

**RESULTS FROM HEARING PROBLEM SURVEY – APRIL 2008**

I included this with my Chiropractors letter of what he had worked on as it related to my service connected injuries at my retirement. Worked out to 10% for the hearing and 10% for the service connected. They gave me “zero” in the first physical and I showed up with an army hearing aid in my ear. Took a year but is well worth the paper work and time.

From: "Armed Forces News" <armed\_forces\_news@fedweek.sparklist.com> Sent: Thursday, February 27, 2003 10:37 AM

Subject: Armed Forces News Issue: Fri, February 28, 2003

3. COURT DECIDES TINNITUS COMPENSATION ELIGIBILITY The United States Court of Appeals for Veterans Claims has announced a decision in the case of Wanner v. Principi. At issue was whether service connection or compensation for tinnitus should be allowed only for "head injury, concussion or acoustic trauma." The Court held that persistent tinnitus, no matter how it was acquired during service, entitles a veteran to compensation under the rating schedule. Accordingly, in claims for service connection for tinnitus filed before June 10, 1991 including those now on appeal, claimants will now be entitled to service connection without regard to how the tinnitus was acquired. The court did not decide whether veterans are entitled to separate ratings for service-connected bilateral tinnitus (tinnitus in each ear).

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I have applied for hearing loss but have not heard anything as of this date. I was in Phu Bai Vietnam from June 63 to May 64 and in Saigon from Dec 64 to Dec 65. I worked in the communication center MOS 723. I have been treated for hearing problems since the early 70's and was advised by the VA Audiologist to apply for disability. I know this is not much help but maybe we can share info to both our advantage.

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About two years ago I went through a screening at the VA in Seattle. It was a large gathering of people from WW II to present. Then I attended a series of classes on coping with the problem. I quickly figured out that I had much less of a problem and decided to live with it rather than undergo surgery and all sorts of torture. However if you have a serious problem they do have some things that can actually help.

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I had a free hearing test from a hearing aid company. Then I went to the VA, had the same test. The graphs were identical. Normal hearing up to 6, then down to zero. NO high frequency after that. Voice intercept for a year. Nasty screaming Mandarin in two countries. The VA says I am not a candidate for a hearing aid, because my loss is not in the normal speaking range. I spent 30 years in audio and video

production, and sound and light is comprised of all frequencies, you can't just arbitrarily dump some of them. They did give me ten percent for tinnitus. There is no test for tinnitus, all you have to do is say you have it.

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I recently received SCD for hearing loss and tinnitus. I was already under VA care for Agent Orange exposure (diabetes). When I complained about my hearing, they gave me an exam and then fitted me with 2 hearing aids. I subsequently filed a claim for bilateral hearing loss and tinnitus. The claim form is attached. I was awarded SCD at 0% for hearing loss and 10% for tinnitus.

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I have been granted a 10 percent disability rating for tinnitus and scheduled for annual hearing testing. The technician who administered my last test says that I have some hearing loss, but not significant enough to warrant hearing aids. This is the third year that the results have been the same. The 10 percent rating applies even if the tinnitus is present in both ears. Wish I could provide more info. Most of my assistance from VA is vision related and in that arena, they have done outstanding! You may find some additional information at: <http://www.MyHealth.va.gov>. Good Luck.

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I am currently drawing 10 percent SC Disability for Tinnitus in both ears. In spite of the documentation of the noise related occupations in the service they stated that my hearing was fine on my retirement physical. There is currently a case before the Board of Veterans appeals to force the VA to grant separate disabilities for each ear as the do for other body parts and functions. The VA did issue me hearing aids and provides batteries for them.

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Have been appealing for over 3 years on tinnitus (spelling). Finally got to go in for hearing test last month. I have only 80% hearing according to the lab tech who did the testing. Lots of questions about how come you are finally complaining about it???? Told them that I have had problems with ringing in the ears for many years but never really paid much attention to it as it would go away after a few days in the beginning. But in the last 8 years the ringing has become more extreme and very annoying when it changes pitch. Certain tones of voices and large areas are the worse for me. It will go to some board now. Big questions are if you (since you got out) have done anything abnormal to incur hearing loss during civilian life. Hunting, motorcycling, loud noisy jobs. etc. Hope this helps.

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Actually the problems started while still in the service with an increase in the level each year of service. After the service the problems increased at a slower rate. Although I hear volume I have the ringing and the in ability to distinguish between certain words. Sometimes after I answer a question or respond during a discussion the other person(s) will ask me why I said what I did. When I ask them if they said a particular thing they say no that it was something else.

I was given a letter saying that the condition was related to my military service. But the VA has always classified me no disability for the condition. There was one strange incident directly related to this condition. When I separated from the Army I went to the VA hospital and had a complete physical. A few weeks after I arrived home I received a card from a doctor that said that my request for the hearing was being favorably considered by the VA and wanted to know if I would join the DAV. At that time I did not want to join the DAV so I sent a negative response. A couple of weeks later I received a notice of denial from the VA. I hate to say it but I have always felt that if I had said yes I would have received a positive response. That was in late 1970 or early 1971. Since that time I have returned to the VA hospital in DC for a reevaluation. Sometime in the 90's I again went for another evaluation. Before the tests started the doctor had me read a notice that the regulations had changed, were more restrictive, and that my benefits could be reduced if I took the tests. Since I was not receiving any benefits anyway I have continued to go back every few years, always with the same result. The ears are damaged but not enough to qualify for benefits. I hope that helps.

