

INTEGRATED DISABILITY EVALUATION SYSTEM (IDES)

Etiam In Pugna
"Still in the Fight"



POCKET GUIDE FOR MARINES
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Produced by:
United States Marine Corps Wounded Warrior Regiment

INTEGRATED DISABILITY EVALUATION SYSTEM POCKET GUIDE

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INTRODUCTION

This Pocket Guide is intended to provide quick-reference overview information to help Marines and families navigate the joint Department of Defense/Department of Veterans Affairs Integrated Disability Evaluation System (IDES). Its primary purpose is to ensure users understand the basic components of the IDES and where to go for help. Specific processes and procedures may vary depending on your location, timeframe for referral into the system and/or the site administrators' availability to resources.



**Updates and changes to this guide can be viewed at:
www.woundedwarrior.marines.mil**

LETTER TO THE READER

Service in the United States Marine Corps is a physically demanding and stressful occupation that often requires individuals to perform a variety of rigorous and potentially dangerous activities in many different and inhospitable operating environments. Whether serving in combat operations or in training evolutions, individual Marines can incur a wound, injury, or illness that may have a long-term impact on their lives and ability to continue their career as a Marine. With the aid of exceptional medical care and adequate time to heal, most Marines recover and return to full and unrestricted duty. Unfortunately, some Marines do not. In this case, it is appropriate for them to be referred to the Integrated Disability Evaluation System (IDES) process that will determine their fitness for continued military service.

The Secretary of the Navy, in accordance with Public Law and Department of Defense (DOD) regulations, is responsible for establishing a process to determine a Marines' fitness for duty and for separating or retiring those determined to be Unfit because of physical disability. The law provides benefits for an eligible Marine whose career is cut short due to a physical disability incurred in the line of duty. The Department of the Navy (DON) Physical Evaluation Board (PEB) manages the DON DES process and acts on behalf of the Secretary of the Navy in making fitness for duty determinations and eligibility for benefits.

The Department of the Navy Disability Evaluation System is a part of the Department of Defense's DES process. As you read through this guide you will see that there have been dramatic changes to the DOD DES process. The changes are intended, within the provisions of current law, to bring about improvements to both the DOD DES and the Department of Veterans Affairs process. This program is referred to as the **DOD/VA IDES**.

As you read through this guide you will note limited reference to the DON DES; however, you should be aware of the fact that the future of an individual Marine is being decided by Marine Corps representatives assigned to the DON Physical Evaluation Board (PEB). You will also learn that there are provisions within the IDES process that enable the Commandant to retain Marines on active duty, in a permanent limited duty capacity, despite the Marine having been determined to be Unfit for continued military service.

Through a series of questions and responses you should better understand this process. Although you will find this guide to be useful, you should regularly refer your questions to the persons identified as the subject matter experts in this guide. Also, take advantage of information you will find posted on the web-sites provided. Remember, your Marine Corps' chain of command is your BEST resource in the event you still have questions or concerns about your future.

- Semper Fidelis Marines!

COORDINATED EFFORT WITH A PERSONAL TOUCH

The DON and VA strive to provide the best possible service across the continuum of care—from the point of injury through transition—and desire to support the highest quality of life possible for Marines and their families. Both are concerned with offering members a personal, hands-on approach to the IDES process.

Marines and families do not have to navigate the IDES process alone. The DON Physical Evaluation Board Liaison Officer (PEBLO) and the VA Military Service Coordinator (MSC) are non-clinical case management specialists in place to provide assistance and information to the Marine and their family and/or representative. Additionally, both specialists know the unique issues surrounding each case and will coordinate medical appointments and liaison with all government agencies (DOD and VA) in order to ensure the Marine and his or her family are aware of all processes and procedures. This guide will also make you aware of additional personnel that can assist you through the IDES process.

GETTING STARTED

What do I need to know if I have been injured or become ill? First and foremost you need to understand that the Marine Corps and Navy Medicine are very concerned for your health and welfare and ensuring that you make a full recovery.

The first objective is to treat your immediate medical condition(s) and then to establish a treatment and recovery plan that will return you to a full duty (medically unrestricted) status. Secondly, in order to protect you from aggravating your medical condition(s) there are a variety of administrative actions that will be taken, as necessary, to place you in a medically restricted status such as Sick-in-Quarters, Light Duty, or Temporary Limited Duty (TLD).

Temporary Limited Duty Status

- Placing a recovering service member on a period of Limited Duty (LIMDU) should normally only be considered if there is an expectation that the member will recover to the point of being returned to a deployable status at the conclusion.
- Limited Duty is for a specific period time and is intended to limit physical activity that may aggravate and prevent recovery from a medical condition.
- LIMDU timeframes should be consistent with anticipated duration of recovery, where durations will be tied to the treating or referring provider's estimated timeframe for a Service member to recover and return to a deployable status.
- Normally, the expected recovery will take no more than 12 consecutive months. However, if recovery is expected to take longer than 12 consecutive months, approval must be granted by Service headquarters (MMSR-4).
- At any time Service headquarters may direct the service member's case to the PEB or direct administrative separation processing.

What happens if I do not make a full recovery?

Despite the advances in modern medicine and the best efforts of patients, some individuals cannot be returned to a full duty (medically unrestricted) status. In this event it will be necessary for the Marine to be referred to the Integrated Disability Evaluation System (IDES). For quick reference there is a process chart on page 10 of this pocket guide.

Where can I get information on the IDES process and how it will affect me?

This guide provides a quick synopsis of the IDES process and contains most of the information you will need to know. That being said, it is very important for you to **be actively engaged** in every step of this process and seek out the subject matter experts that are available to assist you. This guide will introduce the key players and inform you on how they can assist. Always remember that your military chain of command is your best resource for assistance if you feel that you are not getting the information you need. Do not hesitate to ask questions.

Decisions you make as you go through the process will have an effect on you and your family in the future. If you are the spouse, parent, sibling, or guardian of a Marine who is incapable of making decisions you too have a need to know this information in order to receive the assistance you need to support your Marine.

Why was the DOD/VA IDES Program created?

In November 2007, DOD and VA initiated a joint DES Pilot program in the Washington DC National Capital Region to improve the timeliness, effectiveness and transparency of the DES review process. A desired outcome was to close the gap that often occurred between separation from active duty and receipt of VA benefits and compensation. Under the Pilot, the VA performs one medical exam that meets the needs of DOD in determining fitness for continued military service and also provides the basis for the VA to rate the Service member's disabilities if he/she has been determined to be Unfit by their Service PEB. The VA determined disability rating, for the specifically military unfitting conditions, is used by DOD as the basis for determining eligibility for military retirement benefits. The DES Pilot proved successful and senior leaders within DOD and VA directed that the program be expanded to include other bases and stations throughout the country.

