



**BENEFITS
ASSISTANCE
SERVICE**

CAMP LEJEUNE PRESUMPTIVE CONDITIONS

GENERAL INFORMATION, SCRIPT, AND FAQs

ISSUED DATE: MARCH 14, 2017

GENERAL INFORMATION

As part of the Department of Veterans Affairs' (VA) ongoing commitment to provide care to Veterans and their families, the VA amended its regulations, effective March 14, 2017, to establish presumption of service connection for eight conditions associated with exposure to contaminants in the water supply at Camp Lejeune.

From 1953 to 1987, water sources at Marine Corps Base Camp Lejeune were contaminated with industrial solvents that are correlated with certain health conditions. Scientific authorities and health experts determined that the drinking water at Camp Lejeune was contaminated with perchloroethylene, trichloroethylene, vinyl chloride, benzene and other petroleum contaminants from leaking storage tanks and determined that prolonged exposure to these chemicals increases the risk of certain health conditions.

Secretary McDonald has determined there is sufficient scientific and medical evidence available to establish a presumptive connection for the following conditions:

- Kidney Cancer
- Liver Cancer
- Non-Hodgkin Lymphoma
- Adult Leukemia
- Multiple Myeloma
- Bladder Cancer

Disabilities determined by VA to be related to your military service can lead to monthly non-taxable compensation, enrollment in the VA health care system, a 10-point hiring preference for federal employment and other important benefits. Ask your VA representative or Veterans Service Organization representative about Disability Compensation, Pension, Health Care, Caregiver Program, Career Services, Educational Assistance, Home Loan Guaranty, Insurance and/or Dependents and Survivors' Benefits.



U.S. Department
of Veterans Affairs



- Parkinson's Disease
- Aplastic Anemia / Myelodysplastic Syndromes

The rule allows Servicemembers with records demonstrating no less than 30 days of service (either consecutive or cumulative) at Camp Lejeune during the specified timeframe, and who have been diagnosed with any of the eight enumerated diseases, to be presumed to have a service-connected disability for purposes of entitlement to VA benefits. The rule applies to all military active duty, reserve, and National Guard personnel that meet the requirements of the regulation. VA encourages Veterans who have a record of service at Camp Lejeune between August 1, 1953, and December 31, 1987, and developed a condition that they believe is related to exposure to the drinking water at the base, to file a disability compensation claim with VA.

FREQUENTLY ASKED QUESTIONS

Q1. WHO IS AFFECTED BY THIS REGULATION CHANGE?

A1: The eligible population includes all active duty, Reserve, and National Guard personnel who have a record of service at Camp Lejeune between August 1, 1953, and December 31, 1987, served there for at least 30 days (consecutive or cumulative) during that period, and develop a condition that they believe is related to exposure to the drinking water at the base.

Q2. ARE NATIONAL GUARD AND RESERVE MEMBERS WHO SERVED AT CAMP LEJEUNE ELIGIBLE FOR VA BENEFITS?

A2: The regulation expands benefits eligibility to Reserve and National Guard personnel who served at Camp Lejeune for at least 30 days (consecutive or cumulative) from August 1, 1953, through December 31, 1987. These personnel are presumed to have been exposed to the contaminated water during their Reserve or National Guard service and, in appropriate circumstances, to have been disabled by such exposure during service, thus allowing them to qualify for VA benefits under the statutory definition of "Veteran." This makes them eligible for VA disability compensation and



medical care for any of the presumptive conditions, and their surviving dependents would be eligible for dependency and indemnity compensation and burial benefits.

Q3. WHAT IS REQUIRED TO FILE A CLAIM FOR VA COMPENSATION BENEFITS FOR THESE PRESUMPTIVE CONDITIONS?

A3: Presumptive service connection for a disease alleged to have been caused by contaminants in the water supply at Camp Lejeune requires medical evidence of a current disease on the presumptive list and evidence by official military records of no less than 30 days of service at Camp Lejeune during the period of contamination. Veterans meeting these criteria should file a VA Form 21-526EZ, *Application for Disability Compensation and Related Compensation Benefits*, with information showing that they have a current diagnosis, their service information, and an indication on the form that the claim is presumptive due to service at Camp Lejeune.

Q4. ARE AFFECTED VETERANS ELIGIBLE FOR VA HEALTHCARE?

A4: Veterans who have established service-connected conditions are eligible for treatment for those conditions at VA medical facilities.

