

§4.114

38 CFR Ch. I (7–1–06 Edition)

distress or pain, anemia and disturbances in nutrition. Consequently, certain coexisting diseases in this area, as indicated in the instruction under the title “Diseases of the Digestive System,” do not lend themselves to distinct and separate disability evaluations without violating the fundamental principle relating to pyramiding as outlined in §4.14.

§4.114 Schedule of ratings—digestive system.

Ratings under diagnostic codes 7301 to 7329, inclusive, 7331, 7342, and 7345 to 7348 inclusive will not be combined with each other. A single evaluation will be assigned under the diagnostic code which reflects the predominant disability picture, with elevation to the next higher evaluation where the severity of the overall disability warrants such elevation.

	Rating
7200 Mouth, injuries of. Rate as for disfigurement and impairment of function of mastication.	
7201 Lips, injuries of. Rate as for disfigurement of face.	
7202 Tongue, loss of whole or part: With inability to communicate by speech ..... One-half or more ..... With marked speech impairment .....	100 60 30
7203 Esophagus, stricture of: Permitting passage of liquids only, with marked impairment of general health ..... Severe, permitting liquids only ..... Moderate .....	80 50 30
7204 Esophagus, spasm of (cardiospasm). If not amenable to dilation, rate as for the degree of obstruction (stricture).	
7205 Esophagus, diverticulum of, acquired. Rate as for obstruction (stricture).	
7301 Peritoneum, adhesions of: Severe; definite partial obstruction shown by X-ray, with frequent and prolonged episodes of severe colic distension, nausea or vomiting, following severe peritonitis, ruptured appendix, perforated ulcer, or operation with drainage .... Moderately severe; partial obstruction manifested by delayed motility of barium meal and less frequent and less prolonged episodes of pain ..... Moderate; pulling pain on attempting work or aggravated by movements of the body, or occasional episodes of colic pain, nausea, constipation (perhaps alternating with diarrhea) or abdominal distension ..... Mild .....	50 30 10 0
NOTE: Ratings for adhesions will be considered when there is history of operative or other traumatic or infectious (intraabdominal) process, and at least two of the following: disturbance of motility, actual partial obstruction, reflex disturbances, presence of pain.	
7304 Ulcer, gastric.	
7305 Ulcer, duodenal:	

	Rating
Severe; pain only partially relieved by standard ulcer therapy, periodic vomiting, recurrent hematemesis or melena, with manifestations of anemia and weight loss productive of definite impairment of health .....	60
Moderately severe; less than severe but with impairment of health manifested by anemia and weight loss; or recurrent incapacitating episodes averaging 10 days or more in duration at least four or more times a year .....	40
Moderate; recurring episodes of severe symptoms two or three times a year averaging 10 days in duration; or with continuous moderate manifestations .....	20
Mild; with recurring symptoms once or twice yearly .....	10
7306 Ulcer, marginal (gastrojejunal): Pronounced; periodic or continuous pain unrelieved by standard ulcer therapy with periodic vomiting, recurring melena or hematemesis, and weight loss. Totally incapacitating .....	100
Severe; same as pronounced with less pronounced and less continuous symptoms with definite impairment of health .....	60
Moderately severe; intercurrent episodes of abdominal pain at least once a month partially or completely relieved by ulcer therapy, mild and transient episodes of vomiting or melena .....	40
Moderate; with episodes of recurring symptoms several times a year .....	20
Mild; with brief episodes of recurring symptoms once or twice yearly .....	10
7307 Gastritis, hypertrophic (identified by gastroscop): Chronic; with severe hemorrhages, or large ulcerated or eroded areas .....	60
Chronic; with multiple small eroded or ulcerated areas, and symptoms .....	30
Chronic; with small nodular lesions, and symptoms .....	10
Gastritis, atrophic. A complication of a number of diseases, including pernicious anemia. Rate the underlying condition.	
7308 Postgastrectomy syndromes: Severe; associated with nausea, sweating, circulatory disturbance after meals, diarrhea, hypoglycemic symptoms, and weight loss with malnutrition and anemia .....	60
Moderate; less frequent episodes of epigastric disorders with characteristic mild circulatory symptoms after meals but with diarrhea and weight loss .....	40
Mild; infrequent episodes of epigastric distress with characteristic mild circulatory symptoms or continuous mild manifestations .....	20
7309 Stomach, stenosis of. Rate as for gastric ulcer.	
7310 Stomach, injury of, residuals. Rate as peritoneal adhesions.	
7311 Residuals of injury of the liver: Depending on the specific residuals, separately evaluate as adhesions of peritoneum (diagnostic code 7301), cirrhosis of liver (diagnostic code 7312), and chronic liver disease without cirrhosis (diagnostic code 7345).	
7312 Cirrhosis of the liver, primary biliary cirrhosis, or cirrhotic phase of sclerosing cholangitis:	