This process will require an investment of time on your part; however, it is important to remember that Marines processing through the IDES continue to receive full pay and allowances and the support of their military commanders while the entire process is being completed. Additionally, once separated, they can expect to receive their post-service VA benefits much faster without having to go through another lengthy process.

How is a case referred to the IDES?

Following the incurrence of an injury or illness, an appropriate period of time is allotted each Marine to receive treatment and hopefully to rehabilitate and recover. If a Marine can NOT be returned to a full duty status and their ability to continue on active duty, in a medically unrestricted status, remains in question it is the responsibility of the medical community to refer the Marine to the Medical Evaluation Board (MEB) phase of the IDES process. The MEBR developed in the MEB phase may ultimately be referred to the Service PEB for a fitness for continued military service determination.

Prior to referral, a physician at the Military Treatment Facility (MTF) where the Marine is being treated will:

- Provide initial treatment
- Determine a diagnosis/prognosis
- Determine a treatment regimen
- Identify related work restrictions (Sick-in-Quarters, Light Duty, Temporary Limited Duty)
- Identify Marine's requiring referral to the IDES process
- Identify what condition(s) are potentially unfitting
- Notify the Marine's command of the pending referral

New Initiatives

A recent process improvement initiative has resulted in an intended reduction in the processing time of an IDES case from the previous **230 day** goal to the current goal of **180 days**.

SPECIAL NOTE FROM LEGAL COUNSEL

The Department of the Navy has dedicated attorneys to assist Marines, and Sailors attached to Marine units, throughout the IDES process (in some cases, even as early as the Medical Evaluation Board stage). Such assistance may be limited, depending on the circumstances. To request assistance, call:

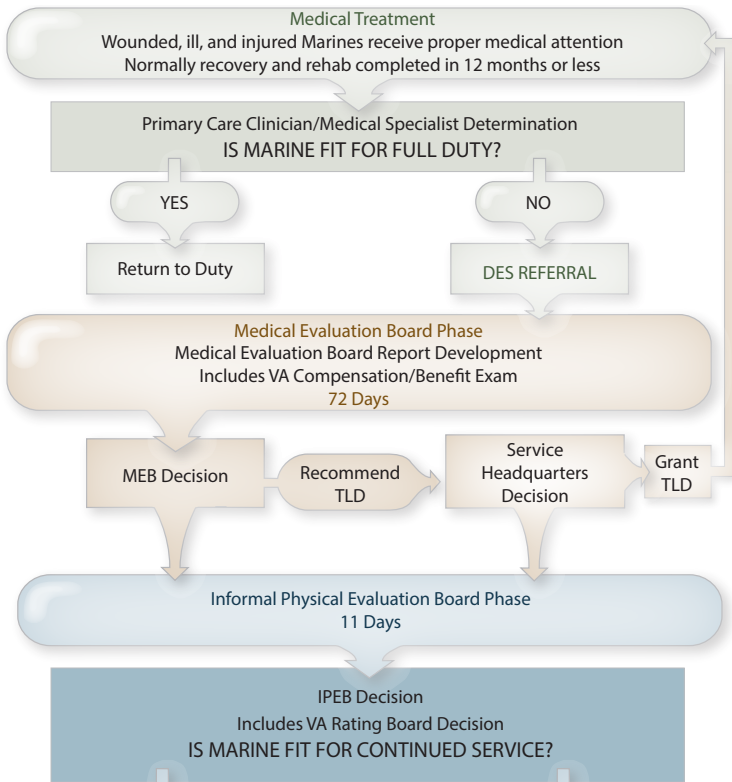
| REGION | PHONE NUMBER |
|---|-------------------------------|
| National Capital Region/Overseas | (301) 319-7831/(301) 319-8125 |
| East Coast | (910) 450-2554/2549 |
| West Coast | (760) 763-9455/9465 |
| San Diego, Balboa | (619) 532-5606/6737 |
| North West <i>Includes Hawaii</i> | (360) 475-4262 |
| South East | (850) 505-7027 |
| Mid West | (224) 610-4760 |
| Wounded Warrior Call Center, available 24/7, call 1-877-487-6299 | |

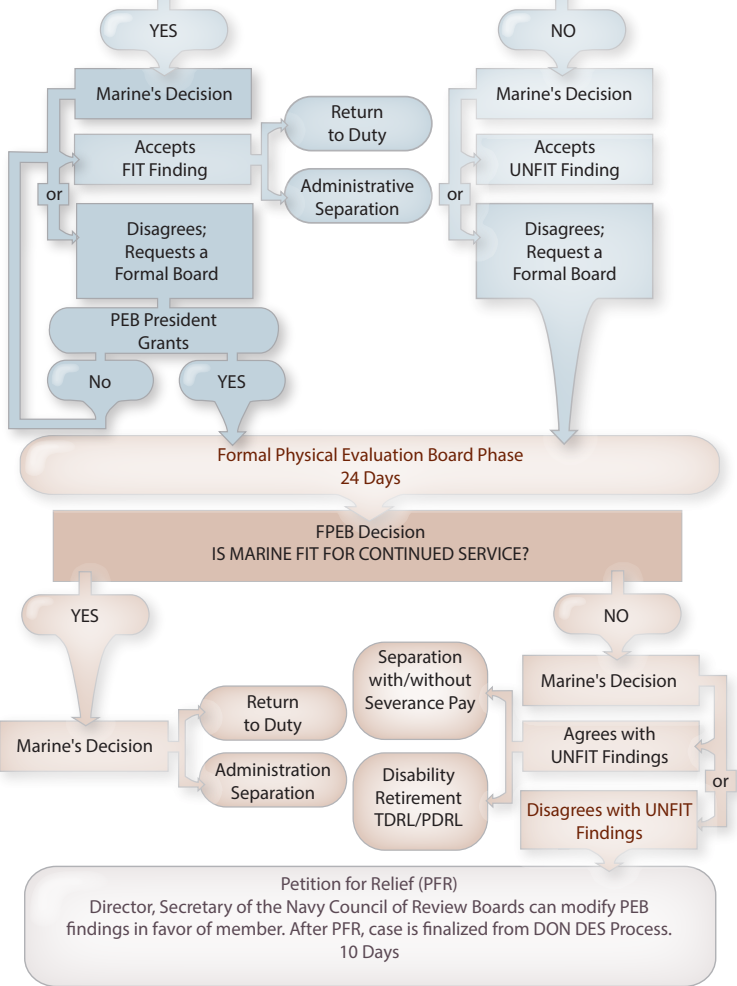
Legal Tips:

- There are various points throughout the process that allow you the opportunity to appeal. Remember- You should NOT sign anything without a complete understanding of what it is that you are signing and what the ramifications are. Seek legal service if you have any questions.
- You have a legal right and a need to know regarding any and all information entered into your official records. Carefully review all documents before signing. You can and should request a copy of these records.
- In addition to legal assistance, Marines whose Medical Evaluation Board Report (MEBR) is referred to the Service PEB for a fitness for duty determination, may request and must be provided the services of a medical professional. This medical professional is NOT a part of the IDES process which allows for an accurate and complete review of the MEBR. Normally, this medical provider will be the Primary Care Manager (PCM).

