



**DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Regional Office**



VA File Number



**Represented By:
GORDON A GRAHAM
Rating Decision
09/15/2025**

INTRODUCTION

The records reflect that you are a Veteran of the Peacetime and Vietnam Era. You served in the Army from June 24, 1964 to June 23, 1967. You filed a new claim for benefits that was received on July 10, 2025. Based on a review of the evidence listed below, we have made the following decision(s) on your claim.

DECISION

1. Evaluation of chronic kidney disease stage III, which is currently 80 percent disabling, is continued.
2. Evaluation of multiple sclerosis with sleep apnea, which is currently 50 percent disabling, is continued.
3. Evaluation of peripheral neuropathy, left lower extremity [sciatic nerve], which is currently 40 percent disabling, is continued.
4. Evaluation of peripheral neuropathy, right lower extremity [sciatic nerve], which is currently



40 percent disabling, is continued.

5. Evaluation of diabetic peripheral neuropathy, left upper extremity, which is currently 20 percent disabling, is continued.

6. Evaluation of diabetic peripheral neuropathy, right upper extremity, which is currently 20 percent disabling, is continued.

7. Evaluation of peripheral neuropathy, left lower extremity [femoral nerve], which is currently 20 percent disabling, is continued.

8. Evaluation of peripheral neuropathy, right lower extremity [femoral nerve], which is currently 20 percent disabling, is continued.

9. Entitlement to special monthly compensation aid and attendance is moot.

EVIDENCE

- VA Form 21-526EZ Application for Disability Compensation and Related Compensation Benefits, received July 10, 2025
- VAMC (Veterans Affairs Medical Center) treatment records, Biloxi VAMC, for the period May 30, 2007 to August 26, 2025
- Disability Benefit Questionnaires, VES, received September 7, 2025, conducted July 23, 2025

REASONS FOR DECISION

1. Evaluation of chronic kidney disease stage III currently evaluated as 80 percent disabling.

The evaluation of chronic kidney disease stage III is continued as 80 percent disabling.

We have assigned an 80 percent evaluation for your chronic kidney disease stage III based on:

- Chronic kidney disease with glomerular filtration rate (GFR) from 15 to 29 mL/min/1.73 m² for at least 3 consecutive months during the past 12 months

A higher evaluation of 100 percent is not warranted for renal dysfunction unless the evidence shows:

- Chronic kidney disease with GFR less than 15 mL/min/1.73 m² for at least 3 consecutive months during the past 12 months; or,
- Eligible kidney transplant recipient; or,
- Requiring regular routine dialysis. (38 CFR 4.115a, 38 CFR 4.115b)

2. Evaluation of multiple sclerosis with sleep apnea currently evaluated as 50 percent disabling.

The evaluation of multiple sclerosis with sleep apnea is continued as 50 percent disabling.

We have assigned a 50 percent evaluation for your multiple sclerosis based on:

- Requires use of breathing assistance device such as continuous airway pressure (CPAP) machine

A higher evaluation of 100 percent is not warranted for sleep apnea syndromes unless the evidence shows:

- Carbon dioxide retention; or,
- Chronic respiratory failure; or,
- Cor pulmonale; or,
- Tracheostomy required. (38 CFR 4.96, 38 CFR 4.97)

3. Evaluation of peripheral neuropathy, left lower extremity [sciatic nerve] currently evaluated as 40 percent disabling.

The evaluation of peripheral neuropathy, left lower extremity [sciatic nerve] is continued as 40 percent disabling.

We have assigned a 40 percent evaluation for your peripheral neuropathy, left lower extremity [sciatic nerve] based on:

- Moderately severe incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 60 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows nerve damage is severe with marked muscular atrophy. (38 CFR 4.120, 38 CFR 4.124a)

4. Evaluation of peripheral neuropathy, right lower extremity [sciatic nerve] currently evaluated as 40 percent disabling.

The evaluation of peripheral neuropathy, right lower extremity [sciatic nerve] is continued as 40 percent disabling.

We have assigned a 40 percent evaluation for your peripheral neuropathy, right lower extremity [sciatic nerve] based on:

- Moderately severe incomplete paralysis (38 CFR 4.124a)

A higher evaluation of 60 percent is not warranted for paralysis of the sciatic nerve unless the evidence shows nerve damage is severe with marked muscular atrophy. (38 CFR 4.120, 38 CFR 4.124a)

5. Evaluation of diabetic peripheral neuropathy, left upper extremity currently evaluated as 20 percent disabling.

The evaluation of diabetic peripheral neuropathy, left upper extremity is continued as 20 percent disabling.

An evaluation of 20 percent is assigned for incomplete paralysis involving all radicular nerve groups of a minor upper extremity which is mild. A higher evaluation of 30 percent is not warranted unless evidence demonstrates incomplete paralysis involving all radicular nerve groups of a minor upper extremity which is moderate. (38 CFR 4.120, 38 CFR 4.124a)

6. Evaluation of diabetic peripheral neuropathy, right upper extremity currently evaluated as 20 percent disabling.

The evaluation of diabetic peripheral neuropathy, right upper extremity is continued as 20 percent disabling.

An evaluation of 20 percent is assigned for incomplete paralysis involving all radicular nerve groups of a major upper extremity which is mild. A higher evaluation of 40 percent is not warranted unless evidence demonstrates incomplete paralysis involving all radicular nerve groups of a major upper extremity which is moderate. (38 CFR 4.120, 38 CFR 4.124a)

7. Evaluation of peripheral neuropathy, left lower extremity [femoral nerve] currently evaluated as 20 percent disabling.

The evaluation of peripheral neuropathy, left lower extremity [femoral nerve] is continued as 20 percent disabling.

We have assigned a 20 percent evaluation for your PNss 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 unless the evidence shows nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

8. Evaluation of peripheral neuropathy, right lower extremity [femoral nerve] currently evaluated as 20 percent disabling.

The evaluation of peripheral neuropathy, right lower extremity [femoral nerve] is continued as 20 percent disabling.

We have assigned a 20 percent evaluation for your pn 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

unless the evidence shows nerve damage is severe. (38 CFR 4.120, 38 CFR 4.124a)

9. Entitlement to special monthly compensation aid and attendance.

Aid and attendance benefits may be awarded when the Veteran is so helpless as to be permanently bedridden or in need of the regular aid and attendance of another person to attend to the routine activities of daily living.

Review of your file shows that you are already in receipt of aid and attendance. This special monthly compensation was awarded to you on December 4, 2019.

As aid and attendance can only be awarded once based on the body as a whole and not for multiple different conditions, since you are already currently receiving this benefit, your additional application for aid and attendance is considered a moot issue as it cannot be awarded more than once.

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.