



## Medical Opinions

It is the factually accurate, fully articulated, sound reasoning for the conclusion, not the mere fact that the claims file was reviewed, that contributes probative value to a medical opinion. (*Nieves v. Peake*)



## Determining a Nexus

- History
- Examination
- Medical facts
- Scientific/Medical literature review
- Reasoning
- Conclusion



## Determining a Nexus

- Review of Scientific/Medical Literature
  - Essentially functioning as an expert witness
  - Judicial requirements of a medical expert are NOT required in VA medical opinion cases
  - Other exposures:
    - OSHA/NIOSH/EPA/ATSDR/ IARC
    - References on Commercial Toxicology
  - Institute of Medicine Reports where applicable