

VA Compensation: Mental Health

You are here

We are here
to help you
achieve
your goals



Objectives

- ✓ **Provide an overview of service connection for mental health conditions**
- ✓ **Identify the three types of PTSD**
- ✓ **Distinguish between PTSD due to Combat versus Personal Trauma**
- ✓ **Provide tools to assist Veterans with filing these claims**

Post Traumatic Stress Disorder (PTSD)

PTSD - a mental disorder that develops as a result of a stressful event. It may develop hours, months, or years after the stressor.

PTSD may be claimed due to:

- ☐ **Combat:** An in-service stressor is conceded with receipt of a combat medal
- ☐ **Non-Combat Trauma:** witnessing the death, injury, or threat to the physical being of another person caused by something other than hostile military or terrorist activity
- ☐ **Personal Trauma:** Personal trauma is an event of human design that threatens or inflicts harm, such as rape or physical assault. 38 CFR 3.304(f)(5)

Evidence Threshold

- Credible supporting evidence that the claimed in-service stressor occurred
- Medical evidence diagnosing the condition in accordance with 38 CFR 4.125, and
- A link, established by medical evidence, between current symptomatology and the claimed in-service stressor.

Personal Trauma and in-service markers

Markers are evidentiary signs, events or circumstances indicating a possibility that the claimed stressor occurred.

Fear Easing Standard

Fear of hostile military or terrorist activity such as actual or threatened death or serious injury, Veteran's lay testimony credible (38 CFR 3.304 (f)(3)).

Comprehension Check

- ☐ **Scenario #1: Veteran served in combat during WWII.**
 - Is this a stressful event/stressor? If yes, why?

- ☐ **Scenario #2: Veteran was assigned to New Orleans immediately after Hurricane Katrina and recovered dead bodies in the city.**
 - Is this a stressful event/stressor? If yes, why?

- ☐ **Scenario #3: Veteran served in Iraq on convoy duty and was exposed to Improvised Explosive Devices (IEDs).**
 - Is this a stressful event/stressor? If yes, why?

Presumptive Service Connection

For the purpose of presumptive service connection under [38 CFR 3.309\(a\)](#), a ***psychosis*** is any of the following disorders:

- Brief Psychotic Disorder
- Delusional Disorder
- Psychotic Disorder Due to General Medical Condition
- Psychotic Disorder Not Otherwise Specified
- Schizoaffective Disorder
- Schizophrenia
- Schizophreniform Disorder
- Shared Psychotic Disorder, and
- Substance-Induced Psychotic Disorder.

Discharge due to Traumatic Stress

Under [38 CFR 4.129](#), when a mental disorder that develops in service from a highly stressful event is severe enough to result in the Veteran's discharge from active military service

- assign a service-connected (SC) evaluation of at least 50 percent, and
- schedule an examination within six months of the Veteran's discharge to determine whether a change in the evaluation is warranted.

WHY WAS THE CLAIM DENIED?

1. No stressor
2. No 21-0781/2781(a)
3. No show for the VA examination
4. No diagnosis by the examiner
5. No markers
6. Stated stressor is not consistent with conditions, circumstances or hardship of service.

What should you do as an Advocate

- Ensure the 21-0781/21-0781a is completed and sent/uploaded to VA
- Ensure the Veteran reports to the VA examination
- Tell everything at the VA examination, or,
- Send in those private treatment records documenting what is really going on, or
- Tell us that you are being seen at the Vet Center, the VAMC, the COBC
- Assist by looking for markers and identifying and documenting them on the 526

Mental Health Resources



Welcome to the Veterans Crisis Line Website

The Veterans Crisis Line connects Veterans in crisis and their families and friends with qualified, caring Department of Veterans Affairs responders through a confidential toll-free hotline, online chat, or text. Veterans and their loved ones can call **1-800-273-8255** and **Press 1**, **chat online**, or send a text message to **838255** to receive confidential support 24 hours a day, 7 days a week, 365 days a year. Support for **deaf and hard of hearing** individuals is available.

[More about the Veterans Crisis Line](#)

Are You a Veteran or Concerned About One?

Act Now

Dial **1-800-273-8255** **PRESS 1**
to talk to someone NOW

- Confidential Veterans Chat**
- Text to 838255 to Get Help NOW**
- Take a Self-Check Quiz**
- Confidential Homeless Veterans Chat**
- Support for Deaf and Hard of Hearing**

Learn Now

- Identify the Warning Signs**
- Concerned About a Veteran? You Can Help**
- Suicide and Crisis Resources**
- About the Veterans Crisis Line**

QUESTIONS

