

Yu, Cathy [REDACTED]

From: Sixeas, Joe [REDACTED]
Sent: Tuesday, April 12, 2016 11:50 AM
To: Yu, Cathy [REDACTED]
Cc: OCLA Benefits Team; McLeod, Sophia
Subject: O: js8093 js8077 js8073 Responses to RM McCaskill ltr dtd Feb 4 2016

Good morning Cathy,

Please find below VA's responses to the following questions received during the meeting; I anticipate being able to provide shortly the second set of responses to the questions submitted subsequent to the meeting.

- Are all 42 veterans who are currently receiving compensation on the basis of mustard gas disabilities listed in DOD's chem bio database?
- Is there are way that we can better understand communication between VA and DOD on the chem bio database?
 - What does the process look like from when a claim is filed to when a response is issued?
- Do you know the number of sites you've referred to DOD for verification?
- If a number of claims are coming from a site that isn't on the list, do you do anything with that information?

Thanks,

Joe

Question: Are all 42 veterans who are currently receiving compensation on the basis of mustard gas disabilities listed in DOD's chem bio database?

Response: No. DoD was only able to confirm 21 of those Veterans' claims as having full body mustard gas exposure. The 21 Veterans who were not in the DoD database are summarized below.

- 9 claims were granted due to VA exercising its discretion to award benefits even though DoD was unable to confirm exposure to mustard gas.
 - 3 granted on a direct, not presumptive basis
 - 4 granted after weighing the DoD response with other conflicting evidence and resolving based on reasonable doubt
 - 1 granted because exposure is shown on a different exposures database
 - 1 cannot be readily reviewed because the claim folder is still paper-based, and has been retired to archives
- 5 claims were granted on an alternate (direct or aggravation) basis
- 5 grants are unknown because the file is archived and unavailable electronically
- 2 grants were erroneously coded in VA's system as related to mustard gas; therefore, only 40 Veterans are currently receiving compensation on the basis of mustard gas.

Question Is there a way that we can better understand communication between VA and DOD on the chem bio database?

- What does the process look like from when a claim is filed to when a response is issued?

Response: The Muskogee VA Regional Office (RO) handles all development and adjudication for mustard gas claims. The Muskogee RO staff access the chem-bio database and search for the Veteran's exposure record. If the Muskogee RO staff cannot locate an exposure record in the database, they send Compensation Service in VBA's headquarters a copy of the claim and the available service personnel and other relevant records. Compensation Service then forwards these records to DOD for research. Once research is complete, DoD notifies Compensation Service of its findings. Compensation Service then forwards DoD's response to the Muskogee RO.

Question Do you know the number of sites you've referred to DOD for verification?

Response: VA refers claims, not sites, to DoD for verification. Information transmitted to DoD after VA receives the claim includes the reported location of the exposure. VA does not track claimed exposure locations.

Question If a number of claims are coming from a site that isn't on the list, do you do anything with that information?

Response: Yes. We share details from all the mustard gas claims with DoD, so they are already aware of claim trends.