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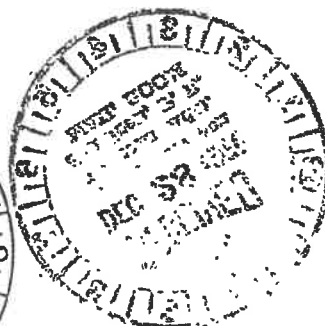
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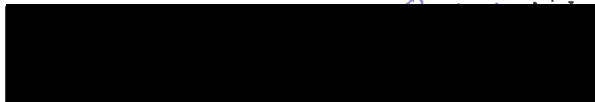
W. J. R.

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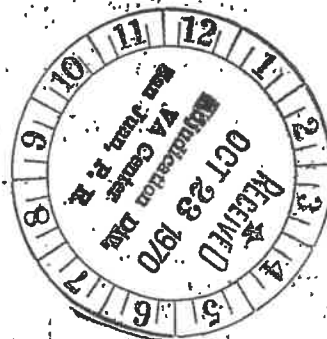
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VETERANS ADMINISTRATION REQUEST FOR INFORMATION				TYPE OF CLAIM ORIG. HOSP.	
2. SEPARATION FORMS ON FILE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3. DATA REQUESTED <input checked="" type="checkbox"/> SERVICE <input type="checkbox"/> MEDICAL <input type="checkbox"/> DENTAL <input type="checkbox"/> OTHER			
4. BRANCH OF SERVICE <input checked="" type="checkbox"/> ARMY <input type="checkbox"/> NAVY <input type="checkbox"/> AIR FORCE <input type="checkbox"/> MARINE CORPS <input type="checkbox"/> COAST GUARD <input type="checkbox"/> NATIONAL GUARD (Army) <input type="checkbox"/> NATIONAL GUARD (Air) <input type="checkbox"/> OTHER (Specify)					
5A. NAME AND ADDRESS OF VA REQUESTING OFFICE FROM VAC SAN JUAN PR - 455		5B. ORIGINATING UNIT ADJ. DIV. (21)		6. CLAIM NO. C- 26 [REDACTED]	
8. LAST NAME - FIRST NAME - MIDDLE INITIAL (Under which served) [REDACTED]		9A. ALL SERVICE NOS 50 189 919		9B. SOCIAL SECURITY NO. [REDACTED]	
10. DATE OF BIRTH [REDACTED]		11. PLACE OF BIRTH Unk.		12. DATE OF DEATH	
13. DATE ENTERED ACTIVE DUTY A. 7-16-68		14. DATE SEPARATED FROM ACTIVE DUTY 7-15-70		15. CHARACTER OF SEPARATION OR DISCHARGE Unk.	
16. LAST GRADE, RATE OR RANK, AND ORGANIZATION Unk.		17. ALLEGED DISEASE OR INJURY A. HEPATITIS		18. DATES OF TREATMENT UNK	
19. PLACES OF TREATMENT UNK		20. ORGANIZATION AT TIME DISEASE OR INJURY WAS INCURRED			
21. ADDITIONAL INFORMATION REQUESTED Sep cur LD unk Please furnish all available med record reinfo etc					
22A. SUBSEQUENT RESERVE OR RETIRED STATUS <input type="checkbox"/> NONE <input type="checkbox"/> RESERVE OBLIGATION (Complete Item 22B) <input type="checkbox"/> RETIRED (Complete Item 22C) <input checked="" type="checkbox"/> UNKNOWN					
22B. OBLIGATION TERMINAL DATE		22C. RETIRED STATUS <input type="checkbox"/> IN PAY STATUS <input type="checkbox"/> NONPAY STATUS <input type="checkbox"/> TEMPORARY DISABILITY RETIRED LIST <input type="checkbox"/> RETIRED-STATUS UNKNOWN			
23. DATE 10-31-70		24. SIGNATURE AND TITLE OF VA OFFICIAL E. A. FOX, ADJ. OFF.			
ENDORSEMENT - VERIFICATION BY SERVICE DEPARTMENT (Check applicable box(es)) <input checked="" type="checkbox"/> AVAILABLE REQUESTED RECORDS FORWARDED <input type="checkbox"/> ITEMS 8 & 9, AND 12 THROUGH 15 VERIFIED CORRECT <input type="checkbox"/> ITEMS 8 & 9, AND 12 THROUGH 15 VERIFIED CORRECT, EXCEPT:					
15: Hon rel. Health record not on file. If dates and places of treatment are furnished an effort will be made to obtain records of alleged treatment.					
<div style="display: flex; justify-content: space-around;"> <div style="border: 2px solid black; border-radius: 50%; padding: 10px; text-align: center;"> <p>RECEIVED DEC 28 1970 VETERANS ADMINISTRATION San Juan, P.R.</p> </div> <div style="border: 2px solid black; border-radius: 50%; padding: 10px; text-align: center;"> <p>RECEIVED JAN 5 1971 VETERANS ADMINISTRATION San Juan, P.R.</p> </div> </div>					
NO. OF ENCLOSURES		ORIG. COPY		NO. ENCLS. (Cont.)	
HEALTH RECORDS				CLINICAL RECORDS	
PHYSICAL EXAMINATIONS AT ENTRANCE		X		X-RAYS	
PHYSICAL EXAMINATIONS AT SEPARATION		X		DENTAL RECORDS	
				MEDICAL RECORDS	
				OTHER RECORDS	
DATE		DATE		SIGNATURE AND TITLE	
1970		1970		Holtzman	
				Major General, USA The Adjutant General AGUZ-SMP-SCV	

