

# STATIC CONDITIONS AND REEXAMINATIONS

Static status limits routine periodic examinations but does not create an independent evaluation floor.



|                                                             |                                                |                                                 |
|-------------------------------------------------------------|------------------------------------------------|-------------------------------------------------|
| STATIC<br>Disability established as not expected to improve | GENERAL RULE<br>No periodic future examination | BOUNDARY<br>VA retains defined review authority |
|-------------------------------------------------------------|------------------------------------------------|-------------------------------------------------|

RULE FILE

Section 3.327 lists six situations in which no periodic future examination will be scheduled. Static status is one of them, but it should not be turned into an absolute statement that VA can never request another examination.

EXAM 01 | SIX LIMITATIONS

## WHEN PERIODIC FUTURE EXAMS ARE NOT SCHEDULED

|                                                                                                                                                |                                                                                                                                                                                 |                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <div>STATIC</div> <div>Disability established as static</div> <div>The condition is designated as not expected to improve.</div>               | <div>5Y</div> <div>No material improvement for five years</div> <div>Examinations and hospital reports show findings and symptoms persisted without material improvement.</div> | <div>PERM</div> <div>Permanent disease</div> <div>The disease is permanent in character with no likelihood of improvement.</div>            |
| <div>55+</div> <div>Veteran over age 55</div> <div>Periodic reexamination is generally not scheduled except under unusual circumstances.</div> | <div>MIN</div> <div>Prescribed minimum</div> <div>The assigned rating is a minimum required by the rating schedule.</div>                                                       | <div>SAME</div> <div>Combined evaluation unchanged</div> <div>A lower individual evaluation would not affect the combined evaluation.</div> |

EXAM 02 | AUTHORITY REMAINS

## WHEN VA MAY STILL SEEK VERIFICATION

|                                                                                                                                                |                                                                                                                                               |                                                                                                                                                                                |
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| <div>EXIST</div> <div>Continued existence</div> <div>VA may determine an examination is needed to confirm that the disability continues.</div> | <div>SEVERITY</div> <div>Current severity</div> <div>Evidence may indicate material change or that the current rating may be incorrect.</div> | <div>SPECIFIC</div> <div>Rule-mandated review</div> <div>Temporary evaluations, prestabilization ratings, or a diagnostic code may require a defined review examination.</div> |
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EXAM 03 | CORRECT WORDING

## USE LIMITS, NOT ABSOLUTES

Accurate: Static status and age over 55 generally limit routine periodic reexaminations under section 3.327.

Too broad: A static condition or veteran over age 55 can never be examined again.

### EXAM STATUS IS NOT A FLOOR

A no-future-exam notation concerns routine scheduling. The ten-year and twenty-year rules separately protect service connection and the evaluation floor.