IDES PROCESS CHART

The IDES process chart illustrates the IDES process and different processing decisions that may occur as you continue to read through this guide. Through this guide, you will learn about each phase and your role in working with IDES subject matter experts to complete the process.





AN IN-DEPTH LOOK AT EACH PHASE OF THE IDES

As we take a closer look at each phase we will identify the key players of the IDES process, discuss their specific role, and help you understand how you can work with them to facilitate the process. Depending on the seriousness of your injury or illness the Marine Corps may have appointed a Recovery Care Coordinator (RCC) to assist you and your family as you transition through all phases of recovery. If you are assigned to or are being supported by the USMC Wounded Warrior Regiment (or one of its subordinate elements), you will normally have an RCC. The RCC is an additional resource to help you understand and navigate through the IDES process. You may also receive legal and medical advice and counsel.



MEDICAL EVALUATION BOARD PHASE

Key Players:

Nurse Case Manager (NCM)

Primary Care Clinician (PCC)

Medical Specialist (e.g. Neurologist, Cardiologist, Orthopedist)

Physical Evaluation Board Liaison Officer (PEBLO)

Military Service Coordinator (MSC)

Limited Duty Coordinator

Disability Evaluation System Attorney

Recovery Care Coordinator (RCC)

TIMEFRAME: The goal for the PEBLO is to successfully complete the Medical Evaluation Report (MEBR), to include processing it through the Medical Evaluation Board (MEB) and on to the Physical Evaluation Board (PEB), within 72 days from the point of IDES referral by the attending physician (medical specialist).

STEPS:

- Referral
- VA Claim development
- Physical examination, specialty examination, diagnostic testing, laboratory test
- Completion of Narrative Summary and final assembly of MEBR
- Medical Evaluation Board (MEB) convened to review MEBR documentation
- Return to duty or referral of MEBR to Physical Evaluation Board (PEB)

REFERRAL

Each Marine receiving medical care is normally assigned to a Primary Care Clinician who is responsible for providing or overseeing the delivery of necessary healthcare through direct treatment, coordination, or referral to medical specialists. Most often it is a medical specialist, such as an Orthopedist, who identifies a Marine as having a potentially military unfitting

MEDICAL EVALUATION BOARD PHASE

medical condition(s) requiring referral to the IDES process. Once the treating physician determines that a Marine cannot be returned to a 'fit for full duty' status, or unlikely to be able to do so within a reasonable period of time (normally 6-12 months), the member is referred to the MEB portion of the IDES. Referral of a Marine to the IDES is a very serious decision and most physicians will exhaust all treatment options and fully discuss their decision with their patient before making the referral. The next step is for that referral to be tasked to a specific PEBLO who is primarily responsible for the development and processing of all documents that make up the MEBR. The PEBLO completes Part I of the VA Claim Form 21-0819, VA/DOD Joint Disability Evaluation Board Claim. The PEBLO must coordinate with many different individuals, clinics, and offices in order to complete the case in a timely manner.

The command Limited Duty Coordinator (LIMDU) is responsible to the Marine's unit commander and coordinates with the PEBLO in order to keep Marine Corps leadership aware of the individual Marines' status within the IDES process. Additionally, the LIMDU coordinator ensures the command fulfills its responsibility in support of the IDES, such as ensuring the Marine complies with any duty limitations, makes scheduled appointments, is readily available to ensure expeditious case processing and that the command provides, when requested, a detailed Non-medical Assessment which describes the impact of the Marine's medical impairment(s) on his/her ability to perform appropriate duties.



IDES REFERRAL CRITERIA

It is important to know that the IDES maintains the provision of law that the Service PEB is solely responsible for determining whether or not a Marine is Fit or Unfit for continued military service. This is a performance-based decision. The mere presence of a medical condition or impairment is not enough to decide that a Marine should be referred to the IDES or to determine that he/she is Unfit and entitled to disability benefits if referred.

- The Marine must demonstrate a cause and effect relationship between those medical impairments and the inability to adequately perform military duties appropriate to their office, grade, rank or rating.
- The inability to deploy, to perform PFTs, to perform duties worldwide, or continue to serve in specialized duty (aviation, submarine, diving, parachute, etc.) are factors considered by the boards; however, within the DON adjudication process, they are not often used as the sole basis for determining unfitness.

DIAGNOSIS DOES NOT NECESSARILY EQUAL A DISABILITY

CLAIM DEVELOPMENT

Once the PEBLO has completed their counseling requirements and the initial claim development, (Part I of VA Claim Form 21-0819) the Marine will be scheduled for the IDES consultation class and an appointment with the VA's Military Service Coordinator (MSC). Normally, this action is completed within 5 days from the initial IDES referral.

The PEBLO will provide the MSC with the Marine's complete military health record (service treatment record) and the partially completed (Part I only) VA Claim Form. The MSC will counsel the Marine on the VA's portion of the IDES, help the Marine with their claim development, including the completion of VA Form 21-0819 (Parts II-IV), and determine what specific examinations and consults will be required to fully examine and document the referred and claimed medical condition(s).

The MSC, depending on local arrangements, will schedule the appointments for the necessary VA Compensation and Pension examinations. It is expected that the MSC actions will be completed within 5 days of receiving the service treatment record and claim form from the PEBLO.

PHYSICAL EVALUATION BOARD LIAISON OFFICER (PEBLO)

Within the Department of the Navy: a PEBLO is assigned to a Military Treatment Facility (MTF) Medical Boards Section. They are the primary point of contact within the IDES process. A PEBLO assembles the MEBR case file and performs all aspects of IDES counseling to include the delivery of the PEB findings and VA ratings. Additionally, PEBLOs coordinate the IDES consultation class for Marines and Sailors.