DUPLICATE



Reverse of VAF 07-3101
dated 9/18/1970

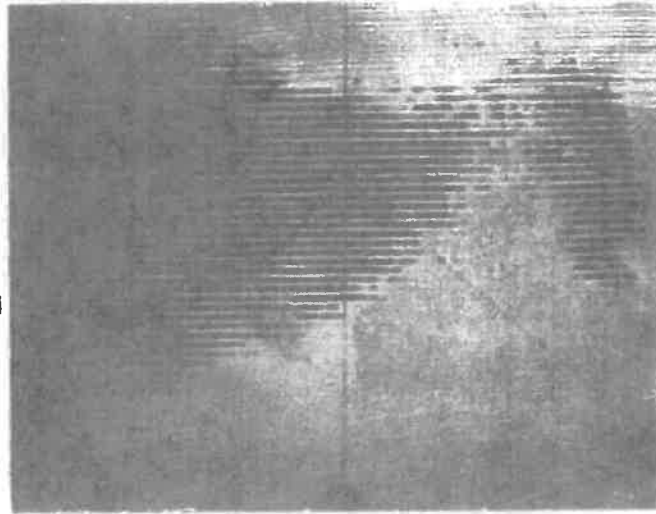


DUPLICATE



CLINICAL RECORD

RADIOGRAPHIC REPORTS



U.P.A.
B

22/4

Liver scan

100% of sulfur colloid, with normal distribution of colloid

100% of sulfur colloid, with normal distribution of colloid, no abnormal enlargement, poor appetite, hypophosphatemia

FILE TREATMENT FOLDER

FILE NO. DATE OF REQUEST

99m

Liver scan (Tc sulfur colloid) AP view on 2-22-71 shows a slightly enlarged organ (21 cm wide, 17 cm long). The lower border appears more convex than usual. The distribution of colloid is uniform throughout. The spleen is slightly enlarged (11 cm long) but it concentrated colloid only to a moderate degree.

Findings are similar to those in previous study dated 9-21-70. They would appear to point to persistence of the active liver disease.

DATE OF REPORT 2-24-71

DR. O. V. RIVERA, M. D.

Nuclear Medicine Service

(BUREAU OF NUCLEAR MEDICINE, UNIVERSITY OF CALIFORNIA)

grade; date; hospital or medical facility)

REGISTER NO.

WARD NO. OPD

RADIOGRAPHIC REPORTS
Standard Form 519
519-106

PEREZ SOTO, Roberto

DUPLICATE

Form 512
Rev. 2-70
U.S. GOVERNMENT PRINTING OFFICE: 1961 O-559141

5-1228-71

CLINICAL RECORD

TISSUE EXAMINATION

Specimen submitted by
Dr. Mercado

DATE OBTAINED

June 26, 1971

Specimen Description (needle)

Specimen description (needle) (Indicate duration of lesion and rapidly if growth, if a neoplasm)

Twenty-two year old male with history of viral hepatitis (September 1970).
Remained with persistent anorexia SGOT and Bilirubin 10 months after -
enlarged liver.

