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INFORMATION PAPER

MCJA-OSC
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SUBJECT: Department of Defense/Department of Veterans Affairs (DoD/VA)
Integrated Disability Evaluation System (IDES) Overview

1. Purpose: To provide information for Soldiers going through the DoD/VA Integrated Disability Evaluation System (IDES) process.

2. Facts:

a. The key feature of the IDES is one medical examination. The VA conducts the necessary comprehensive medical examination which the Military Department uses to make a determination on a Soldier's fitness for duty. If a Soldier is found unfit, the VA utilizes their medical examination as the primary basis to rate all service-connected medical conditions. After the VA rates each service-connected condition, the Army uses the VA's rating for any unfitting condition(s) to determine whether a Soldier will be medically retired (30% or greater) or separated with severance pay (less than 30%). The proposed rating informs the Soldier of the approximate amount of compensation and benefits the Soldier will receive from the VA upon discharge.

b. Physical Evaluation Board Liaison Officers (PEBLOs) guide Soldiers administratively throughout the IDES process to ensure Soldiers are aware of the available options and to assist with the many decisions the Soldier will need to make. VA Military Service Coordinators (MSCs) help Soldiers file their VA benefits claim before they leave the service so they can get their benefits as soon as possible upon separation. Soldiers have multiple opportunities to seek legal advice and exercise due process rights throughout the IDES process. The Army provides Soldiers with no-cost MEB and PEB legal counsel to assist with advice and appeals at each of these stages.

c. General information regarding legal services during the MEB/PEB process.

(1) Soldiers' MEB & PEB Counsel provide information and legal advice regarding the IDES and Soldiers' rights during these processes. A Soldier can receive general information from Soldiers' Counsel once the Soldier receives a P3 Profile. As soon as a Soldier is referred into IDES, he or she is required to attend one of the briefings conducted by the Soldiers' MEB Counsel (SMEBC) Office. The Soldier will learn general information about the IDES process and what SMEBC can do for Soldiers to help attain their goals. Soldiers can also meet individually with Soldiers' MEB Counsel.

(2) Soldiers should determine their goals early in the process. Soldiers' MEB Counsel can assist Soldiers in developing realistic goals and strategies for achieving those goals during the IDES process and/or the VA appeals process. This is typically

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general information as specific advice is limited until the MEB has developed and reported information regarding the Soldier's medical conditions.

d. MEB Counsel: After Soldiers receive their DA Form 3947 and Narrative Summary (NARSUM), MEB Counsel will provide individualized legal advice in support of the Soldiers' goals. MEB Counsel can assist Soldiers with requests for an Impartial Medical Review (IMR), submission of an MEB appeal/rebuttal, requests for a VA Rating Reconsideration (VARR), submission of Informal PEB reconsiderations, and elections for a Formal Board.

e. PEB Counsel: Soldiers' PEB Counsel (SPEBC) provide representation to Soldiers during formal PEB hearings. If the Soldier non-concurs with the fitness determination, the SPEBC can help the Soldier identify, gather and present evidence during the hearing which might support the accomplishment of the Soldier's goals.

f. Assistance with VA Rating Reconsiderations that Impact Military Disposition: For conditions which the PEB has found unfit, Soldiers who disagree with their VA ratings have a one-time pre-discharge opportunity to request a reconsideration (or "appeal") of their VA rating determinations. If the VA changes a rating, the Army must accept the new rating for disposition purposes. Soldiers' MEB and PEB Counsel will assist Soldiers in the IDES process with reconsideration requests regarding their VA ratings for unfitting conditions.

3. This Information Paper is provided as a service to Soldiers in the MEB/PEB process and is intended as general information only. A Soldiers' Counsel is available to provide specific legal advice to Soldiers in the MEB/PEB process. Contact your local Office of Soldiers' Counsel for more information. If you don't know how to reach your local OSC office please contact your PEBLO or see our website for contact information at <https://www.jagcnet.army.mil/otjagosc>.

Approved by: Ms. Joyce A. Hamel

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