Department of Veterans Affairs

§4.114

	Rat- ing		Rat- ing
Generalized weakness, substantial weight loss, and persistent jaundice, or; with one of the following refractory to treatment: ascites, hepatic encephalopathy, hemorrhage from varices or portal gastropathy (erosive gastritis) .....	100	Moderate symptoms .....	10
History of two or more episodes of ascites, hepatic encephalopathy, or hemorrhage from varices or portal gastropathy (erosive gastritis), but with periods of remission between attacks .....	70	Mild or no symptoms .....	0
History of one episode of ascites, hepatic encephalopathy, or hemorrhage from varices or portal gastropathy (erosive gastritis) .....	50	7325 Enteritis, chronic. Rate as for irritable colon syndrome.	
Portal hypertension and splenomegaly, with weakness, anorexia, abdominal pain, malaise, and at least minor weight loss .....	30	7326 Enterocolitis, chronic. Rate as for irritable colon syndrome.	
Symptoms such as weakness, anorexia, abdominal pain, and malaise .....	10	7327 Diverticulitis. Rate as for irritable colon syndrome, peritoneal adhesions, or colitis, ulcerative, depending upon the predominant disability picture.	
NOTE: For evaluation under diagnostic code 7312, documentation of cirrhosis (by biopsy or imaging) and abnormal liver function tests must be present.		7328 Intestine, small, resection of: With marked interference with absorption and nutrition, manifested by severe impairment of health objectively supported by examination findings including material weight loss .....	60
7314 Cholecystitis, chronic: Severe; frequent attacks of gall bladder colic .....	30	With definite interference with absorption and nutrition, manifested by impairment of health objectively supported by examination findings including definite weight loss .....	40
Moderate; gall bladder dyspepsia, confirmed by X-ray technique, and with infrequent attacks (not over two or three a year) of gall bladder colic, with or without jaundice .....	10	Symptomatic with diarrhea, anemia and inability to gain weight .....	20
Mild .....	0	NOTE: Where residual adhesions constitute the predominant disability, rate under diagnostic code 7301.	
7315 Cholelithiasis, chronic. Rate as for chronic cholecystitis.		7329 Intestine, large, resection of: With severe symptoms, objectively supported by examination findings .....	40
7316 Cholangitis, chronic. Rate as for chronic cholecystitis.		With moderate symptoms .....	20
7317 Gall bladder, injury of. Rate as for peritoneal adhesions.		With slight symptoms .....	10
7318 Gall bladder, removal of: With severe symptoms .....	30	NOTE: Where residual adhesions constitute the predominant disability, rate under diagnostic code 7301.	
With mild symptoms .....	10	7330 Intestine, fistula of, persistent, or after attempt at operative closure: Copious and frequent, fecal discharge .....	100
Nonsymptomatic .....	0	Constant or frequent, fecal discharge .....	60
Spleen, disease or injury of. See Hemic and Lymphatic Systems.		Slight infrequent, fecal discharge .....	30
7319 Irritable colon syndrome (spastic colitis, mucous colitis, etc.): Severe; diarrhea, or alternating diarrhea and constipation, with more or less constant abdominal distress .....	30	Healed; rate for peritoneal adhesions.	
Moderate; frequent episodes of bowel disturbance with abdominal distress .....	10	7331 Peritonitis, tuberculous, active or inactive: Active .....	100
Mild; disturbances of bowel function with occasional episodes of abdominal distress .....	0	Inactive: See §§ 4.88b and 4.89.	
7321 Amebiasis: Mild gastrointestinal disturbances, lower abdominal cramps, nausea, gaseous distention, chronic constipation interrupted by diarrhea .....	10	7332 Rectum and anus, impairment of sphincter control: Complete loss of sphincter control .....	100
Asymptomatic .....	0	Extensive leakage and fairly frequent involuntary bowel movements .....	60
NOTE: Amebiasis with or without liver abscess is parallel in symptomatology with ulcerative colitis and should be rated on the scale provided for the latter. Similarly, lung abscess due to amebiasis will be rated under the respiratory system schedule, diagnostic code 6809.		Occasional involuntary bowel movements, necessitating wearing of pad .....	30
7322 Dysentery, bacillary. Rate as for ulcerative colitis..		Constant slight, or occasional moderate leakage .....	10
7323 Colitis, ulcerative: Pronounced; resulting in marked malnutrition, anemia, and general debility, or with serious complication as liver abscess .....	100	Healed or slight, without leakage .....	0
Severe; with numerous attacks a year and malnutrition, the health only fair during remissions .....	60	7333 Rectum and anus, stricture of: Requiring colostomy .....	100
Moderately severe; with frequent exacerbations .....	30	Great reduction of lumen, or extensive leakage ..	50
Moderate; with infrequent exacerbations .....	10	Moderate reduction of lumen, or moderate constant leakage .....	30
7324 Distomiasis, intestinal or hepatic: Severe symptoms .....	30	7334 Rectum, prolapse of: Severe (or complete), persistent .....	50
		Moderate, persistent or frequently recurring .....	30
		Mild with constant slight or occasional moderate leakage .....	10
		7335 Ano, fistula in. Rate as for impairment of sphincter control.	
		7336 Hemorrhoids, external or internal: With persistent bleeding and with secondary anemia, or with fissures .....	20
		Large or thrombotic, irreducible, with excessive redundant tissue, evidencing frequent recurrences .....	10
		Mild or moderate .....	0
		7337 Pruritus ani. Rate for the underlying condition.	
		7338 Hernia, inguinal:	

