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Federal Regulations**

Title 38, Part 4

Schedule for Rating Disabilities

Veterans Benefits Administration

Supplement No. 48

Covering period of *Federal Register* issues
through May 3, 2009

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GENERAL INSTRUCTIONS

Custom Federal Regulations Service™

Supplemental Materials for *Book C*

Code of Federal Regulations

Title 38, Part 4

Schedule for Rating Disabilities

Veterans Benefits Administration

Supplement No. 48

5 May 2009

Covering the period of Federal Register issues
through May 3, 2009

When **Book C** was originally prepared, it was current through final regulations published in the *Federal Register* of 24 March 1992. These supplemental materials are designed to keep your regulations up to date. You should file the attached pages immediately, and record the fact that you did so on the *Supplement Filing Record* which is at page C-8 of *Book C, Schedule for Rating Disabilities*.

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FILING INSTRUCTIONS

**Book C, Supplement No. 48
May 5, 2009**

<i>Remove these <u>old pages</u></i>	<i>Add these <u>new pages</u></i>	<i>Section(s) <u>Affected</u></i>
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HIGHLIGHTS

Book C, Supplement No. 48 May 5, 2009

Supplement Highlights references: Where substantive changes are made in the text of regulations, the paragraphs of *Highlights* sections are cited at the end of the relevant section of text. Thus, if you are reading §3.263, you will see a note at the end of that section which reads: “Supplement *Highlights* references—6(2).” This means that paragraph 2 of the *Highlights* section in Supplement No. 6 contains information about the changes made in §3.263. By keeping and filing the *Highlights* sections, you will have a reference source explaining all substantive changes in the text of the regulations.

Supplement frequency: This Book C (*Schedule for Rating Disabilities*) was originally supplemented four times a year, in February, May, August, and November. Beginning 1 August 1995, supplements will be issued *every month* during which a final rule addition or modification is made to the parts of Title 38 covered by this book. Supplements will be numbered consecutively as issued.

Modifications in this supplement include the following:

1. On 23 April 2009, the VA published a final rule, effective that same date, to amend VA regulations by making nonsubstantive changes for purposes of clarity and accuracy. Changes:

- Changed spelling of *posttraumatic* in Diagnostic Code 9411 in §4.130, Appendix B, and Appendix C.



ANXIETY DISORDERS

- 9400 Generalized anxiety disorder
 - 9403 Specific (simple) phobia; social phobia
 - 9404 Obsessive compulsive disorder
 - 9410 Other and unspecified neurosis
 - 9411 Posttraumatic stress disorder
 - 9412 Panic disorder and/or agoraphobia
 - 9413 Anxiety disorder, not otherwise specified
-

DISSOCIATIVE DISORDERS

- 9416 Dissociative amnesia; dissociative fugue; dissociative identity disorder (multiple personality disorder)
 - 9417 Depersonalization disorder
-

SOMATOFORM DISORDERS

- 9421 Somatization disorder
 - 9422 Pain disorder
 - 9423 Undifferentiated somatoform disorder
 - 9424 Conversion disorder
 - 9425 Hypochondriasis
-

MOOD DISORDERS

- 9431 Cyclothymic disorder
- 9432 Bipolar disorder
- 9433 Dysthymic disorder
- 9434 Major depressive disorder
- 9435 Mood disorder, not otherwise specified

CHRONIC ADJUSTMENT DISORDER

9440 Chronic adjustment disorder

General Rating Formula for Mental Disorders:

- Total occupational and social impairment, due to such symptoms as:
 gross impairment in thought processes or communication;
 persistent delusions or hallucinations; grossly inappropriate
 behavior; persistent danger of hurting self or others; intermittent
 inability to perform activities of daily living (including maintenance
 of minimal personal hygiene); disorientation to time or place; memory
 loss for names of close relatives, own occupation, or own name 100
- Occupational and social impairment, with deficiencies in most areas,
 such as work, school, family relations, judgment, thinking, or mood,
 due to such symptoms as: suicidal ideation; obsessional rituals
 which interfere with routine activities; speech intermittently illogical,
 obscure, or irrelevant; near-continuous panic or depression affecting
 the ability to function independently, appropriately and effectively;
 impaired impulse control (such as unprovoked irritability with periods
 of violence); spatial disorientation; neglect of personal appearance and
 hygiene; difficulty in adapting to stressful circumstances (including
 work or a worklike setting); inability to establish and maintain
 effective relationships 70
- Occupational and social impairment with reduced reliability and
 productivity due to such symptoms as: flattened affect; circumstantial,
 circumlocutory, or stereotyped speech; panic attacks more than once
 a week; difficulty in understanding complex commands; impairment
 of short- and long-term memory (e.g., retention of only highly learned
 material, forgetting to complete tasks); impaired judgment; impaired
 abstract thinking; disturbances of motivation and mood; difficulty in
 establishing and maintaining effective work and social relationships 50
- Occupational and social impairment with occasional decrease in work
 efficiency and intermittent periods of inability to perform occupational
 tasks (although generally functioning satisfactorily, with routine
 behavior, self-care, and conversation normal), due to such symptoms
 as: depressed mood, anxiety, suspiciousness, panic attacks (weekly or
 less often), chronic sleep impairment, mild memory loss (such as
 forgetting names, directions, recent events) 30
- Occupational and social impairment due to mild or transient symptoms
 which decrease work efficiency and ability to perform occupational
 tasks only during periods of significant stress, or; symptoms controlled
 by continuous medication 10

