

RECORD OF PROCEEDINGS  
PHYSICAL DISABILITY BOARD OF REVIEW

NAME: XXXXXXXXXX  
BRANCH OF SERVICE: ARMY

CASE: PD-2022-00019  
SEPARATION DATE: 20070321

---

**SUMMARY OF CASE:** Data extracted from the available evidence of record reflects this covered individual (CI) was an active duty E4, Wheeled Vehicle Mechanic, medically separated for "left knee injury" with a disability rating of 10%.

---

**CI CONTENTION:** No specific contention was made. The complete submission is at Exhibit A.

---

**SCOPE OF REVIEW:** The panel's scope of review is defined in DoDI 6040.44. It is limited to review of disability ratings assigned to those conditions determined by the Physical Evaluation Board (PEB) to be unfitting for continued military service, and when specifically requested by the CI, those conditions identified by the Medical Evaluation Board (MEB), but determined by the PEB to be not unfitting or non-compensable. Any conditions outside the panel's defined scope of review, and any contention not requested in this application, may remain eligible for future consideration by the Board for Correction of Military Records. The panel's authority is limited to assessing the fairness and accuracy of PEB rating determinations and recommending corrections when appropriate. The panel gives consideration to VA evidence, particularly within 12 months of separation, but only to the extent that it reasonably reflects the severity of disability at the time of separation.

---

**RATING COMPARISON:**

SERVICE PEB - 20070209			VARD - 20081219			
Condition	Code	Rating	Condition	Code	Rating	Exam
Left Knee Injury	5099-5003	10%	No VA Examination in Evidence Proximate to Separation			
<b>COMBINED RATING: 10%</b>			<b>COMBINED RATING OF ALL VA CONDITIONS: 50%</b>			

---

**ANALYSIS SUMMARY:**

**Left Knee Injury.** According to the service treatment record (STR) and MEB narrative summary (NARSUM), the CI sustained shrapnel wounds to his left knee during a mortar attack in May 2006 while deployed to Iraq. He underwent irrigation and debridement at the time and had surgery in June 2006 to excise painful retained shrapnel.

At an orthopedic visit on 20 October 2006, 5 months prior to separation, the CI reported pain with running, kneeling, stooping, walking and stair climbing. On examination, patella femoral grind testing was positive, but there was no effusion, edema, warmth, or deformity. Meniscus and instability tests were negative and there was no tenderness observed on ambulation. Active range of motion (ROM) was from 0-140 degrees (normal).

During the 24 October 2006 MEB examination (recorded on DD Forms 2807-1 and 2808), physical examination noted full flexion and extension. The 28 December 2006 MEB NARSUM examination, 3 months prior to separation, noted complaints of resting pain rated at 2-3/10. The CI reported trouble with any running, kneeling, crawling, ascending into vehicles, leaning over into engine compartments, and lifting heavy objects. Physical examination showed a

mildly antalgic gait and tenderness, with no effusion or instability. Left knee flexion was to 110 degrees (limited by muscle mass) with full extension. There was no VA examination in evidence proximate to separation.

The panel directed attention to its rating recommendation based on the above evidence. The PEB rated the left knee injury condition 10%, analogously coded 5099-5003 (degenerative arthritis), citing loss of flexion due to mechanical block. Panel members agreed that while there was no compensable limitation of flexion or extension (5260 or 5260), there was evidence of painful motion with functional loss supporting a 10% rating (based on §4.59, §4.40 and §4.45). The panel considered other VASRD knee and analogous codes, but all were less applicable and not advantageous for rating. There was therefore no higher rating than the 10% adjudicated by the PEB. After due deliberation, considering all the evidence and mindful of VASRD §4.3 (reasonable doubt), the panel concluded there was insufficient cause to recommend a change in the PEB adjudication for the left knee condition.

---

**BOARD FINDINGS:** In the matter of the left knee condition and IAW VASRD §4.71a, the panel recommends no change in the PEB adjudication. There are no other conditions within the panel's scope of review for consideration. Therefore, the panel recommends no modification or re-characterization of the CI's disability and separation determination.

---

The following documentary evidence was considered:

- Exhibit A. DD Form 294, dated 20220222, w/atchs
- Exhibit B. Service Treatment Record
- Exhibit C. Department of Veterans Affairs Record

AR20230003147, XXXXXXXXXXX

XXXXXXXXXX

Dear XXXXXXXXXXX:

The Department of Defense Physical Disability Board of Review (DoD PDBR) reviewed your application and found your separation disability rating and your separation from the Army for disability with severance pay to be accurate. I have reviewed the Board's recommendation and record of proceedings (copy enclosed), and I accept its recommendation. I regret to inform you that your application to the DoD PDBR is denied.

This decision is final. Recourse within the Department of Defense or the Department of the Army is exhausted; however, you have the option to seek relief by filing suit in a court of appropriate jurisdiction.