



DEPARTMENT OF VETERANS AFFAIRS  
Veterans Benefits Administration  
Washington, D.C. 20420

Director (00/21)  
VA Regional Office  
Louisville, KY



**SUBJ: Interim Processing of Camp Lejeune Contaminated Water Claims**

This memorandum ~~erves as authorization~~ authorizes for discontinuing discontinuance of the current Camp Lejeune contaminated water (CLCW) ~~claims~~ medical examination process and temporarily ~~implementing~~ implements an interim two-stage process, until such time as ~~the~~ a final two-stage examination system is ~~completed and ready to be~~ implemented.

Background

Compensation Service Training Letter 11-03 (revised 11/29/2011) currently provides instructions for processing CLCW claims at the Louisville ~~VA~~ Regional Office (RO). Although these claims are consolidated at Louisville, TL11-03 describes a medical examination process that involves scheduling C&P examinations at a medical facility closest to the ~~claimant~~ Veteran claimant's residence. The examination is then conducted by a local C&P examiner with assistance from websites, identified in the training letter and sent to the examiner by Louisville, that provide information on diseases associated with the chemicals found in the Camp Lejeune contaminated water.

VHA, in collaboration with VBA, has determined that medical examination improvements are needed to promote consistency, credibility, and timeliness. The improvements involve a new two-stage examination process. The first stage will be conducted by a specially trained VHA subject matter expert (SME) with environmental medicine experience, ~~who and~~ will review the claims file and determine whether the available evidence is sufficient to establish a medical nexus ~~and grant service connection between the claimed disabilities and drinking the contaminated water~~. The claims file will then be returned to the Louisville RO. If service connection is granted the medical opinion is favorable, and there is insufficient evidence in the file for the SME RVSR to determine the current level of disability for rating purposes, a regular in-person C&P examination will be scheduled at a medical facility near the Veteran's residence ~~for rating purposes~~. This represents the second stage. ~~During the first stage, the claims file must be sent to the SME for review and decision making. The file will then be returned to Louisville. The claims file would generally not be needed for the second stage follow-~~

~~up examination.~~ VA Secretary Shinseki has already approved this two-stage examination process.

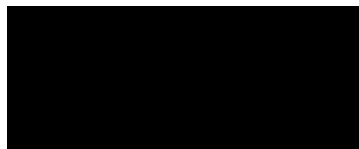
Although the guidelines for this two-stage examination have been established, it cannot be fully implemented until an efficient method is developed for sending ~~specific~~ claims files to specific SMEs, who are dispersed around the country. The current plan is to set up a “virtual medical center”, which will act as an electronic switchboard for Louisville to schedule exams with available SMEs on a rotating basis. This will facilitate timely completion of examinations. VHA IT personnel are currently working on creating this virtual medical center.

### Interim Processing

Until such time as the new virtual medical center becomes available for use by the Louisville ~~Regional Office~~ RO, scheduling of C&P examinations at the Veteran’s local medical facility should cease and should be replaced by an interim two-stage examination process. This process ~~should~~ will use whatever practical means are available to schedule examinations with currently available SMEs and send them the claims files. Louisville ~~can~~ will work with VHA to determine the location and availability of these SMEs. Additionally, to assist SMEs, Louisville claims processing personnel must:

- Obtain complete military records (with PIES O-18 request if necessary) and provide a statement in the examination request detailing the time frame of the Veteran’s service at Camp Lejeune, to include location of residence on or off base, if available.
- Tab with markers all relevant medical and lay evidence in the claims files related to the claimed disease or disability.

Following this interim process will facilitate transition to the finalized two-stage examination system.





**From:** [REDACTED]  
**Sent:** Sunday, October 21, 2012 3:10 PM  
**To:** Flohr, Brad, VBAVACO  
**Cc:** [REDACTED]  
VBAVACO  
**Subject:** Camp Lejeune meetings

Brad,  
Here is an update on Camp Lejeune issues, based on meetings held last week. As part of the OFO Area Directors Meeting, there was a discussion on CL. I attended and provided an explanation of the new VHA two-stage medical exam process, which uses: (1) environmental medicine experts with special VHA training to determine service connection and (2) if SC is granted, a local C&P exam to determine symptom severity for rating purposes.

Based on OFO's PA&I graph showing monthly CL claim receipts, it seems too early to determine if there will be a major spike in disability claims. The graph showed a rise to about 200 claims received last month, but there have been several 200-receipt months over the past years, with the following month's receipts dropping off. So, it appears that the OFO plan is to keep the claims consolidated at Louisville and, if needed based on high receipts, add and train one RO for CL claims processing until the claims drop off again. PA&I and Louisville are working on a method to track all CL claims and control them through Louisville, including those BDD, Quik-Start, and foreign claims not physically there.

I also attended the VHA meeting run by Dr. Cross and Dr. Koopmeiner on Thursday (BVA and OGC there too). They have developed a "scientific" system for rating the CL claims (to the extent that it is possible) based on a variety of factors. It looks like it will lend credibility and consistency to the process. Additionally, VHA is working on creating an electronic "virtual medical center" that will serve as the location where the Louisville VSR's will send the exam requests. From there, the expert medical examiners will be assigned a case and the claims file will be shipped to that doctor's location. Following the expert file review and SC decision, the file will be sent back to Louisville for a denial notice to the Veteran or, if SC granted, Louisville will schedule an exam for rating purposes at the VHA facility closest to the Veteran, with no need to send the claims file. This is the current plan, with details yet to be worked out.