DISABLED TRANSITION ASSISTANCE PROGRAM (DTAP)

You SHOULD attend the Vocational Rehabilitation and Employment Program (DTAP) brief prepared to take notes and absorb a LOT of valuable information. You SHOULD invite your spouse, parent, or guardian to attend with you. In addition to DTAP briefs you SHOULD also attend any other Transition Readiness Seminar (TRS) that may be offered on your base, even if the training is offered by another Service. You WILL learn something of value at each session. You are eligible to apply for VocRehab once referred into the IDES process.

For more information, please visit:

www.vets.gov/employment/vocational-rehab-and-employment/

WHAT YOU CAN/SHOULD DO!

1. When you meet with the PEBLO you should consider:
 - The completeness of your military health record and the medical conditions that are being listed in Part 1 of VA Claim Form 21-0819.
 - If you've ever been referred out of the military medicine system for treatment you need to ensure that your PEBLO is made aware of that fact and, if you've ever been directly provided any documents you need to make sure that they get into your health record.
 - If you've been seeing several different medical specialists you **SHOULD** make the PEBLO aware of this fact and ask the PEBLO to consult with that medical specialist to determine whether or not those medical condition(s) should be included in Part 1 of the VA Form.
2. When you meet with the MSC be prepared to:
 - Discuss ALL medical conditions that you've been treated for during your active duty service and provide a listing of any medications you are currently taking.
 - Make a list of all medical conditions and have it with you when you meet with the MSC. **DO NOT** assume that every condition you have will be identified during the exams. Discuss it up front!
 - Discuss your prescribed medications and dosage.
 - If you have dependents be sure you and MSC complete Declaration of Status of Dependents VA Form 21-686c to ensure you and your dependents receive compensation.

DON'T ASSUME—ASK QUESTIONS AND SEEK ASSISTANCE!

Examinations and Tests

A key feature of the IDES is the single medical examination. Examination of Marines enrolled in the IDES program are performed by providers from a variety of sources, including the DOD, VA, TRICARE, and contractors, all of whom must meet VA certification requirements. The exams may be performed at VA Medical Centers, MTF's, VA Contracted Centers, or by TRICARE network providers depending on

Marine's needs or medical conditions. The examination includes a comprehensive evaluation of medical conditions that are identified and referred by the Marine's PCM. Additionally, medical conditions claimed by the Marine that were incurred or aggravated by military service will also be evaluated. These examinations are critical in terms of future review boards and the award of benefits and compensation.

NARRATIVE SUMMARY (NARSUM) AND MEB REPORT

Marines should ensure that all ailments are identified and that the NARSUM and MEBR are complete. The PEBLO will make certain that a letter, referred to as the Non Medical Assessment (NMA), from the Marine's commanding officer is included. The letter should describe the impact of the Marine's medical condition(s) on normal military duties and their ability to deploy. Marines should also request a copy of all reports and inspect each thoroughly to make sure that both are comprehensive and accurate. Upon completion of the IDES case file and necessary VA examination worksheets, the MSC provides completed examination reports to the PEBLO who submits all paperwork on behalf of the Marines to the MEB.

WHAT YOU CAN/SHOULD DO!

You will be offered a chance to complete a personal impact statement which allows you, in your own words, to explain how your ability to work or live is impacted by your medical condition (s). Take advantage of this opportunity.

Consult with an DES attorney for assistance:

If you are approved to leave the area on permissive temporary additional duty (PTAD) or regular leave your command Limited Duty Coordinator needs to know and you should notify your PEBLO of your contact information. Once the PEB's findings are released, your PEBLO only has 72 hours to contact you!

Medical Evaluation Board

The Medical Evaluation Board (MEB) typically consists of two to three medical officers appointed by the MTF Commander (MEB Convening

Authority). With the Marine's complete MEBR, the board evaluates the Marine's medical condition(s) to determine the appropriate diagnosis and to offer a professional opinion concerning their physical and mental qualifications for continued military service.

If the MEB believes that the Marine can return to active duty within a reasonable period of time, it may recommend placing the Marine on an additional period of Temporary Limited Duty (TLD). TLD typically will not exceed 12 months; however, the MEB may recommend that HQMC (MMSR-4) grant an additional period. The Marine is expected to return to full duty once the specified TLD period is complete. At any point during this time the PCM believes that the Marine will not be able to return to full duty then the MEBR will be submitted to the PEB for review. If HQMC (MMSR-4) does not agree with the recommendation for additional limited duty they will direct the MTF to forward the case to the PEB phase of the IDES.

DOCUMENTS CONTAINED IN THE MEB REPORT

Typical Medical Evidence:

- A narrative summary (NARSUM)
- History and treatment of the specific injury or illness
- Laboratory results
- All referrals to doctors and sick call (health record)
- Type and frequency of medication
- Results of physical exam completed within past six months
- All addendums from speciality clinics

Typical Non-Medical Evidence:

- Your personal impact statement
- Non-medical assessment from the member's Command
- Personnel records including evaluations and awards
- Line of duty (misconduct) investigations
- Personnel Casualty Report (PCR)
- Line of Duty Benefits Letter (Reservist Only)
- Medical Hold Orders (Reservist Only)

PHYSICAL EVALUATION BOARD PHASE

Key Players:

PEBLO

VA MSC

Physical Evaluation Board members

Military Legal Advocate or personally retained Civilian Attorney

Limited Duty Coordinator (LDC)

Veterans Service Organization appointed advocate

VA DES Rating Activity Site (D-RAS)

Recovery Care Coordinator (RCC)

TIMEFRAME: 82 days from the date the case file is forwarded to the PEB to the date the Marine is informed of and accepts the approved final disability disposition.

STEPS (as necessary):

- Informal Physical Evaluation Board (IPEB)
- Veterans Administration DES Rating Activity Site (D-RAS)
- Formal Physical Evaluation Board (FPEB)(as necessary)
- Formal Physical Evaluation Board Appeal Process (as necessary)
- Petition for Relief (PFR)(as necessary)

Just as in the MEB phase, the Department of the Navy (DON) and the Department of Veterans Affairs (VA) have specific roles that contribute to the final IPEB results. Simply stated, the DON PEB determines whether or not the Marine is Fit for continued service and identifies the specific conditions that cause the Marine to be Unfit. If the PEB determines that the Marine is unfit, it forwards the case to the VA DES Rating Activity Site (D-RAS) to determine the degree of disability for each of the specifically military unfitting conditions and the other medical conditions claimed. The D-RAS returns the case file to the PEB upon completion of their rating action. At this point the PEB will issue the results of their combined action in a findings letter. The findings letter will contain a disposition recommendation of either separate from Service with disability severance pay (with no additional benefits) or disability retirement (Temporary or Permanent). The disposition recommendation is based on the percentage of disability (granted by the D-RAS) for specifically military unfitting conditions.

