



DEPARTMENT OF VETERANS AFFAIRS

Regional Office
Federal Building
11000 Wilshire Boulevard
Los Angeles CA 90024

October 3, 1996

In Reply Refer to: 344/21C

C [REDACTED]
VERA, Frank

THE HONORABLE BARBARA BOXER
UNITED STATES SENATOR
1700 MONTGOMERY ST STE 240
SAN FRANCISCO CA 94111

Dear Senator Boxer:

This is in reference to your letter of September 16, 1996, concerning Mr. Frank Vera's claim for increased service-connected disability compensation and entitlement to non service-connected pension.

On the basis of the medical evidence that we reviewed, we could not approve Mr. Vera's request for increased evaluation for his service-connected low back strain.

The evidence reviewed did not show his disabilities were severe enough to grant non service-connected pension.

We have tried to obtain additional medical records for Mr. Vera. We have been notified several times that the service departments do not have any additional record. Mr. Vera was notified of this on April 3, 1995. We have asked that if he had the additional records to please furnish our office a copy. As of this date, the veteran has not responded to our request for more information.

Mr. Vera filed a Notice of Disagreement with our decision of March 6, 1996. He was issued a Statement of The Case on May 16, 1996 and a Supplemental Statement of the Case on June 21, 1996. He had 60 days to make any comment concerning the additional information. His appellate rights will expire on March 6, 1997.

Mr. Vera was scheduled for, and completed, a hearing on October 1, 1996, at 1:00 PM. At that time he was afforded the opportunity to air his grievances.

Mr. Vera also complained about his denial of Vocational Rehabilitation benefits (Ch. 31). Mr. Vera applied for Chapter 31 benefits initially in 1986. It was found at that time that it was not reasonably feasible that he could achieve an occupational goal. This finding was based on his medical condition.

He applied again in 1994 and was seen by counselors in June of that year. With a 10% service connected disability he did not meet the criteria for a 'serious employment handicap' and was not

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eligible at that time to receive benefits. It should be noted that Frank and the counseling psychologist agreed that he could not work, based on his medical condition.

Mr. Vera is 10% service connected for psychosis and a back strain. His non-service connected disabilities are osteoporosis, condition of the skeletal system, pulmonary emphysema, heart condition and radiation exposure. He was in the VA Supported Housing (VASH) program at the VA medical center in Loma Linda to address his conditions. It should also be noted that Mr. Vera agreed with the outcome of his evaluation for Ch. 31 benefits.

If Mr. Vera has any further questions on his claim he should call our toll-free number: 1-800-827-1000.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart Liff". The signature is written in a cursive, flowing style.

STEWART LIFF
Director