

RECORD OF PROCEEDINGS  
PHYSICAL DISABILITY BOARD OF REVIEW

NAME: XXXXXXXXXXXX  
BRANCH OF SERVICE: AIR FORCE

CASE: PD-2023-00041  
SEPARATION DATE: 20050718

**SUMMARY OF CASE:** Data extracted from the available evidence of record reflects this covered individual (CI) was an active duty E5, Aeromedical Craftsman, medically separated from the Temporary Disability Retired List (TDRL) for “migraine headaches” with a disability rating of 10%.

**CI CONTENTION:** Review requested review of additional conditions not identified by the Medical Evaluation Board (MEB) and Physical Evaluation Board (PEB). 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 - 20050422			VARD - 20051123			
Condition	Code	Rating	Condition	Code	Rating	Exam
Migraine Headaches	8100	10%	Migraine Headaches	8100	50%	20051103
<b>COMBINED RATING: 10%</b>			<b>COMBINED RATING OF ALL VA CONDITIONS: 60%</b>			

**ANALYSIS SUMMARY:**

**Migraine Headaches.** According to the service treatment record and MEB narrative summary (NARSUM), the CI had a history of migraines since 1994. He was treated with Toradol (non-steroidal anti-inflammatory) injections as needed but had severe retro-orbital throbbing headaches about once a week. He was separated and placed on the TDRL on 4 March 2002.

At the 20 December 2004 TDRL re-evaluation examination, 7 months prior to separation, the CI reported essentially unchanged headaches occurring 3 times a week, with one of them “fairly severe” and rated at 8/10 in intensity. He had lost no more than 6 days at work in the past year. Neurological findings were unremarkable, and the examiner noted the CI took Zoloft (selective serotonin reuptake inhibitor) and Motrin as needed.

At the 3 November 2005 VA Compensation and Pension (C&P) examination, 4 months after TDRL removal, the CI reported getting headaches about 5 times per week. The intensity and length varied from 3-4 hours to all day. He had headaches mostly during the day, and thus they were limited on his job since he worked at night. He could often control his headaches by catching them early and taking medication, which he reported as Toradol and Motrin at bedtime.

The panel directed attention to its rating recommendation based on the above evidence. The CI was removed from the TDRL with a permanent disability disposition of separation with severance pay at 10%. He appealed to the formal PEB (FPEB) and contended he should have been returned to duty since his condition was controlled on Motrin and he only had one severe headache a week that lasted about 4 hours. He indicated he was employed full-time, able to work through his "occasional pain," and willing to return to duty in "whatever career field the Air Force needs." The FPEB concurred with the informal PEB, and a subsequent appeal to the Secretary of the Air Force Personnel Council to remain on TDRL was denied. The VA rated the migraine headaches 50%, coded 8100, based on the C&P examination, citing "very frequent completely prostrating and prolonged attacks productive of severe economic inadaptability."

Panel members noted that guidance under diagnostic code 8100 is based on the frequency of "prostrating attacks" over the "last several months." The VASRD does not further define prostrating attacks, however commonly accepted definitions include "utter physical exhaustion or helplessness" (Webster's New World Dictionary of American English), "complete physical or mental exhaustion" or "extreme exhaustion or powerlessness" (Dorland's Illustrated Medical Dictionary). The panel considered the frequency and nature of the CI's headaches. At the TDRL examination, he reported three headaches a week, with one being severe, and at the C&P examination, he indicated five headaches per week controlled by medication. During the FPEB proceedings, he endorsed one severe headache (lasting 4 hours) a week and was able to work through occasional pain. The panel also noted that most of the CI's headaches occurred outside of work hours, were not described as prostrating, and were treated successfully with abortive, anti-inflammatory medication. There was no evidence he had to leave work or required emergency room treatment for his condition. Panel members agreed there was no evidence of prostrating headaches occurring "on average once per month, or more frequently, over the last several months" to support a rating higher 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 migraine headaches at the time of TDRL removal.

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**BOARD FINDINGS:** In the matter of the migraine headaches and IAW VASRD §4.124, the panel recommends no change in the PEB adjudication at the time of TDRL removal. 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.

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The following documentary evidence was considered:

- Exhibit A. DD Form 294, dated 20230511, w/atchs
- Exhibit B. Service Treatment Record
- Exhibit C. Department of Veterans Affairs Record

SAF/MRB  
3351 CELMERS LANE  
JBA NAF WASHINGTON, MD 20762-6435

Dear XXXXXX:

Reference your application submitted under the provisions of DoDI 6040.44 (Section 1554, 10 USC), PDBR Case Number PD-2023-00041.

After careful consideration of your application and treatment records, the Physical Disability Board of Review determined that the rating assigned at the time of final disposition of your disability evaluation system processing was appropriate. Accordingly, the Board recommended no rating modification or re-characterization of your separation.

I have carefully reviewed the evidence of record and the recommendation of the Board. I concur with that finding and their conclusion that modification of your disability rating or characterization of your separation is not warranted. Accordingly, I accept the recommendation that your application be denied.

Sincerely,

Attachment:  
Record of Proceedings