BOARD COMPOSITION

The PEB is comprised of two levels of boards: the Informal Physical Evaluation (IPEB) and the Formal Physical Evaluation Board (FPEB). Both boards are composed of three senior and experienced military members (typically O-5 and O-6), normally a Navy line officer, Marine Corps officer, and a Medical Corps Officer. The presiding officer will normally be a Marine Corps Colonel for Marine PEB cases.

THE INFORMAL PHYSICAL EVALUATION BOARD (IPEB)

When a case is evaluated by the IPEB it is referred to as a document review process. The Marine does not appear or participate in the proceedings beyond their previous involvement in the case development. The IPEB members will thoroughly review all of the evidence contained in the MEBR, to include the Marine's complete medical record, the results of the VA required Compensation and Pension examination, doctor's narrative summary and all medical addendums, personnel evaluations, the Marine's personal impact statement, and the unit Commander's non-medical assessment. Each board member independently votes with the IPEB determination based on a majority vote.

The IPEB will make an initial decision and record their finding on the following:

- Determine if the medical condition(s) was incurred in the line of duty
- Determine if Marine is Fit or Unfit for continued service
- Recommend return to duty if Fit; or if found Unfit
- Identify the specifically military unfitting medical condition(s)
- Recommend separation from active duty with final disposition based on the degree of disability (percentage awarded by VA) for the military unfitting medical conditions
- Determine if the military unfitting conditions were incurred as the result of a combat related event, and/or in a combat zone.

The IPEB typically renders a decision and the Marine is notified of their findings within 11 days of receipt of a Marine's case file if determined Fit.

The case file (if Marine is determined Unfit) is referred to the appropriate Veterans Administration Disability Rating Activity Site (D-RAS). The D-RAS will normally complete their rating action within 15 days of receipt from the PEB. Once the IPEB receives the D-RAS rating determination the results of the two are merged and the findings are transmitted to the PEBLO for delivery to the Marine.

The PEBLO will notify the Marine and/or the Command Limited Duty Coordinator to schedule a counseling appointment within three working days of receiving the IPEB's findings. The counseling session will address all findings and include an offer of assistance in the completion of the election of options. By current DoD policy, Marines will be allotted six calendar days of notification whether or not they will accept the findings from the IPEB or request access to an FPEB. The PEBLO will inform the PEB of the Marine's decision and return the election of options paperwork.

If the Service member is found Unfit, they have three options:

- Accept the findings of the IPEB and VA rating decision
- Accept the findings of the IPEB and VA rating and request to remain on AD in a PLD status
- Accept the findings of the IPEB and request a one time reconsideration of the VA rating decision (see pg. 26)
- Disagree with the findings and request or demand an FPEB

PERMANENT LIMITED DUTY

A request to remain on active duty in a Permanent Limited Duty (PLD) status is NOT a part of the MEB/PEB process. Marine's can inform their PEBLO of their intent to request PLD but must coordinate with their Limited Duty Coordinator to complete the necessary request through their chain of command. Final approval for PLD is granted by HQMC. To be eligible for PLD a Marine must first accept the Unfit finding of the PEB. Marine's determined Fit can NOT request PLD.

THE FORMAL PHYSICAL EVALUATION BOARD (FPEB)

No active duty or reserve member of the military service found Unfit by the IPEB may be retired or separated for physical disability without the right to a formal hearing. An individual determined Fit by the IPEB

does NOT have a legal right to a formal hearing but may request the PEB President to grant.

Although the board is referred to as "formal" the intent is to create a non-adversarial environment in which the Marine can openly and honestly discuss their position. Typically, Marines who participate in an FPEB are requesting a formal review of their case in an attempt to prove that they are able to perform appropriate duties and should be determined to be Fit, or they are requesting that other medical conditions be added to the list of specifically military unfitting conditions. Adding other conditions could result in higher combined disability rating that could qualify the Marine for a disability retirement vice a disability separation. If the Marine does not want to personally appear they may chose to be represented by legal counsel.

The FPEB is a de novo process. Simply stated, it is a new process and once the FPEB presiding officer opens the proceedings the previous IPEB findings are no longer valid. The decision of the FPEB will become the decision of record unless the Director, Secretary of the Navy, Council of Review Boards (CORB) modifies the decision by subsequent action.

Upon approval and scheduling of an FPEB, the Navy will assign a Navy Judge Advocate General's Corps attorney to help the Marine prepare their petition, gather evidence, and present their case to the FPEB. Military counsel is appointed and normally made known to the Marine prior to the scheduled formal hearing date. Marines typically do not meet their FPEB counsel for the first time, face to face, until a day or two before the formal hearing date. Most of the pre-hearing preparation is accomplished via telephone, e-mail, or through other correspondence. If preferred, the Marine may choose to be represented by a civilian attorney or a representative from a Veterans Service Organization (VSO); however, the Marine will be responsible for any costs associated from using a non-military attorney. In either case, the Marine has the opportunity to attend the board in person or to send information to the board through legal counsel.

Marines are NOT required to testify on behalf of their case. However, if they chose to do so, they will be placed under oath and the board members will ask questions about their condition and the effect it

has on their duty performance. Witnesses may appear and testify or written affidavits from witnesses may be introduced as evidence. Once the Marine and counsel have been provided the opportunity and declare that they have presented all aspects of their case, the presiding officer will close the proceedings and excuse the Marine and counsel. At this point, the board member's will deliberate the case, independently vote, and render their decision. Only the FPEB members are present during deliberations and their decision is not available until approved by the DON PEB President. The FPEB members prepare a findings letter along with a written rationale to support their findings. The letter and rationale are subjected to a legal sufficiency and medical quality assurance review before the PEB President approves the findings for release to the Marine and counsel. If the Marine disagrees with the findings, he or she has 15 days to submit a Petition for Relief (PFR) to the Director, Secretary of the Navy Council of Review Boards (CORB) through their legal counsel. The Director has the authority to modify the PEB finding such as overturning a finding of Unfit to Fit.

