

# GAO Highlights

Highlights of [GAO-22-105191](#), a report to congressional committees

## Why GAO Did This Study

VA paid an estimated \$28 billion in disability compensation to more than 1.4 million Vietnam War era veterans in fiscal year 2020. Some may have conditions associated with exposure to Agent Orange.

The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 includes a provision for GAO to report on VA's efforts to provide benefits to Vietnam veterans for certain conditions associated with Agent Orange exposure. This report examines (1) what is known about how many Vietnam veterans have been granted disability benefits for early-onset peripheral neuropathy, chloracne, and porphyria cutanea tarda; (2) to what extent claims processors follow VA procedures in evaluating claims; and (3) the estimated cost of removing the 1-year manifestation requirement.

GAO reviewed relevant federal laws and regulations, VA guidance, and available VA data on claim decisions for these conditions from fiscal years 2003 through 2021. Similar to prior estimates, GAO used these and other data to estimate the 10-year cost of removing the 1-year requirement. GAO also reviewed a non-generalizable sample of 50 claim decisions from fiscal years 2014 through 2021 and interviewed 11 claims processors from three of 14 offices that process Agent Orange claims.

## What GAO Recommends

GAO is making one recommendation to VA to clarify its guidance on how to evaluate claims for the three selected conditions. VA agreed with GAO's recommendation.

View [GAO-22-105191](#). For more information, contact Elizabeth H. Curda at (202) 512-7215 or [curdae@gao.gov](mailto:curdae@gao.gov).

September 2022

## VA DISABILITY

### Clearer Claims Processing Guidance Needed for Selected Agent Orange Conditions

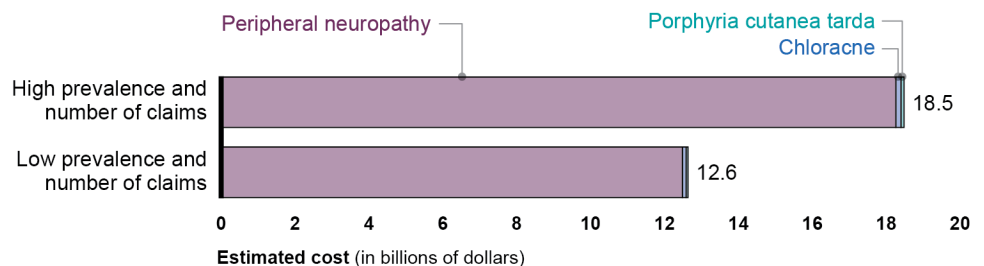
## What GAO Found

About 8 percent of Vietnam veterans who received disability compensation claim decisions for three conditions associated with exposure to herbicides were granted benefits by the Department of Veterans Affairs (VA), according to GAO's analysis of VA data from fiscal years 2003 through 2021. During this period, GAO estimates that VA granted benefits to about 11,000 out of 130,000 Vietnam veterans for the three conditions. These conditions are: early-onset peripheral neuropathy (nerve damage), chloracne, and porphyria cutanea tarda (skin blisters). These conditions are unique in that they must have manifested within 1 year of service in Vietnam for VA to presume a connection between the condition and exposure to herbicides used in the Vietnam War, such as Agent Orange.

GAO's interviews with claims processors suggest that they evaluate claims for these conditions inconsistently based on inaccurate interpretations of VA's claims processing procedures. Specifically, during interviews at three selected offices that process Agent Orange claims, GAO heard inaccurate statements about (1) when the 1-year manifestation period requirement applies and (2) what types of evidence can be used to address this requirement or to support requesting a medical opinion that could be used to support veterans' claims. VA's guidance does not clearly address these issues. Without clear guidance, claims processors may incorrectly apply the 1-year manifestation period requirement when veterans have evidence suggesting a direct connection to service and, in turn, could inappropriately deny benefits to some Vietnam veterans.

GAO estimates that removing the 1-year manifestation period requirement for the three conditions could cost VA between \$16.7 billion and \$25.8 billion over 10 years. This estimate includes disability payments of \$12.6 billion to \$18.5 billion for about 130,000 to 217,000 veterans with these conditions, though primarily for peripheral neuropathy (see figure). It also includes increases in VA health care and administrative costs.

**Estimated 10-Year Cost of Disability Payments from Removing 1-Year Requirement for Three Selected Conditions, with High and Low Assumptions for Disease Prevalence and Number of Claims**



Source: GAO analysis of Department of Veterans Affairs data on disability compensation claims decisions, mortality rates, and prevalence rates; and academic literature. | [GAO-22-105191](#)