RECORD OF PROCEEDINGS

PHYSICAL DISABILITY BOARD OF REVIEW

NAME: BRANCH OF SERVICE: NAVY

CASE NUMBER: PD0900026 COMPONENT: ACTIVE

BOARD DATE: 20090609 SEPARATION DATE: 20070416

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SUMMARY OF CASE: This covered individual (CI) was a Navy Petty Officer 1 Yeoman medically separated in 2007 after over eleven years of service. She had a three to four year history of multiple unexplained physical complaints, forgetfulness, memory loss, and decreased concentration diagnosed as undifferentiated somatoform disorder. She was unable to perform her duties as leading petty officer, was removed from this position, and was only able to work half of each work day. The Navy Physical Evaluation Board (PEB) found her unfit for continued service and she was separated with a 10% disability rating for 9423 Undifferentiated Somatoform Disorder and 10% for 7301 Abdominal Peritoneal Adhesions using the using the Veterans Affairs Schedule for Ratings Disabilities (VASRD) and applicable Navy regulations. These combined for 20%. The Veterans Administration (VA) rated 9423 Undifferentiated Somatoform Disorder at 50% based on a pre-discharge examination. They did not rate Abdominal Peritoneal Adhesions but did determine service connection for twelve other conditions for a combined total of 90%. The Navy and VA grouped symptoms differently—Navy included pain and paresthesias of extremities (other than bilateral hip pain) in the somatoform disorder diagnosis and the VA rated all pain and paresthesias of all four extremities as well as bilateral trochanteric bursitis separately. The Navy stated the bilateral trochanteric bursitis was not separately unfitting. The Navy did not rate for the total abdominal hysterectomy as this condition does not render a service member unfit for naval service. The VA included her abdominal symptoms in the somatoform disorder diagnosis and the Navy rated this separately.

The CI did not state a clear contention but listed the ratings from the Navy and from the VA.

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BOARD FINDINGS: IAW DoDI 6040.44, provisions of DoD or Military Department regulations or guidelines relied upon by the PEB will not be considered by the Board to the extent they were inconsistent with the VASRD in effect at the time of the adjudication. After careful consideration of all available information, the Board concluded that the CI’s condition is appropriately rated at 30% under VASRD 9423 Undifferentiated Somatoform Disorder and 10% under 7301 Abdominal Peritoneal Adhesions with a combined rating of 40%. The Board applied the general rating formula for mental disorders and concluded the CI’s pain and paresthesias in all four extremities as well as her back and neck pain were part of her undifferentiated somatoform disorder. This constellation of symptoms effected a higher rating. The CI’s abdominal symptoms resulted from abdominal surgery and therefore should not be included as part of her undifferentiated somatoform disorder.

The PDBR also examined the other conditions rated by the VA and did not find any to be separately unfitting.

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RECOMMENDATION: The Board recommends that the CI’s prior determination be modified as follows, effective as of the date of his prior medical separation.

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| Unfitting Condition | VASRD Code | Rating |
| Undifferentiated Somatoform Disorder | 9423 | 30% |
| Abdominal Peritoneal Adhesions | 7301 | 10% |
| Combined | 40% |

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The following documentary evidence was considered:

Exhibit A. DD Form 294, dated 20090116, w/atchs.

Exhibit B. Service Treatment Record.

Exhibit C. Department of Veteran's Affairs Treatment Record.

