

RECORD OF PROCEEDINGS
PHYSICAL DISABILITY BOARD OF REVIEW

NAME: XXXXXXXXXX
BRANCH OF SERVICE: ARMY

CASE: PD-2023-00036
SEPARATION DATE: 20031116

SUMMARY OF CASE: Data extracted from the available evidence of record reflects this covered individual (CI) was an active duty E2, Trainee, medically separated for “chronic pain due to left anterior pubic ramus stress fracture, confirmed by X-ray” with a disability rating of 20%.

CI CONTENTION: Review all conditions. 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 – 20031014			VARD – 20040204			
Condition	Code	Rating	Condition	Code	Rating	Exam
Left Anterior Pubic Ramus Stress Fracture	5099-5003	20%	Left Anterior Pubic Ramus Stress Fracture	5299-5294	10%	20040106
Upper Dentures	Not Unfitting		No VA Placement			
COMBINED RATING: 20%			COMBINED RATING OF ALL VA CONDITIONS: 10%			

ANALYSIS SUMMARY:

Left Anterior Pubic Ramus Stress Fracture. According to the service treatment record and MEB narrative summary (NARSUM), the CI experienced left hip pain in June 2003 during basic training, and subsequent X-rays in August 2003 revealed a healing left inferior pubic ramus stress fracture.

The 22 September 2003 MEB NARSUM examination, 2 months prior to separation, noted CI complaints of constant pain, which disturbed sleep and required Percocet (analgesic opioid) 2-3 times a day for pain control. Physical examination showed a positive Patrick test (for hip joint pathology) with tenderness in the pubic rami area.

At the 6 January 2004 VA Compensation and Pension (C&P) examination, 2 months after separation, the CI reported constant deep pain that radiated down the left femur. She also experienced pain while walking, sitting, or standing, as well as daily locking. Physical findings revealed normal posture and gait, with bilateral leg lengths measured at 90 cm (from anterior

superior iliac spine to the medial malleolus). Examination of the feet did not demonstrate any signs of abnormal weight bearing joint involvement. Left hip flexion was to 125 degrees (normal), extension to 30 degrees (normal), external rotation to 60 degrees (normal), and abduction to 45 degrees (normal), after repetition in all planes. Left hip X-ray findings were normal, but a pelvic X-ray was abnormal, showing posttraumatic fracture deformity of the left inferior pubic ramus.

The panel directed attention to its rating recommendation based on the above evidence. The PEB rated the left anterior pubic ramus stress fracture 20%, analogously coded 5099-5003 (degenerative arthritis), citing pain as moderate and constant in accordance with the US Army Physical Disability Agency pain policy. The VA rated the left anterior pubic ramus stress fracture 10%, analogously coded 5299-5294 (pelvic fracture), based on the C&P examination, citing characteristic painful or limited motion. Panel members noted a 20% rating was the highest rating available under code 5003. The panel considered other VASRD hip and analogous codes, but all were less applicable and not advantageous for rating. There was therefore no higher rating than the 20% 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 pubic ramus stress fracture.

Contended PEB Condition: Upper Dentures. The panel's main charge is to assess the fairness of the PEB determination that the contended condition was not unfitting. The contended condition was not profiled or implicated in the commander's statement and did not fail retention standards. There was no performance-based evidence from the record that the condition significantly interfered with satisfactory duty performance at separation. After due deliberation, the panel concluded there was insufficient cause to recommend a change in the PEB fitness determination for the contended condition, so no additional disability rating is recommended.

BOARD FINDINGS: In the matter of the left anterior pubic ramus stress fracture and IAW VASRD §4.71a, the panel recommends no change in the PEB adjudication. In the matter of the contended upper denture condition, the panel agrees it cannot recommend it for additional disability rating. 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 20230417, w/atchs
- Exhibit B. Service Treatment Record
- Exhibit C. Department of Veterans Affairs Record



DEPARTMENT OF THE ARMY
ARMY REVIEW BOARDS AGENCY
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Dear XXXXXXXXXXXX:

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.