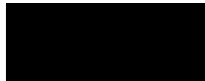




**DEPARTMENT OF VETERANS AFFAIRS  
Decision Review Operations Center  
(DROC)  
St. Petersburg Regional Office**



**VA File Number**



**Represented By:  
GORDON A GRAHAM  
Rating Decision  
11/25/2024**

**INTRODUCTION**

The records reflect that you are a Veteran of the Peacetime and Vietnam Era. You served in the Marine Corps from July 5, 1961 to October 2, 1967. The Board of Veterans Appeals made their decision on your appeal on November 22, 2024. We have implemented their decision based on the evidence listed below.

**DECISION**

1. For entitlement to Accrued Benefits service connection for right upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted with an evaluation of 80 percent effective April 22, 2024.
2. For entitlement to Accrued Benefits service connection for left upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted with an evaluation of 40 percent effective April 22, 2024.
3. For entitlement to Accrued Benefits service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is



granted with an evaluation of 20 percent effective April 22, 2024.

4. For entitlement to Accrued Benefits service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted with an evaluation of 20 percent effective April 22, 2024.

5. For entitlement to Accrued Benefits service connection for right lower extremity, femoral motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted with an evaluation of 20 percent effective April 22, 2024.

6. For entitlement to Accrued Benefits service connection for right lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted with an evaluation of 20 percent effective April 22, 2024.

7. For entitlement to Accrued Benefits for entitlement to special monthly compensation based on aid and attendance criteria being met is granted from April 22, 2024.

### **EVIDENCE**

- Board of Veterans' Appeals Decision, dated November 22, 2024
- VA Form 10182, Decision Review Request: Board Appeal, received August 5, 2024
- Rating Decision dated July 23, 2024 and Notification letter dated, July 25, 2024
- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits, received April 22, 2024
- VA contract examinations, VES, conducted May 24, 2024

### **REASONS FOR DECISION**

#### **1. For entitlement to Accrued Benefits service connection for right upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for right upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 80 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned an 80 percent evaluation for your Neuropathy, Right Upper Extremity based on:

- Complete paralysis of the radial nerve, median nerve, ulnar nerve of the minor extremity (rated as all radicular groups) (38 CFR 4.124a)

This is the highest schedular evaluation allowed under the law for paralysis of all radicular groups. (38 CFR 4.120, 38 CFR 4.124a)

**2. For entitlement to Accrued Benefits service connection for left upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for left upper extremity motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 40 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned a 40 percent evaluation for your Neuropathy, Left Upper Extremity based on:

- Moderate incomplete paralysis of the radial nerve, ulnar nerve, median nerve of the major extremity (rated as all radicular groups) (38 CFR 4.124a)

A higher evaluation of 70 percent is not warranted for paralysis of all radicular groups unless the evidence shows:

- Nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

**3. For entitlement to Accrued Benefits service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of

amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 20 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned a 20 percent evaluation for your Peripheral Neuropathy, Left Lower Extremity based on:

- Moderate incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 40 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows:

- Nerve damage is moderately severe. (38 CFR 4.120, 38 CFR 4.124a)

**4. For entitlement to Accrued Benefits service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for left lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 20 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned a 20 percent evaluation for your Peripheral Neuropathy, Left Lower Extremity based on:

- Moderate incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 30 percent is not warranted for paralysis of the anterior crural nerve (femoral) unless the evidence shows:

- Nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

**5. For entitlement to Accrued Benefits service connection for right lower extremity, femoral motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for right lower extremity, femoral motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 20 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned a 20 percent evaluation for your Peripheral Neuropathy, Right Lower Extremity based on:

- Moderate incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 30 percent is not warranted for paralysis of the anterior crural nerve (femoral) unless the evidence shows:

- Nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

**6. For entitlement to Accrued Benefits service connection for right lower extremity, sciatic motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS).**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to service connection for motor neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Service connection may be granted for specific diseases or conditions which are presumed to have been caused by service if manifested to a compensable degree following military discharge. Although not shown in service, service connection for right lower extremity, sciatic motor

neuron disease/monomelic amyotrophy, a variant of amyotrophic lateral sclerosis (ALS) has been granted on the basis of presumption. (38 CFR 3.307, 38 CFR 3.309)

An evaluation of 20 percent is assigned from April 22, 2024. Service connection has been established from the day VA received your formal application. Your claim has been continuously pursued. (38 CFR 3.400, 38 CFR 3.2500)

We have assigned a 20 percent evaluation for your Peripheral Neuropathy, Right Lower Extremity based on:

- Moderate incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 40 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows:

- Nerve damage is moderately severe. (38 CFR 4.120, 38 CFR 4.124a)

**7. For entitlement to Accrued Benefits for entitlement to special monthly compensation based on aid and attendance.**

The Board of Veterans' Appeals (BVA) Decision of November 22, 2024, determined that entitlement to special monthly compensation based on the need for aid and attendance is granted. Please refer to BVA decision of November 22, 2024, for more information as to the reasons and basis for this decision. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.2501)

Entitlement to special monthly compensation is warranted in this case because criteria regarding aid and attendance have been met. (38 CFR 3.350)

**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 website, [www.va.gov](http://www.va.gov).