This is the last opportunity for an in-service appeal. The Marine should expect a 10-day turn around for appeal processing. All FPEB hearings are conducted at the Navy Yard in Washington DC. Marines travelling to appear before an FPEB will be provided TAD orders funded by the SECNAV Council of Review Boards. Information on how to make arrangements for transportation and lodging in Washington DC along with instruction on when and where to report will be provided by the DON PEB Admin Staff or your appointed Navy Legal Counsel.

For more information, visit the WWR IDES Toolkit at:
www.woundedwarrior.marines.mil

RECORD OF PROCEEDINGS

The Formal Board hearing is electronically recorded from the point that the Presiding Officer determines all members present and declares the proceeding convened. All instructions to the FPEB members, counsel, witnesses, and the Marine are recorded as well as the testimony of all parties. The deliberations of the FPEB are not recorded. A copy of the recording will be made available upon request by the Marine or their counsel. Written transcripts are not available.

VETERANS ADMINISTRATION DISABILITY RATING ACTIVITY SITE (D-RAS)

As indicated earlier, the D-RAS will receive the IDES case file once the Service PEB has determined that the Marine is Unfit for continued military service. The D-RAS thoroughly evaluates the Marine's referred and claimed conditions and produces a rating decision letter that explains the basis for the disability rating percentage applied to the specifically military unfitting and the other medical conditions that were incurred or aggravated during a period of active duty.

The D-RAS uses the VA Schedule for Rating Disabilities (VASRD) to determine the appropriate disability rating to be applied. Depending on the severity of the medical impairment, the D-RAS rates EACH condition from zero to 100%.

COMBINED DISABILITY RATING

The final Combined Disability Rating is NOT the result of adding together all of the individual disability ratings. A person is considered to be 100% functional when the evaluation begins. If there are two or more medical impairments rated as disabling, the combined disability rating is computed in the following manner.

- If condition one is rated at 50% disabling then 50% function is subtracted from 100% capability leaving a balance of 50%.
- If condition two is rated at 20% disabling then 20% of the remaining 50% equates to 10%. The remaining capability is 40% and the Combined Disability Rating is 60%.

Disability ratings are issued in 10% increments. Final computations are either rounded up or down to the nearest 10% (e.g. 64% equals 60%). Regardless the number of conditions rated, the maximum degree of disability is 100%.

Although the IDES program is expected to be faster and fairer, it should be understood that, even in the IDES program, there are still differences in the final, combined disability rating used by DOD and VA.

- DOD, by law, can only compensate for the medical conditions that are specifically military unfitting.
- It is possible for a Marine to receive a DOD combined disability rating of 20% and a VA rating of 80% in the IDES.

In this scenario the Marine would be entitled to DOD disability severance pay but would NOT be entitled to the same post-service DOD benefits of a Marine placed on the Temporary or Permanent Disability Retired List. To qualify for disability retirement the DOD combined disability rating must be 30% or greater.

In addition to the specific combined disability rating, the D-RAS will determine whether or not the Marine is entitled to additional VA specific compensation and pension benefits such as Special Monthly Compensation. The results are normally returned to the PEB, an IPEB findings letter is drafted, and the Marine is notified within 19 calendar days of receipt by the D-RAS. The VA decided disability ratings will determine the Marines eligibility for DOD and VA benefits and compensation.

RECONSIDERATION OF THE VA D-RAS DETERMINATIONS

If a Marine believes that an error was made in determining their rating, they may notify their PEBLO and request a one-time reconsideration by the VA. The rating reconsideration will be processed through the PEB. The VA D-RAS will only reconsider the evaluation of a rating if new medical evidence is received, or the Marine is able to provide sufficient evidence of an error to warrant reconsideration. **Only one reconsideration is made for each military unfitting condition.** If a new condition is found to be unfitting, by the Service PEB during the FPPEB phase, reconsideration can be requested; even if other conditions have been previously reconsidered. If the one time reconsideration is not requested by the VA, it then must be initiated as a veteran through the VA appeals process.

FREQUENTLY ASKED QUESTIONS ON RATING AND COMPENSATION

- * I was severely injured by an IED blast during combat operations in Afganistan. I lost a kidney, my spleen, suffered facial burns, and ruptured a disk in my lower back. The PEBLO just informed me that my combined disability rating from the VA Disability Rating Activity Site is 80% but my DOD outcome is based on just 20%. How could this be? Didn't the PEB consider everything?**
The Service PEB did consider everything. However, the only condition referred and claimed that causes you to be Unfit for continued military service is your back injury. The other conditions, although present, do NOT prevent you from performing duties appropriate to your office, grade, rank, or rating.
- * I've been rated 20% disabled for the specifically military unfitting conditions and my PEBLO says , because I was wounded in combat, that I will be getting Enhanced Disability Severance Pay. Is there any way I can figure out how much I will receive? Will it be tax free?**

Because the PEB has determined that you were combat wounded, your Enhanced Disability Severance Pay (EDSP) will be tax free. EDSP is computed using the following mathematical formula:

$$\mathbf{2 \times \text{Monthly Basic Pay} \times \text{Years of Active Service}} \\ \mathbf{(not\ to\ exceed\ 19\ years)}$$

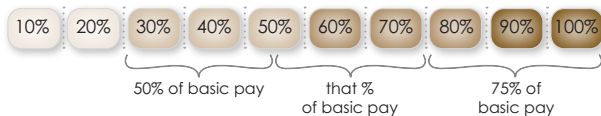
One of the advantages of EDSP is that SIX years will be the minimum number of years of active service used in the formula for those who qualify for the combat related provision and THREE years for all others despite their actual number of years in service. Additionally, those entitled to the combat related provision will NOT have the dollar amount of their EDSP deducted from their VA disability compensation.

- * My PEBLO says that my unit commander will be required to provide a Non-medical Assessment (NMA) that will be included in my Medical Evaluation Board Report (MEBR). Why is this required and what is it?**
As stated in this guidebook the DON Disability Evaluation System is a performance based process. Just because a Marine has a medical condition it does not necessarily mean that the Marine is Unfit for

continued service. It is important for the PEB members to understand how your medical condition or impairment truly impacts your ability to serve as a Marine. The NMA is the mechanism your commander will use to convey that information. It is intended to be an honest and factual statement of your ability or inability to perform. It may be difficult for you to read that your commander does not believe that you are physically fit to be a Marine but that is the information the PEB needs to consider. You are perfectly within your rights to submit a personal impact statement or letter to the PEB. Your statement will be included in your MEBR for review by the PEB members. Talk to your PEBLO or your command's LIMDU coordinator for more information on the NMA and your personal statement.