Otherwise, Veterans who served at Camp Lejeune for 30 days or more between August 1, 1953, and December 31, 1987, are already eligible to receive VA healthcare for up to 15 health conditions. The current health care law, passed in 2012, covers the following conditions for active duty personnel and family members who were on base for 30 days or more during this period: esophageal cancer, kidney cancer, breast cancer, female infertility, multiple myeloma, leukemia, miscarriage, renal toxicity, neurobehavioral effects, lung cancer, bladder cancer, myelodysplastic syndrome, hepatic steatosis, non-Hodgkin's lymphoma, and scleroderma. National Guard and Reservists are not eligible for treatment under the current law. More information can be found online at:

<http://www.publichealth.va.gov/PUBLICHEALTH/exposures/camp-lejeune/index.asp>.

Q5. CAN FAMILY MEMBERS OF VETERANS WHO WERE ASSIGNED TO CAMP LEJEUNE BE COMPENSATED?



A5: VA is reimbursing certain Veterans' family members for eligible out-of-pocket medical expenses related to the 15 covered conditions. More information can be found at:

<https://www.clfamilymembers.fsc.va.gov>.

Q6. WHEN WAS THIS RULE IMPLEMENTED?

A6: The rule became final on January 13, 2017 and the Veterans Benefit Administration (VBA) implemented the rule on March 14, 2017.

Q7. FOR CLAIMS THAT WERE PENDING UNDER THE OLD RULES, WILL VA PROCESS THEM UNDER THE OLD RULES OR UNDER THE NEW REGULATIONS?

A7: Under the old rules, VBA granted all claims for all disabilities that were found to be associated with exposure to the contaminants. If a claim for service connection for one of the presumptive conditions would have been denied under the old rules, the denial was stayed until VA issued its final regulations. Those claims will be decided under the new rule.

Q8. WILL VA ADD ANY ADDITIONAL DISABILITIES TO THE LIST OF PRESUMPTIVE DISABILITIES RELATED TO EXPOSURE TO CONTAMINATED WATER AT CAMP LEJEUNE?

A8: VA concluded that the weight of medical and scientific evidence was not strong enough at this time to support the creation of presumptions for any conditions other than those included in its final rule. VA will continue to monitor studies as they become available to determine whether to propose adding other conditions in the future.

Q9. THE VA NEWS RELEASE DATED DECEMBER 17, 2015 INCLUDED SCLERODERMA AS A PRESUMPTIVE CONDITION. WHY ISN'T SCLERODERMA INCLUDED AS A CONDITION IN THE RULE?

A9: Although scleroderma was initially considered for inclusion in this rule, additional scientific and health reviews by VA's Technical Workgroup (TWG) concluded that the evidence is not sufficient to establish a positive association between trichloroethylene (TCE) found in the water at Camp Lejeune and the development of scleroderma.



Q10. HOW DID VA ESTABLISH THE REQUIREMENT FOR 30 DAYS OF SERVICE AT CAMP LEJEUNE AS AN ELIGIBILITY CRITERION FOR BENEFITS AND HEALTH COVERAGE?

A10: The 30-day period of service (consecutive or cumulative), is consistent with VA healthcare regulations and Public Law 112-154, also known as the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012.

However, it is important to note that the regulation does not prohibit claims from Veterans with less than 30 days service at Camp Lejeune. Veterans without 30 days of service at Camp Lejeune may still establish service connection for any disease or disability on a direct basis.

Q11. IF A VETERAN IS DECEASED, CAN HIS/HER DEPENDENTS RECEIVE ANY SURVIVOR'S AND/OR BURIAL BENEFITS?

A11: An eligible dependent of a deceased Veteran, who served at least 30 cumulative days at Camp Lejeune during the specified timeframe, and had any of the eight diseases that was a direct or contributory cause of the Veteran's death, may be entitled to survivor's and/or burial benefits.

Q12. WILL CLAIMS THAT WERE PREVIOUSLY DENIED UNDER THE OLD REGULATION BE RE-ADJUDICATED?

A12: If a claimant was denied previously, the claimant must submit a new claim. Outreach letters are being sent to individuals with a previously denied claim advising of the need to resubmit the claim.

Q13. IS THE LOUISVILLE REGIONAL OFFICE (RO) PROCESSING ALL CAMP LEJEUNE-RELATED CLAIMS?

A13: The Louisville RO will process claims needing a subject matter expert (SME) review in order to make a determination. Claims that can be processed without the need for SME review can be processed at any RO.