A mental condition has been formally diagnosed, but symptoms are not severe enough either to interfere with occupational and social functioning or to require continuous medication 0

EATING DISORDERS

9520 Anorexia nervosa

9521 Bulimia nervosa

Rating Formula for Eating Disorders:

Self-induced weight loss to less than 80 percent of expected minimum weight, with incapacitating episodes of at least six weeks total duration per year, and requiring hospitalization more than twice a year for parenteral nutrition or tube feeding 100

Self-induced weight loss to less than 85 percent of expected minimum weight with incapacitating episodes of six or more weeks total duration per year 60

Self-induced weight loss to less than 85 percent of expected minimum weight with incapacitating episodes of more than two but less than six weeks total duration per year 30

Binge eating followed by self-induced vomiting or other measures to prevent weight gain, or resistance to weight gain even when below expected minimum weight, with diagnosis of an eating disorder and incapacitating episodes of up to two weeks total duration per year 10

Binge eating followed by self-induced vomiting or other measures to prevent weight gain, or resistance to weight gain even when below expected minimum weight, with diagnosis of an eating disorder but without incapacitating episodes 0

Note: An incapacitating episode is a period during which bed rest and treatment by a physician are required. (Authority: 38 U.S.C. 1155)

[53 FR 23, Jan. 4, 1988; 53 FR 1441, Jan. 19, 1988. Redesignated and amended at 61 FR 52700, Oct. 8, 1996; 74 FR 18467, Apr. 23, 2009]

Supplement *Highlights* references: 19(1), 48(1).

Next Section is §4.149

Reserved

Anxiety Disorders

9400.....	Generalized anxiety disorder.
9403.....	Specific (simple) phobia.
9404.....	Obsessive compulsive disorder.
9410.....	Other and unspecified neurosis.
9411.....	Posttraumatic stress disorder.
9412.....	Panic disorder.
9413.....	Anxiety disorder, not otherwise specified.

Dissociative Disorder

9416.....	Amnesia, fugue, identity disorder.
9417.....	Depersonalization disorder.

Somatoform Disorders

9421.....	Somatization disorder.
9422.....	Pain disorder.
9423.....	Undifferentiated somatoform disorder.
9424.....	Conversion disorder.
9425.....	Hypochondriasis.

Mood Disorders

9431.....	Cyclothymic disorder.
9432.....	Bipolar disorder.
9433.....	Dysthymic disorder.
9434.....	Major depressive disorder.
9435.....	Mood disorder not otherwise specified.

Chronic Adjustment Disorder

9440.....	Chronic adjustment disorder.
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Eating Disorders

9520.....	Anorexia nervosa.
9521.....	Bulimia nervosa.

DENTAL AND ORAL CONDITIONS

9900.....	Maxilla or mandible, chronic.
9901.....	Mandible, loss of, complete.
9902.....	Mandible, loss of approximately one-half.

9903.....	Mandible, nonunion.
9904.....	Mandible, malunion.
9905.....	Temporomandibular articulation, limited motion.
9906.....	Ramus, loss of whole or part.
9907.....	Ramus, loss of less than one-half.
9908.....	Condylloid process.
9909.....	Coronoid process.
9911.....	Hard palate, loss of half or more.
9912.....	Hard palate, loss of less than half.
9913.....	Teeth, loss of.
9914.....	Maxilla, loss of more than half.
9915.....	Maxilla, loss of half or less.
9916.....	Maxilla, malunion or nonunion of.

[29 FR 6718, May 22, 1964, as amended at 34 FR 5064, Mar. 11, 1969; 52 FR 44122, Nov. 18, 1987; 53 FR 24938, July 1, 1988; 59 FR 2528, 2530, Jan. 18, 1994; 72 FR 12990, Mar. 20, 2007; 73 FR 54708, 54711, Sept. 23, 2008; 74 FR 18467, Apr. 23, 2009]

Supplement *Highlights* references: 42(1), 45(1,2), 48(1).

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[29 FR 6718, May 22, 1964, as amended at 34 FR 5064, Mar. 11, 1969; 52 FR 44122, Nov. 18, 1987; 53 FR 24938, July 1, 1988; 59 FR 2528, 2530, Jan. 18, 1994; 72 FR 13003, Mar. 20, 2007; 73 FR 54708, 54712, Sept. 23, 2008; 73 FR 69554, Nov. 19, 2008; 74 FR 18467, Apr. 23, 2009]

Supplement *Highlights* references: 42(1), 45(1,2), 48(1).