- * **How is disability retired pay computed if I've been placed on the Temporary or Permanent Disability Retired List (TDRL/PDRL)?** Marines with 20 years or more of active military service, and a DOD disability rating or a Marine with less than 20 years of active military service and awarded a DOD combined disability rating (for the specifically military unfitting conditions) of 30% or more receive disability retirement. Military retirement, based on disability, is either temporary or permanent depending on whether the Marine's medical condition is considered to be permanent and stable for disability rating purposes. The Service PEB will make the decision to place a Marine on the appropriate list. TDRL retirement pay is computed using the following formula if the Marine has less than 20 years of active duty military service:

Combined Disability Rating (CDR)



30-50% CDR = 50% of basic pay
 50-70% CDR = same % of basic pay
 80-100% CDR = 75% of basic pay

For those placed on the PDRL, disability retired pay is computed using the actual percentage of the combined disability rating (e.g. 40% CDR = 40% of basic pay) up to a maximum of 75% of basic pay.

*** If I am placed on either the TDRL or PDRL is my military disability retired pay tax free?**

DOD approved disability severance pay or retired pay for Marines who were NOT a member of the armed forces on September 24, 1975 is considered taxable income by the Internal Revenue Service. There is an exception for any Service member receiving separation or retired pay as the result of a disability incurred in a combat-related event. The Service PEB is responsible for making a combat-related determination during their adjudication of all cases considered. Your PEBLO will explain their decision on your case when you are presented your initial Informal PEB findings. You will also be advised as to how you can appeal the PEB's combat related determination.

*** How will I know what my VA disability compensation payments will be?**

The method for computing VA disability compensation is complicated and varies with the degree of disability and the number of a veteran's dependents. Veterans with certain severe disabilities may be eligible for additional special monthly compensation. The VA disability benefits are NOT subject to federal or state income tax. Additionally, the payment of military retirement pay, disability severance pay and separation incentive payments known as SSB (Special Separation Benefits) and VSI (Voluntary Separation Incentives) MAY affect the amount of VA compensation paid to disabled veterans.

*** Do I have any recourse if I am still not satisfied with my final DOD disability rating?**

If you have exhausted your appeal rights within the DES process you can, regardless your outcome, appeal to the Board for the Correction of Naval Records (BCNR). Marines separated with a DOD combined rating of 20% or less may appeal to the BCNR.

For more information speak to your VA Military Service Coordinator or visit the following VA website:

www.va.gov/disability

TRANSITION PHASE

Key Players:

PEBLO

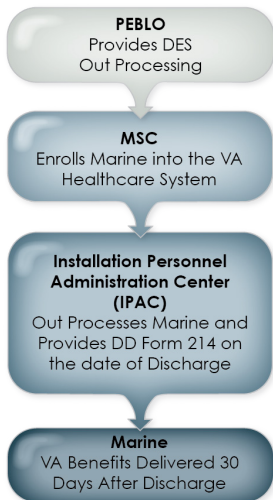
VA MSC

Veterans Service Officer

Parent Command (Limited Duty Coordinator)

Hometown VA Office

TIMEFRAME: 26 days from the date the Marine is informed of the Department of Navy's approved final disability disposition decision to the date of the Marine's final-out processing date (date the Marine completes all final out-processing prior to taking transition leave).



Transition begins after the Marine accepts the PEB finding or completes formal and military appeals. At this point, the VA is informed of the final disposition, receives a copy of the separation orders and DD Form 214, and conducts a final interview with the Marine, their dependents, or other representatives to determine entitlement to benefits; gather supporting documentary evidence, and file claims on behalf of the Marine for benefits allowable under state and federal law. The MSC will meet with the Marine and their family to explain options and what the Marine should expect from the VA upon separation. It may be recommended that it is financially beneficial to separate prior to or as close to the last day of the month as possible. Entitlements to VA disability compensation accrue beginning the first day of the first full month following separation and are paid the first day after the first full month following separation.

The transition from active duty service to civilian

life is often a difficult and confusing time for Marines and their families. The Transition Readiness Seminar (TRS) offers training on resume writing, interviewing skills, job market analysis and helps determine job readiness and to address the special needs of disabled veterans. The training helps to relieve some of the pressures associated with transition. While TRS is required of all transitioning Marines, whenever possible, Marines should invite their spouses to the training.

WHAT YOU CAN DO!

If you have been found Unfit by the PEB, have unconditionally accepted the findings of unfit, and are awaiting final action on your case by SECNAV, you may request, and with approval from your commanding officer, be placed in a Home Awaiting Orders status during the interim period. (SECNAVINST 1850.4E and MCO P1900.16, CH-8 par 8504). Ensure that ALL of your out processing actions are completed and that you have provided all the information necessary for the timely issuance of your DD Form 214. In accordance with MARADMIN 343/10, Marines may be issued their DD Form 214 prior to departing on Permissive Temporary Additional Duty (PTAD) on terminal leave.



DELIVERY PHASE

Key Players:

VA MSC

VA DES Rating Activity Site (D-RAS)

TIMEFRAME: 30 days from the date of the Veteran's separation from military service to the date the VA issues the Veteran his or her disability benefits decision letter.

The goal of the IDES is to ensure Marines and their families receive a seamless transition from DOD to VA benefits, resources, and care. After the Marine's DD Form 214 is received at the VA DES Rating Activity Site (D-RAS) and processed, benefits are typically received within 30 days of the actual discharge date. Disability compensation varies with the degree of disability and the number of veteran's dependents, and is paid monthly. Veterans with certain severe disabilities may be eligible for additional special monthly compensation. Often the benefits are not subject to federal or state income tax. Marines and their families should ensure that they are aware of all entitlements and benefits.

For more information about VA benefits, please contact your VA MSC, visit: www.va.gov or call 1-800-827-1000

If after separation and if the Marine is on Veteran status, they have one year from the date of the formal notification letter of VA decision to submit a written Notice of Disagreement (NOD). Upon receipt of the NOD from the Veteran, the VA regional office of jurisdiction (the VA regional office in the state of the Marine's residence) will review the NOD, and issue a Statement of the Case (SOC) and/or revised rating decision. The Veteran has either 60 days from the date of the SOC or the remainder of the one year from date of original notification of decision, whichever is longer, to file a VA Form 9—Appeal to the Board of Veterans' Appeals (BVA).

