



## **Need for Nexus Determinations**

- Despite all of this ambiguity, it is VA's responsibility to provide a fair and just adjudication of a claim for service connection based upon exposure to contaminated drinking water at Camp Lejeune
- VBA's responsibility is to develop the evidence presented by the Veteran and determine if a nexus exists
- VBA usually requests VHA to review medical and related evidence and provide a medical opinion regarding whether a nexus exists between the claimed condition and the Veteran's service



# Nexus Determination

- There is reasonable evidence to opine a causal association between the claimed condition and an event, exposure or other stressor that occurred in service
- Causality: based on review of the **probative evidence** of record, current clinical evaluation and applicable medical facts/principles
- Probative evidence:
  - Tendency of a given item of evidence to prove or disprove a legal element of the case
  - Having the effect of proof, tending to proof, or actually proving



# Nieves-Rodriguez v. Peake

22Vet. App. 295 (2008)

- ...most of the probative value of a medical opinion comes from its reasoning. Neither a VA medical examination report nor a private medical opinion is entitled to any weight in a service connection or rating context if it contains only data and conclusions..