PRELIMINARY DIAGNOSIS

Persistent Viral Hepatitis; repeated liver insult - i.e. Drug Addiction

DEFINITIVE DIAGNOSIS

Viral hepatitis

SIGNATURE AND TITLE

DR. MERCADO, M.D.

PATHOLOGICAL REPORT

NAME OF LABORATORY

Laboratory Service, VA Hospital

ACCESSION NO.

5-1228-71

Gross Description: The specimen consists of a roughly cylindrical pale brown
tissue fragment that measures 1.3 cm. in length.

Histologic Examination: Sections show liver tissue with multiple areas of chronic
mononuclear cell infiltration which appear to be more severe in portal triads.
Regenerative ballooning - yes and dark cell formation are present in some
areas. Extruded eosinophilic bodies are rarely identified.

Remarks: Viral hepatitis with moderate activity.

Specimen - 100-1150-1150

VC PCT

2001 SEP-3 P 2 18

SAN JUAN, P.R.
VBA 355

(Continue on reverse side)

Dr. M. VASQUEZ, M.D. Asst. Chief, Laboratory Service

DATE

June 30, 1971

AGE

SEX

RACE

22

M

C

PATIENT'S IDENTIFICATION (For typed or written outside files: Name - last, first, middle; gender; date; hospital or medical facility)

REGISTER NO.

WARD NO.

7B

PREL-SOTO, Roberto

TISSUE EXAMINATION
Standard Form 512
513-105

DUPLICATE

DUPLICATE

NOTE - SHADED AREAS TO BE COMPLETED BY INPUT ACTIVITY

1. COPY TO <input type="checkbox"/> REG <input type="checkbox"/> MED <input type="checkbox"/> OR FOLDER <input type="checkbox"/> REG FOLDER <input type="checkbox"/> OTHER (Specify)		2. FILE NUMBER C [REDACTED]	
3. TRANS. CODE 19		4. DATE OF ISSUE 1-31-72	
5. DATE OF LAST EXAMINATION 7-14-68		6. DATE OF DEATH 7-15-70	
7. INITIALS AND SURNAME OF VETERAN [REDACTED]		8. DATE OF BIRTH 6-12-48	
9. TYPE OF RATING <input type="checkbox"/> 1. INCOMPETENT <input type="checkbox"/> 2. INCOMPETENT		10. EMPLOYABILITY 1. EMPLOYABLE OR NOT AN ISSUE 2. UNEMPLOYABLE	
11. ACTIVE DUTY (DD, DD, DD) 7-14-68		12. DATE OF BIRTH 6-12-48	
13. DATE OF BIRTH 6-12-48		14. DATE OF BIRTH 6-12-48	
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97. DATE OF BIRTH 6-12-48		98. DATE OF BIRTH 6-12-48	
99. DATE OF BIRTH 6-12-48		100. DATE OF BIRTH 6-12-48	

20. NARRATIVE

J. Original claim filed 9-17-71.

I. 9/16 for back, feet, nervous, abdominal pains and liver condition.

F. Anamnesis at a doctor is negative. There are no service medical records in file at separation, when claimed in SFs versus troubles, cramps in legs and broken bones, however separation exam. was also negative. Veteran was hospitalized from 6-25-71 to 6-28-71 because of Viral Hepatitis, persistent, when claiming history of viral hepatitis last Sept. 1970. V.B. seen Med exam of 12-22-71, looks normal, no abdominal condition, and no liver atrophy. The V.B. Hepatitis exam reveals no liver suffer from Case 12-22-71.

8. NSC VE.
Anxiety, Neurosis
Viral Hepatitis.

36. Back, feet and abdominal pains - by the evidence of record.

21. SPECIAL PROVISION CODE
1-PAR 24 2-VAR 192 3-ANAL. MATING 4-PAR 25
5-PAR 26 6-VAR 192 7-OTHER OR COME

22. SPECIAL MONTHLY COMPENSATION
A-SMC PAR 24 2-LOSS OF LEE 3-ANAL. LONG 4-OTHER LOSS

23. CLAIMANT REPRESENTED BY:
☐ AL ☐ VFR ☐ OAV ☐ PRC ☐ AMV 15 ☐ OTHER

24. RATING SPECIAL (RECORD)
25. RATING SPECIAL (RECORD)
26. RATING SPECIAL (RECORD)