The Board may:

- **Grant the benefit sought on appeal**

- **Deny the benefit sought on appeal; or**
- **Remand the case to the VA regional office for additional case work before return to the Board**

The appeal of VA benefits is often a lengthy process so it is important to ensure that all paperwork is accurate and submitted within the prescribed timeframes.

WHAT YOU CAN / SHOULD DO!

Your DD Form 214 is one of the most important documents you will receive. It is your key to participation in all VA programs as well as several state and federal programs. Keep your original in a safe fireproof place, and have certified photocopies available for reference.

If you do not receive your DD Form 214 from IPAC within TWO weeks of discharge or if you do not receive your VA Compensation Check within 30 days of discharge contact your parent command S-1 or the Wounded Warrior Call Center for assistance 1-877-487-6299.

Also, your VA Veterans Service Representative can offer you support through the compensation delivery process.

To locate your local VA Veterans Service Representative call:
1-800-827-1000

You **MUST** ensure that a copy of your DD Form 214 is delivered to the VA Military Service Coordinator (MSC) to get your DD Form 214 to the VA Disability Rating Activity Site (DRAS). Additionally it is highly recommended that you upload your DD214 into eBenefits.

The DD Form 214 is required by the VA DRAS to start VA Disability Compensation and verify your eligibility for healthcare coverage through the Veterans Health Administration (VHA). To enroll in VHA you must register with the VA Regional Office nearest your home of selection.

CONCLUSION

The goal of the DOD/VA IDES is to improve the timeliness, effectiveness, and transparency of the process by integrating DOD and VA procedures; eliminating duplication; and improving information provided to Marines and their families. Yet even with the many benefits, the process from referral to the IDES to the receipt of VA benefits can be confusing. It is important that Marines and their families going through the IDES process establish a relationship with their PEBLO, MSC, and other key players and inform themselves on as much as possible. This includes attending all mandatory trainings—DTAP and TRS—and maintaining constant communication with their parent command who is the ultimate guide and advocate through this process.

Additionally, the Wounded Warrior Call Center is available 24/7 to answer questions or to offer referral to the best available resources (1-877-487-6299).



WHAT YOU CAN/SHOULD DO!

YOU ARE YOUR OWN BEST **ADVOCATE!**

Know and Stay Connected to Your:

- Primary Care Manager
- Nurse Case Manager
- PEBLO
- MSC
- Appointed Legal Counsel
- Parent Command
(Limited Duty Coordinator)
- Recovery Care Coordinator
- Wounded Warrior Regiment

Educate Yourself:

- IDES Consultation Class
- DTAP
- TRS
- Compensation and Benefits Handbook
- Internet Research
- WWR Website
- Federal Benefits for Veterans, Dependents, and Survivor's Handbook

ASK QUESTIONS AND STAY INVOLVED!

MORE FREQUENTLY ASKED QUESTIONS (FAQS)

If you would like to learn more about the IDES process, and many other related topics such as Combat Related Special Compensation, Traumatic Service Members Group Life Insurance (TSGLI), TRICARE Benefits, and more, visit the Wounded Warrior Regiment website at www.woundedwarrior.marines.mil/faqs

POINTS OF CONTACT AND RESOURCE INFORMATION

WEBSITES:

Wounded Warrior Regiment (WWR):

www.woundedwarrior.marines.mil

Marine For Life (M4L):

www.linkedin.com/company/marine-for-life-network

Marine Corps Home Page:

www.marines.mil

Physical Evaluation Board (PEB):

www.secnav.navy.mil/mra/CORB/pages/peb/default.aspx

Combat Related Special Compensation (CRSC):

www.secnav.navy.mil/mra/CORB/pages/crsccb/default.aspx

Traumatic Service Group Life Insurance (TSGLI):

www.benefits.va.gov/insurance/tsgli.asp

Military Medical/Health Records (National Archives):

www.archives.gov/veterans/military-service-records/

Navy/Marine Corps Legal:

www.jag.navy.mil/

Department of Veterans Affairs (VA):

www.va.gov

Disability American Veterans (DAV):

www.dav.org

Veterans Service Organization (VSO):

www.va.gov/vso/index.cfm

www.va.gov/disability

Transition Readiness Program (TRP):

MARADMIN 404/16

SSIC 01000 Military Personnel - MCO 1700.31:

www.marines.mil/News/Publications/MCPPEL/Electronic-Library-Display/Article/900630/mco-170031/

Federal Benefits for Veterans, Dependents, and Survivor's Handbook:

www.va.gov/opa/publications/benefits_book/2014_Federal_Benefits_for_Veterans_English.pdf

Compensation and Benefits Handbook:

warriorcare.dodlive.mil/benefits/compensation-and-benefits/

Social Security Disability Insurance Program (SSDI):

www.socialsecurity.gov/woundedwarriors

TRICARE:

www.tricare.mil/

Headquarters Marine Corps - Disability Section (MMSR-4):

www.manpower.usmc.mil/webcenter/portal/MRAHome

REFERENCE MATERIAL:

DON Disability Evaluation Manual: SECNAVINST 1850.4F

Separations Manual: MCO P1900.16

Transition Assistance MP: MCO P1754.5

ACTIVE DUTY CAREER RETENTION AND PERMANENT LIMITED DUTY:

MARADMIN 457/16

CHANGES IN DELIVERY OF DD214 TO ACTIVE DUTY AND RESERVE MARINES: MARADMIN 343/10

About This Pocket Guide

The Integrated Disability Evaluation System (IDES) Pocket Guide contains information on each phase. Frequently Asked Questions, Transition, and VA Disability Compensation Delivery, and includes:

- Information on key players in place to help you and your family navigate the system
- Recommendations on what you can or should do to facilitate the process
- Points of contact and resources that offer additional information and support, advocacy and legal assistance

Wounded Warrior Regiment

The Wounded Warrior Regiment provides leadership and ensures compliance with laws and DoD regulations related to the support, recovery, and non-medical care of combat and non-combat wounded, ill, and injured Marines, Sailors attached to Marine units, and their family members in order to maximize their recovery as they return to duty or transition to civilian life.



Sergeant Merlin German Wounded Warrior Call Center (WWCC)

Available 24/7, the WWCC extends support to wounded, ill, and injured Marines through advocacy; resource identification; referral; information distribution; and care coordination over phone, text, and social media. If you have questions regarding the IDES or any benefit or service offered to Marines, call: **1-877-4USMCWW (1-877-487-6299)**.

Connect with the Wounded Warrior Regiment

Find us - www.woundedwarrior.marines.mil

Like us - www.facebook.com/wwr.usmc

Follow us - www.twitter.com/usmcwwr