RECORD OF PROCEEDINGS

PHYSICAL DISABILITY BOARD OF REVIEW

NAME: BRANCH OF SERVICE: AIR FORCE

CASE NUMBER: PD0900091 COMPONENT: ACTIVE

BOARD DATE: 20090611 SEPARATION DATE: 20071123

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SUMMARY OF CASE: This covered individual (CI) was an Air Force Aircraft Armament Systems SSgt medically separated in 2007 after over sixteen years of active service. He developed bilateral tinnitus and asymmetrical sensorineural hearing loss, mild on the right and moderate on the left after many years of working on the flightline. His hearing loss gradually increased over time and was at the H3 profile level in January 2006. He received hearing aids from the local VA as part of a resource sharing plan. As an attempt to limit further hearing loss he was removed from working on the flightline to work as a facilities manager approximately 2.5 to 3 years prior to his separation. However, his hearing loss continued to increase even after he no longer worked on the flightline and he was referred for a fitness evaluation. Speech discrimination testing was completed as part of his medical evaluation and this was 88% on the right and 36% on the left. Scores above 90% are considered normal. The Air Force Informal Physical Evaluation Board (PEB) found him unfit for continued service with a combined rating of 10% for 6100 asymmetrical hearing loss, mild on the right and moderate on the left using the Veterans Affairs Schedule for Ratings Disabilities (VASRD) and applicable Air Force regulations. Using an evaluation done two months after separation from the Air Force, the Veterans Administration (VA) rated his hearing loss at 0% under VASRD code 6100 and also rated 6260 Tinnitus at 10%. While the VA examination included an audiogram similar to the one used in the Air Force evaluation, the speech discrimination testing done by the VA was above 90% in each ear. The VA also rated allergic rhinitis 6522 and scars 7805 0% each for a combined total of 10%. The CI contends that his tinnitus was caused the noise exposure he experienced while on active duty and it should have also been rated by the Air Force.

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BOARD FINDINGS: IAW DoDI 6040.44, the Board used the Veteran’s Affairs Schedule of Rating Disabilities (VASRD) as the most favorable basis for rating. After careful consideration of all available information, the Board concluded that the CI’s condition is appropriately rated at a combined total of 20% with 10% for 6100 asymmetrical sensorineural hearing loss (mild on right, moderate on left) and 10% for 6260 tinnitus. This rating is based on the application of Tables VI and VII in the VASRD applying pure tone threshold averages of 35 in the right ear and 52.5 in the left ear along with unamplified speech discrimination testing of 88% in the right ear and 36% in the left ear as measured in the Air Force evaluation. The Board concluded that the CI’s tinnitus was more likely than not caused by the same noise exposure that caused his hearing loss and that his tinnitus more likely than not contributed to his impaired speech discrimination and is therefore appropriately considered to be part of his unfitting condition and rated at 10%.

Although the CI did not contend that the other conditions rated by the VA should also be rated, the Board examined these conditions 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 |
| Asymmetrical sensorineural hearing loss, mild on right moderate on the left | 6100 | 10% |
| Tinnitus | 6260 | 10% |
| Combined | 20% |

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The following documentary evidence was considered:

Exhibit A. DD Form 294, dated 20090128, w/atchs.

Exhibit B. Service Treatment Record.

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

 President

 Physical Disability Board of Review

SAF/MRB

1535 Command Drive, Suite E-302

Andrews AFB, MD 20762-7002

 Reference your application submitted under the provisions of DoDI 6040.44 (Section 1554, 10 USC), PDBR Case Number PD-2009-00091.

 After careful consideration of your application and treatment records, the Physical Disability Board of Review determined that the rating assigned at the time of final disposition of your disability evaluation system processing was not appropriate under the guidelines of the Veterans Administration Schedule for Rating Disabilities. Accordingly, the Board recommended modification of your assigned disability rating without recharacterization of your separation with severance pay.

 I have carefully reviewed the evidence of record and the recommendation of the Board. I concur with that finding, accept their recommendation and direct that your records be corrected as set forth in the attached copy of a Memorandum for the Chief of Staff, United States Air Force. The office responsible for making the correction will inform you when your records have been changed.

Director

Air Force Review Boards Agency

Attachments:

1. Directive

2. Record of Proceedings

cc:

SAF/MRBR

DFAS-IN

PDBR PD-2009-00091

MEMORANDUM FOR THE CHIEF OF STAFF

 Having received and considered the recommendation of the Physical Disability Board of Review and under the authority of Section 1554, Title 10, United States Code (122 Stat. 466) it is directed that:

 The pertinent military records of the Department of the Air Force relating to XXXXXXXXX, be corrected to show that an additional diagnosis in his finding of unfitness was tinnitus, VASRD code 6260, rated at 10%; that the degree of impairment was permanent; that the disability was not due to intentional misconduct or willful neglect; that the disability was not incurred during a period of unauthorized absence; that the disability was not a direct result of armed conflict or caused by an instrumentality of war; and that the combined compensable percentage was 20%.

 Director

 Air Force Review Boards Agency