	Rat- ing		Rat- ing
Large, postoperative, recurrent, not well supported under ordinary conditions and not readily reducible, when considered inoperable .....	60	Daily fatigue, malaise, and anorexia, with minor weight loss and hepatomegaly, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least four weeks, but less than six weeks, during the past 12-month period .....	40
Small, postoperative recurrent, or unoperated irreducible, not well supported by truss, or not readily reducible .....	30	Daily fatigue, malaise, and anorexia (without weight loss or hepatomegaly), requiring dietary restriction or continuous medication, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least two weeks, but less than four weeks, during the past 12-month period .....	20
Postoperative recurrent, readily reducible and well supported by truss or belt .....	10	Intermittent fatigue, malaise, and anorexia, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least one week, but less than two weeks, during the past 12-month period .....	10
Not operated, but remediable .....	0	Nonsymptomatic .....	0
Small, reducible, or without true hernia protrusion .....	0	NOTE (1): Evaluate sequelae, such as cirrhosis or malignancy of the liver, under an appropriate diagnostic code, but do not use the same signs and symptoms as the basis for evaluation under DC 7354 and under a diagnostic code for sequelae. (See §4.14.)	
NOTE: Add 10 percent for bilateral involvement, provided the second hernia is compensable. This means that the more severely disabling hernia is to be evaluated, and 10 percent, only, added for the second hernia, if the latter is of compensable degree.		NOTE (2): For purposes of evaluating conditions under diagnostic code 7345, "incapacitating episode" means a period of acute signs and symptoms severe enough to require bed rest and treatment by a physician.	
7339 Hernia, ventral, postoperative:		NOTE (3): Hepatitis B infection must be confirmed by serologic testing in order to evaluate it under diagnostic code 7345.	
Massive, persistent, severe diastasis of recti muscles or extensive diffuse destruction or weakening of muscular and fascial support of abdominal wall so as to be inoperable .....	100	7346 Hernia hiatal:	
Large, not well supported by belt under ordinary conditions .....	40	Symptoms of pain, vomiting, material weight loss and hematemesis or melena with moderate anemia; or other symptom combinations productive of severe impairment of health .....	60
Small, not well supported by belt under ordinary conditions, or healed ventral hernia or post-operative wounds with weakening of abdominal wall and indication for a supporting belt .....	20	Persistently recurrent epigastric distress with dysphagia, pyrosis, and regurgitation, accompanied by substernal or arm or shoulder pain, productive of considerable impairment of health .....	30
Wounds, postoperative, healed, no disability, belt not indicated .....	0	With two or more of the symptoms for the 30 percent evaluation of less severity .....	10
7340 Hernia, femoral.		7347 Pancreatitis:	
Rate as for inguinal hernia.		With frequently recurrent disabling attacks of abdominal pain with few pain free intermissions and with steatorrhea, malabsorption, diarrhea and severe malnutrition .....	100
7342 Visceroptosis, symptomatic, marked .....	10	With frequent attacks of abdominal pain, loss of normal body weight and other findings showing continuing pancreatic insufficiency between acute attacks .....	60
7343 Malignant neoplasms of the digestive system, exclusive of skin growths .....	100	Moderately severe; with at least 4-7 typical attacks of abdominal pain per year with good remission between attacks .....	30
NOTE: A rating of 100 percent shall continue beyond the cessation of any surgical, X-ray, antineoplastic chemotherapy or other therapeutic procedure. Six months after discontinuance of such treatment, the appropriate disability rating shall be determined by mandatory VA examination. Any change in evaluation based upon that or any subsequent examination shall be subject to the provisions of §3.105(e) of this chapter. If there has been no local recurrence or metastasis, rate on residuals.		With at least one recurring attack of typical severe abdominal pain in the past year .....	10
7344 Benign neoplasms, exclusive of skin growths: Evaluate under an appropriate diagnostic code, depending on the predominant disability or the specific residuals after treatment.		NOTE 1: Abdominal pain in this condition must be confirmed as resulting from pancreatitis by appropriate laboratory and clinical studies.	
7345 Chronic liver disease without cirrhosis (including hepatitis B, chronic active hepatitis, autoimmune hepatitis, hemochromatosis, drug-induced hepatitis, etc., but excluding bile duct disorders and hepatitis C):		NOTE 2: Following total or partial pancreatectomy, rate under above, symptoms, minimum rating 30 percent.	
Near-constant debilitating symptoms (such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) .....	100	7348 Vagotomy with pyloroplasty or gastroenterostomy:	
Daily fatigue, malaise, and anorexia, with substantial weight loss (or other indication of malnutrition), and hepatomegaly, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least six weeks during the past 12-month period, but not occurring constantly .....	60		

