

From: [Martin, Tyler A., VBALOUV](#) on behalf of [VAVBALOU/RO/VSC](#)

To: (b) (6)

[Redacted content]

Cc: [VAVBALOU/RO](#) (b) (6)

[Redacted content] [Clay, Robert. E.](#)
[VBALOUV; Holtzman, Dean, VBALOUV; Kuerzi-Rodgers, Laura, VBALOUV](#)

Subject: Updated CLCW Guidance
Date: Tuesday, December 22, 2015 10:38:58 AM
Importance: High

All VSC Employees,

I am providing additional clarification to the below email.

1. Continue to get SME opinions as you did under the prior guidance.
2. For cases you defer due to the hold the language should state:

The decision on service connection for XXXX is being deferred

until a final regulation creating a presumption of service connection is published in the Federal Register.

3. When working the EP 339 claims that are no longer subject to the CLCW stay you should:
 - a. Work the claim under the EP 339 if the prior rating EP was already taken.
 - b. P-change the EP 339 back to the correct rating EP if the case was one on which no issues could be decided and we had previously changed the rating EP to the EP 339.
4. Group D will review the pending EP 339 claims and any which **don't** involve one of the 8 CLCW hold conditions, will be routed to the RVSR to rate by digit.
5. The VSC will coordinate with the DMA regarding actions to be taken on the CLCW SME SharePoint.

If you have questions, please send them to the VSC mailbox (VAVBALOU/RO/VSC or VSC.VBALOU@va.gov).

Semper Ad Excellentiam!

Laura

Laura Kuerzi-Rodgers

Veterans Service Center Manager

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From: Martin, Tyler A., VBALOUV **On Behalf Of** VAVBALOU/RO/VSC
Sent: Tuesday, December 22, 2015 08:56
To:
Cc:
Subject: Updated CLCW Guidance

All VSC Employees,

Good morning. As I previously shared with you, the Secretary has announced eight conditions he is proposing as presumptive conditions due to CLCW exposure. VA is currently in the rule-making process to effectuate the regulatory change that will allow us to provide benefits to these deserving Veterans and their families.

In the interim, **effective immediately**, please follow the below guidance from Compensation Service.

If the Camp Lejeune contention decision will be a... Then...

grant process as normal.

denial • grant any concurrent issues that can be granted by partial rating decision

- do **not** issue a rating decision for the following conditions that would be *denied* under normal Camp Lejeune claims processing
- *kidney cancer*
- *non-Hodgkin lymphoma*
- *multiple myeloma*
- *leukemias*
- *liver cancer*
- *Parkinson's disease*
- *systematic sclerosis/scleroderma*
- *aplastic anemia / myelodysplastic syndromes*

Inform the Veteran/Survivor of the reason for deferral of the decision:

Example: a final decision is being deferred until a final regulation creating a presumption of service connection is published in the Federal Register.

All other conditions:

- deny service connection and provide appeal rights

While not stated in the guidance, once you determine you can't grant service connection for one of the above eight conditions on a case that is RFD, you should follow the previously distributed EP 339 process to ensure we have control of these claims.

The intent is to continue processing claims during the time it takes to publish final rules. You should only defer CLCW claims for the 8 (presumptive) conditions that we

determine we cannot grant after reviewing the claim under our current processes. As always, we should grant when we can and deny only when we must.

If you have questions, please send them to the VSC mailbox (VAVBALOU/RO/VSC or VSC.VBALOU@va.gov).

Semper Ad Excellentiam!

Laura

Laura Kuerzi-Rodgers

Veterans Service Center Manager

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