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Was an 05D from 1969 to 1974, then transferred to 01H then commissioned and spent 24 years in the service. I got rated while on active duty for loss of high frequency hearing and tinnitus. Got hearing aids to help and 10% VA disability. Haven't hit VA for new hearing aids since 1993.

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I have a claim in now for tinnitus and the loss of hearing in my right ear. i was a comm. center spc from 65-68. i had it during the service but never knew what it was. They gave me a hearing aid for my right ear at the VA and then they denied my claim for hearing loss in the right ear and the tinnitus. The tinnitus has always been there. I would hear my ears ringing all the time. i thought it was the sound of the night and never thought I had a hearing loss. To mask it I would have the radio on or the TV while falling asleep.

The VA denied me the claim because they said i never complained about it. Upon receiving a hearing aid I heard my own voice for the first time in 40 years. I have an appeal in on it. Once you get in the hearing booth they now have you can really hear the ringing quite loud. It does not seem to be as loud during times of daytime activity, but it is there every night!

In civilian life i never had a job where the noise level was as high as it was on the rifle range or in Vietnam during attacks. Also my duties as comm center spc put me in a environment where the noise level was very high. If you file a claim and they denied you for it you have one year to appeal it. This is what I have done!

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Hearing loss must be documented at discharge as compared to enlistment physical. Then, it depends on the military job(s) and what (jobs) in the years since military service. Some RO=Regional Offices are tough as nuts and some are not to get a hearing loss and tinnitus claims thru if there is no hearing loss at discharge from active duty.

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When I took my retirement physical in March 1975, I was told to enter everything that I thought was a problem that occurred while I was in the Army on the medical forms given to us. I had a high frequency hearing loss that had been documented on previous physicals. I can tell you from experience that a hearing loss is the most difficult ailment to receive VA compensation for. That was told to me by a medical Colonel when I went to the VA in Philadelphia right after I retired for a physical.

My recommendation to you is to contact the nearest VA office, hospital or clinic and tell them your problem. I have found the VA people that I have dealt with here in Pa and W Va to be very courteous and really have a desire to help. Once you have the initial paperwork completed they will set you up with an appointment and check you out to see how much of a problem you have. If you have a hearing problem and can provide the required backup paper work i.e., DD-214 and any medical records you may have the VA will probably give you hearing aids. They give you a supply of batteries for the hearing aids and forms to send to Denver for a resupply. The hearing aids and batteries are for as long as you live.

I visit the VA once a year for a physical or checkup and visit the audiologist when I need to. After you become established with the VA, whatever you do don't miss your annual appointment. If you do you will have to fill out forms again to get an appointment to see a doctor. Seeing a doctor initially is a must because he has to make the determination for any treatment.

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The key to your success in this matter is to be patient and don't give up at your local VA office for assistance. HEARING LOSS is such a gigantic problem with GIs that the government would

literally go broke if it tried to compensate all in that category. You have to include other complaints (feet, bruised knuckles, back) that you can build a verifiable or believable story about. It's one or two of these secondary complaints that will qualify you for disability, not the hearing loss. Since your hearing loss was a part of your complaints, it will cover you for help with your hearing at a lower classification. This classification (10% is already enough, I think) would get you new hearing aids and related service.

I hope you haven't already applied without including one or some secondary complaint(s). If so, you might want to backtrack with your counselor about a thing or two you forgot. This is a dumb thing, of course, but we have to play the game. The counselors know this and they're usually understanding and will work on your side.

Hang in there. Ignore the negative results that you always get once or twice and keep on reapplying.

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I had hearing problems (loss of certain tones and sometimes tinnitus) back when I got out of the Army, but they said it wasn't too bad and that I should check with the VA after I was out. The first time the VA checked my hearing, they said that it was deficient, but not bad enough to take any actions (aids or disability).

Then five years ago, when I was diagnosed with Diabetes, they also rechecked my hearing and determined that I would be better off with hearing aids and since I had made an issue of it years ago, was totally covered. I now receive disability at 40% because of the hearing and diabetes thanks to the VFW rep in Madison, Wisconsin. I'm told that it's better if I not try for a higher rating while I'm still driving truck. Once I retire, I can reapply for a higher rating. Our local VA rep, is the one that suggested using the VFW rep as they have a good track record in Wisconsin.

My suggestion would be to do some checking to find out who seems to be the most effective for your area, and then try to get them to plea your case.

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[VFW Takes Case to Supreme Court](#)

The VFW filed an amicus, or "friend of the court," brief in the U. S. Supreme Court on Dec. 20, 2006 on behalf of veteran Ellis C. Smith, VFW is seeking to overturn a lower court decision that allowed VA to rate tinnitus (ringing in the ears) as a single disability, regardless of whether it affected one or both ears.

To read the entire article on this subject go to <http://www.vfw.org> and type *tinnitus* in the search field. There is a link to the entire brief in the VFW article.

