



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

Represented By:

**Rating Decision
03/22/2023**

INTRODUCTION

The records reflect that you are a Veteran of the Gulf War Era, Peacetime and Vietnam Era. You served in the Air Force from August 14, 1969 to August 31, 1999. You filed a new claim for benefits that was received on November 13, 2022. Based on a review of the evidence listed below, we have made the following decisions on your claim.

DECISION

1. Service connection for degenerative arthritis of the cervical spine is granted with an evaluation of 10 percent effective November 12, 2022.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Rating Decision		<i>Department of Veterans Affairs</i> <i>Detroit Regional Office</i>		Page 5 02/01/2000
NAME OF VETERAN [REDACTED]	VA FILE NUMBER [REDACTED]	SOCIAL SECURITY NR [REDACTED]	POA	

6. The law provides that a person who submits a claim for VA benefits must submit evidence sufficient to justify a belief that the claim is well grounded. A well-grounded claim is a plausible claim, one which has merit on its own, or is capable of substantiation. Such a claim need not be conclusive, but it must be accompanied by evidence which shows that the claimed condition exists and is possibly related to service.

Compensation is payable for a disease or injury which causes a disabling physical or mental limitation. The evidence regarding neck stiffness fails to show a disability for which compensation may be established. It is therefore not a well-grounded claim which can be resolved. In order to establish a well-grounded claim, it is necessary to provide evidence which demonstrates an actually disabling condition.

The service medical records show the veteran was seen June 12, 1996 with current neck pain, denies injury. He reported stiff neck for one week, pointing to upper neck area. Physical examination showed cervical spine with full range of motion with tenderness along C5-C6. Assessment cervical strain/sprain.

At the VA examination the veteran reported he has neck pain. VA examination of the cervical spine shows that the head is square on the shoulders and there is no muscle spasm. Muscle tone is good without any tenderness. The range of motion reveals 25 degrees of flexion and extension without any pain, 20 degrees of lateral flexion bilaterally and 45 degrees of rotation bilaterally. X-rays of the cervical spine (neck) were normal. VA examination show no objective evidence of pathology of the neck and service connection is denied. The rule regarding benefit of reasonable doubt does not apply because the preponderance of evidence is unfavorable.

~~7. Impaired hearing is established by speech discrimination (recognition) tests and pure tone audiometry. The degree of hearing impairment is classified in terms of the effect on the ability to understand speech communication and is based on the average loss of hearing for the speech frequencies 500, 1000, and 2000 Hertz. CFR 3.305 defines hearing as normal when the pure tone thresholds for the frequencies 500, 1000, and 2000 Hertz are all less than 40 decibels, with at least three of these frequencies at 20 decibels or better, and speech recognition scores are 94 percent or better using the Maryland CTR Test.~~

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~~A well-grounded claim for service connection requires evidence of a current disability, evidence of an injury or disease in service, and evidence of nexus or link between the injury or disease in service and the current disability.~~

Date/Time Exam Performed: 28 Oct 1999 @ 1140

Ordering Location: --

Requesting Provider: HANS,BIJAYA A

Reason for Study: --

Performing Location: JOHN D.DINGELL VA MEDICAL CTR

Clinical History:

r/o residuals of trauma.

Radiologist: --

Report

Report:

Impression:

STUDY CERVICAL SPINE.

THERE IS REVERSAL OR NORMAL LORDOTIC CURVATURE OF CERVICAL SPINE WHICH MAY BE RELATED TO MUSCLE SPASM OR TRAUMA. HYPERTROPHIC CHANGES ARE SEEN IN THE CERVICAL SPINE. THERE IS NARROWING OF THE DISC SPACES BETWEEN C3 AND C5 AND POSTERIOR SPUR FORMATION IN MULTIPLE LEVELS. THESE FINDINGS INDICATE SPONDYLOSIS.

PERIVERTEBRAL SOFT TISSUES ARE UNREMARKABLE.

IMPRESSION: CERVICAL SPONDYLOSIS WITH POSSIBLE MUSCLE SPASM.

DD&T:10-28-99 sl

Source: VA

Last Updated: --

Sorted By: Date/Time Exam Performed (Descending)
