

COMPENSATION AND PENSION (C&P) EXAMINATIONS

1. **PURPOSE.** This Veterans Health Administration (VHA) Handbook establishes procedures for administering the Compensation and Pension (C&P) Examination Program.
2. **SUMMARY OF CHANGES.** This is a new Handbook establishing the administrative procedures for the C&P Examination Program.
3. **RELATED ISSUES.** VHA Directive 1601E (to be published).
4. **FOLLOW-UP RESPONSIBILITY.** The VHA Business Office (16) is responsible for the contents of this Handbook. Questions may be directed to (202) 254-0406.
5. **RESCISSIONS.** M-1, Part 1, Chapter 20.
6. **RE-CERTIFICATION.** This VHA Handbook is scheduled for re-certification on or before the last working day of April 2011.

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COMPENSATION AND PENSION (C&P) EXAMINATIONS

1. PURPOSE

This Veterans Health Administration (VHA) Handbook establishes procedures for administering the Compensation and Pension (C&P) Examination Program.

2. BACKGROUND

Veterans may submit claims to the Veterans Benefits Administration (VBA) for service-connected compensation or non-service-connected pension benefits. If a disability rating needs to be assessed or if the veteran does not provide sufficient documentation to establish a claim for disability compensation, a medical examination may be provided. Generally, these examinations are provided by a Department of Veterans Affairs (VA) health care facility (HCF); however, in some circumstances reports submitted by a private physician may be accepted. In some instances, examinations by non-VA providers may be authorized at VA expense.

3. AUTHORITY

The authority is found in Title 38 Code of Federal Regulations (CFR) Sections 3.326 and 3.159.

4. SCOPE

When a disability compensation or pension examination is requested for rating purposes, the examination is provided in accordance with [\(38 CFR § 3.326\)](#). When a disability compensation examination is requested for purposes of determining whether a current diagnosed disability is related to an event, injury, or disease in military service, or providing other medical evidence necessary to a VA decision concerning entitlement to disability compensation, an examination will be provided in accordance with [38 CFR § 3.159](#).

5. VHA RESPONSIBILITY

a. The Medical Center Director is responsible to ensure processes are in place that assure the processing of examinations requested in connection with the adjudication of claims for VA disability compensation or pension benefits as quickly as possible. C&P examinations are a high priority workload and should be processed within the guidelines as stated in this Handbook and the [C&P Procedure Guide](#) (the preceding web site is for internal VHA use only).

b. Under [Title 38 United States Code \(U.S.C.\), Section 5103A](#), VHA may have to provide an examination as part of the C&P claims process.

(1) VHA must provide an examination, when necessary, under the duty to assist provisions of [38 U.S.C. § 5103A](#) and [38 CFR § 3.159](#) equally to incarcerated veterans and to non-incarcerated veterans.

(2) In claims for disability compensation, examinations under [38 CFR § 3.159](#) are performed to provide sufficient competent medical evidence to decide a claim; e.g., to determine whether a current diagnosed disability is related to an event, injury, or disease incurred while in military service.

c. Examinations under 38 CFR Section 3.326 are performed to assist in the establishment of disability ratings in conjunction with benefits claims.

***NOTE:** A comprehensive general medical examination usually provides both the diagnosis and symptomatology sufficient to identify a condition and determine the extent to which a veteran is disabled.*

6. REQUESTING C&P EXAMINATIONS

a. Examinations may be requested for:

(1) Veterans.

(2) Pensioners and veterans of certain nations allied with the United States in World War I and World War II, upon authorization from accredited officials of the respective governments.

***NOTE:** Allied beneficiaries are managed manually outside of the Automated Medical Information Exchange/Compensation and Pension Record Interchange (AMIE/CAPRI) software within the Veterans Information Systems and Technology Architecture (Vista) software. Veterans who are employees of VA have their examinations performed at an alternate VA location from the location of their employment. For more information on allied beneficiaries, see the Non-Veteran Beneficiaries Procedure Guider which is for internal VHA use only.*

(3) Non-veteran claimants and veterans' beneficiaries in determinations of benefits claims.

b. **Electronic C&P Examination Requests.** Regional offices (ROs) must request any examinations, including requests for observation and examination (O&E), using the AMIE/CAPRI C&P examination request option that electronically transmits the request to the VA HCF of jurisdiction. ***NOTE:** Examination requests must specify the types of examinations needed and any special reports and/or studies required. Requests made by the Tiger Team that are initiated by the Cleveland RO are expediently managed manually.*

c. **Making Determinations Concerning Examination Requests**

(1) The VA HCF that receives the examination request determines, as soon as possible after the receipt of the request, who, in accordance with VBA guidance, may perform an examination and where and how to conduct the examination.

(2) The VA HCF may refer special cases to another VA HCF or authorized fee-basis provider, Sharing Agreement, or contractual facility that is staffed and equipped to perform the required examination. ***NOTE:** For more information on timeliness, see the [C&P Procedure Guide](#) which is for internal VHA use only.*

d. **Requesting Specialist Examinations**

(1) The RO may specifically request specialist examinations on the AMIE/CAPRI C&P examination requests.

(2) The physician examiner has the authority and responsibility to request a specialist examination in individual cases when deemed necessary. **NOTE:** *Approval of the request, by the Associate Chief of Staff for Ambulatory Care or the Clinical Director, or designee, may be required.*

7. **TIMELINESS REQUIREMENTS.**

a. **Timeliness for Completion of Examinations and Required Tests**

(1) VHA has a time standard of 35 calendar days, after receipt of the examination request, to complete the examinations and required tests.

(2) The 35 day standard is measured from the day the properly completed request for examination(s) is received by VHA through the day when all the components, including laboratory and ancillary test results, are released or returned to VBA. **NOTE:** *For more information on managing C&P examination reports, see the [C&P Procedure Guide](#) which is for internal VHA use only.*

b. **Timeliness for Fee-Basis Examinations.** A follow-up system is required for the examinations that are authorized to fee physicians to ensure that they are completed within the established time and that the payments for services are made promptly.

c. **Timeliness for Availability of Examination Reports**

(1) The documentation of examination reports and results of tests must be completed and available within 2 calendar days of the completion of the examination and/or tests.

(2) The completed examinations must be returned to the requesting RO within 3 calendar days of completion of the examination and/or tests.

NOTE: *For more information on timeliness requirements, see the [C&P Procedure Guide](#) which is for internal VHA use only.*

8. **EXAMINATION REPORTS**

a. **C&P Examination Forms.** C&P examinations are to be conducted in accordance with the format on the AMIE/CAPRI C&P examination worksheets, and the *Physician's Guide for Disability Evaluation Examinations*.

b. **Form for Reporting Examination Results.** Unless the requesting agency provides specific forms, examinations are reported electronically through AMIE/CAPRI.

c. **Information Required for Examination Reports.** The examination report must contain:

- (1) An up-to-date, brief, medical and industrial history from the date of discharge or the last examination;
- (2) A record of subjective complaints;
- (3) A complete description of objective findings stated in concrete terms;
- (4) A diagnosis of all described conditions;
- (5) Answers to any questions specifically requested in the examination request;
- (6) Opinions specifically requested in the examination request;
- (7) A diagnosis or notation that a chronic disease or disability was ruled out for each disability, complaint, or symptom listed on the examination request, and
- (8) The clinical findings required by the rating schedule for the evaluation of the specific disability being claimed.