

BULLETIN

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THE VETERANS LAW GROUP



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VLG's bulletin is an educational resource for veterans service officers. These bulletins will discuss how court decisions and VA statutes and regulations can be applied to the advantage of your clients' claims.

BULLETIN June 2015

**PSYCHIATRIC CLAIMS:
LEVERAGING GAF SCORES TO YOUR CLIENTS' ADVANTAGE**

While assisting a veteran with a claim related to psychiatric disabilities, you will likely come across so-called "GAF" scores, the acronym referring to Global Assessment of Functioning under the DSM-IV.[1] **These scores show up in treatment records and VA examination reports as inconspicuous notations, usually found at the conclusion of a medical opinion or treatment report.** They are easily overlooked, but can be helpful in establishing your client's entitlement to a higher disability rating.

A GAF score represents "the clinicians judgment of the individual's overall level of functioning...". DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDER 30 (4th ed. 1994). GAF scores have a numeric value from 1-100, with the severity of the disability going up as the GAF score goes down. The GAF scale breaks down as follows:

- **91 - 100 No symptoms.** Superior functioning in a wide range of activities, life's problems never seem to get out of hand, is sought out by others because of his or her many positive qualities.
- **81 - 90 Absent or minimal symptoms** (e.g., mild anxiety before an exam),

good functioning in all areas, interested and involved in a wide range of activities, socially effective, generally satisfied with life, no more than everyday problems or concerns.

- **71 - 80 If symptoms are present, they are transient and expectable reactions to psychosocial stressors** (e.g., difficulty concentrating after family argument); no more than slight impairment in social, occupational, or school functioning (e.g., temporarily falling behind in schoolwork).
- **61 - 70 Some mild symptoms** (e.g., depressed mood and mild insomnia) or some difficulty in social, occupational, or school functioning (e.g., occasional truancy, or theft within the household), but generally functioning pretty well, has some meaningful interpersonal relationships.
- **51 - 60 Moderate symptoms** (e.g., flat affect and circumlocutory speech, occasional panic attacks) or moderate difficulty in social, occupational, or school functioning (e.g., few friends, conflicts with peers or co-workers).
- **41 - 50 Serious symptoms** (e.g., suicidal ideation, severe obsessional rituals, frequent shoplifting) or any serious impairment in social, occupational, or school functioning (e.g., no friends, unable to keep a job, cannot work).
- **31 - 40 Some impairment in reality testing or communication** (e.g., speech is at times illogical, obscure, or irrelevant) or major impairment in several areas, such as work or school, family relations, judgment, thinking, or mood (e.g., depressed adult avoids friends, neglects family, and is unable to work; child frequently beats up younger children, is defiant at home, and is failing at school).
- **21 - 30 Behavior is considerably influenced by delusions or hallucinations or serious impairment, in communication or judgment** (e.g., sometimes incoherent, acts grossly inappropriately, suicidal preoccupation) or inability to function in almost all areas (e.g., stays in bed all day, no job, home, or friends)
- **11 - 20 Some danger of hurting self or others** (e.g., suicide attempts without clear expectation of death; frequently violent; manic excitement) or occasionally fails to maintain minimal personal hygiene (e.g., smears feces) or gross impairment in communication (e.g., largely incoherent or mute).
- **1 - 10 Persistent danger of severely hurting self or others** (e.g., recurrent violence) or persistent inability to maintain minimal personal hygiene or serious suicidal act with clear expectation of death.

Keep an eye out for GAF scores of 50, a frequently assigned score. Many veterans with this score are under-rated for VA disability purposes, having disability awards of fifty (50) percent or less. **A GAF score of 50 corresponds, (or should correspond), to a seventy (70) percent disability rating or greater under the VA schedule.** See *Bowling v. Principi*, 15 Vet. App. 1, 14 (2001) (citing *Richard (Mary) v. Brown*, 9 Vet. App. 266, 267 (1996)) (the Court recognized that a veteran with a GAF score of 50 was rated at 70 percent).

In this regard, point out to the rating specialist or Decision Review Officer that the criteria for a GAF score of 50 (emboldened above) correlates with those for a seventy (70) percent disability rating under Diagnostic 9400, (the diagnostic code for mental disorders):

- 70% (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 . . .).

And do not forget requests for Total Disability based on Individual Unemployability (TDIU) ratings. A seventy (70) percent disability rating usually means the veteran is not working. If so, a request for a total disability rating based upon individual unemployability (TDIU) should be raised along with the psychiatric claim. To learn more about TDIU, please see our recent Webinar on this subject:

[1] The GAF assessment has been eliminated under the DSM-V.

RECORDED WEBINAR ON TDIU

We recently completed a Webinar for VSOs on Total Disability based on Individual Unemployability. You can watch the recording of the Webinar by clicking below:

[WATCH THE TDIU WEBINAR](#)

Effective Representation of Total Disability Individual Unemployability (TDIU) Claims

Learn ins and outs of TDIU claims. Including:

- (1) Qualifying for TDIU*
- (2) Effective Dates of TDIU*
- (3) Providing Supporting Evidence for Unemployability*

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April 21, 2015

9:00-9:50am PST

KEY RESOURCES

If you need additional resources, please don't hesitate to refer to our website for more information or contact us directly.

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