Department of Veterans Affairs

§4.115a

	Rat- ing		Rat- ing
Followed by demonstrably confirmative post-operative complications of stricture or continuing gastric retention .....	40		
With symptoms and confirmed diagnosis of alkaline gastritis, or of confirmed persisting diarrhea .....	30	NOTE (1): Evaluate sequelae, such as cirrhosis or malignancy of the liver, under an appropriate diagnostic code, but do not use the same signs and symptoms as the basis for evaluation under DC 7354 and under a diagnostic code for sequelae. (See § 4.14.)	
Recurrent ulcer with incomplete vagotomy .....	20	NOTE (2): For purposes of evaluating conditions under diagnostic code 7354, "incapacitating episode" means a period of acute signs and symptoms severe enough to require bed rest and treatment by a physician.	
NOTE: Rate recurrent ulcer following complete vagotomy under diagnostic code 7305, minimum rating 20 percent; and rate dumping syndrome under diagnostic code 7308.			
7351 Liver transplant:			
For an indefinite period from the date of hospital admission for transplant surgery .....	100	(Authority: 38 U.S.C. 1155)	
Minimum .....	30	[29 FR 6718, May 22, 1964, as amended at 34 FR 5063, Mar. 11, 1969; 40 FR 42540, Sept. 15, 1975; 41 FR 11301, Mar. 18, 1976; 66 FR 29488, May 31, 2001]	
NOTE: A rating of 100 percent shall be assigned as of the date of hospital admission for transplant surgery and shall continue. One year following discharge, the appropriate disability rating shall be determined by mandatory VA examination. Any change in evaluation based upon that or any subsequent examination shall be subject to the provisions of §3.105(e) of this chapter.			
7354 Hepatitis C (or non-A, non-B hepatitis):			
With serologic evidence of hepatitis C infection and the following signs and symptoms due to hepatitis C infection:			
Near-constant debilitating symptoms (such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) .....	100		
Daily fatigue, malaise, and anorexia, with substantial weight loss (or other indication of malnutrition), and hepatomegaly, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least six weeks during the past 12-month period, but not occurring constantly .....	60		
Daily fatigue, malaise, and anorexia, with minor weight loss and hepatomegaly, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least four weeks, but less than six weeks, during the past 12-month period .....	40		
Daily fatigue, malaise, and anorexia (without weight loss or hepatomegaly), requiring dietary restriction or continuous medication, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least two weeks, but less than four weeks, during the past 12-month period .....	20		
Intermittent fatigue, malaise, and anorexia, or; incapacitating episodes (with symptoms such as fatigue, malaise, nausea, vomiting, anorexia, arthralgia, and right upper quadrant pain) having a total duration of at least one week, but less than two weeks, during the past 12-month period .....	10	[41 FR 34258, Aug. 13, 1976, as amended at 59 FR 2527, Jan. 18, 1994]	
Nonsymptomatic .....	0		

THE GENITOURINARY SYSTEM

§ 4.115 Nephritis.

Albuminuria alone is not nephritis, nor will the presence of transient albumin and casts following acute febrile illness be taken as nephritis. The glomerular type of nephritis is usually preceded by or associated with severe infectious disease; the onset is sudden, and the course marked by red blood cells, salt retention, and edema; it may clear up entirely or progress to a chronic condition. The nephrosclerotic type, originating in hypertension or arteriosclerosis, develops slowly, with minimum laboratory findings, and is associated with natural progress. Separate ratings are not to be assigned for disability from disease of the heart and any form of nephritis, on account of the close interrelationships of cardiovascular disabilities. If, however, absence of a kidney is the sole renal disability, even if removal was required because of nephritis, the absent kidney and any hypertension or heart disease will be separately rated. Also, in the event that chronic renal disease has progressed to the point where regular dialysis is required, any coexisting hypertension or heart disease will be separately rated.

§ 4.115a Ratings of the genitourinary system—dysfunctions.

Diseases of the genitourinary system generally result in disabilities related