

# **Camp Lejeune Contaminated Water (CLCW) Centralized Claims Processing**



# History of Contamination

- ❖ The water system serving the Tarawa Terrace military housing area was contaminated by chemicals dumped into the environment by an off-base dry cleaner and the Hadnot Point water system serving the main portion of the base was contaminated by chemicals from several sources on base to include leaking underground storage tanks, industrial area spills, and leaking from a toxic waste dump.

# Background on VA benefits Related to the Contamination

- ❖ From August of 1953 through December of 1987, persons residing or working at the U.S. Marine Corps Base Camp Lejeune, North Carolina, were potentially exposed to drinking water contaminated with volatile organic compounds, to include:
  - ❖ benzene,
  - ❖ vinyl chloride,
  - ❖ Tetrachloroethylene (PCE) and
  - ❖ Trichloroethylene (TCE)
- ❖ Claims based on service at Camp Lejeune involve potentially complex issues of exposure and causation.
- ❖ There have been no presumptive disabilities established to grant service connection for compensation purposes.

# Consolidation

- ❖ In October 2010, the Louisville, KY, VARO was selected to process all claims and appeals for Veterans and their survivors where the disability/disease process is claimed as due to exposure to contaminated water at Camp Lejeune.
- ❖ A specially trained and experienced team of decision makers were assembled to handle these claims.
- ❖ By centralizing jurisdiction to the Louisville RO, VA enhances its ability to process these claims efficiently and consistently.
- ❖ In November 2012, VHA also consolidated the medical opinions for CLCW related issues to a panel of specially trained subject matter experts.

# Requirements Prior to Transfer to the Louisville Regional Office

- ❖ Before transferring the claim jurisdiction to the Louisville RO, the office of original jurisdiction (OOJ) must:
  - ❖ Verify that the Veteran honorably served on Marine Corps Base, Camp Lejeune during any period from August 1953 through December 1987; and,
  - ❖ Confirm there is *at least one actual disability that has been claimed as a result of CLCW exposure* at Camp Lejeune.
- ❖ Claimed exposure with no evidence of a disability/disease will not be adjudicated by the Louisville RO.

# Adjudicative Process

Evidence needed in order to grant Service Connection:

- ❖ Evidence showing the Veteran was stationed at Camp Lejeune anytime from August 1, 1953 through December 31, 1987; and,
- ❖ Evidence showing the existence of the claimed disability; and,
- ❖ Medical evidence showing a nexus or link between the current disability and the exposure to contaminated water.

# VA Examinations

- ❖ The National Academy of Sciences' National Research Council (NRC) has identified 14 conditions that are associated in a limited/suggestive manner with the chemical contaminants in the water at Camp Lejeune.
- ❖ However, this does not mean that service connection can automatically be established for a Camp Lejeune Veteran claiming one of these diseases.
- ❖ A medical opinion providing a positive nexus with supporting rationale is still required to establish service connection.
- ❖ NRC is said to have ongoing studies related to the effects of the contamination.

# Conditions Identified by NRC with a Limited/Suggestive Association to Contaminants

- ❖ Esophageal cancer,
- ❖ Lung cancer,
- ❖ Breast cancer,
- ❖ Bladder cancer,
- ❖ Kidney cancer,
- ❖ Adult leukemia,
- ❖ Multiple myeloma,
- ❖ Myelodysplastic syndromes,
- ❖ Renal toxicity,
- ❖ Hepatic steatosis,
- ❖ Female infertility,
- ❖ Miscarriage, with exposure during pregnancy,
- ❖ Scleroderma, and
- ❖ Neurobehavioral effects



# Exam Requirements

Evidence needed in order to request a VA examination:

- ❖ Competent lay or medical evidence of a current diagnosed disability or persistent or recurrent symptoms of disability;
- ❖ Evidence of an event, injury, or disease in service (service at Camp Lejeune during the specified time frame would satisfy this requirement); and
- ❖ Medical evidence that indicates that the claimed disability or symptoms may be associated with the established event, injury, or disease in service (evidence of a diagnosis of one of the 14 conditions noted by NRC would satisfy this requirement)

# Honoring America's Veterans Caring for Camp Lejeune Families Act of 2012

- ❖ In August 2012, the President signed into law H.R.1627, *Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012*.
- ❖ The law provides hospital care and medical services for Veterans and their family members who were stationed at Camp Lejeune.
  - ❖ Note: The law does **not** establish presumptive disabilities for compensation purposes.

# Honoring America's Veterans Caring for Camp Lejeune Families Act of 2012

## Requirements:

- ❖ The Veteran must have served on active duty, or a family member of a Veteran must have resided (or who was in utero during such period while the mother resided) at Camp Lejeune for no less than 30 days during the period January 1, 1957, through December 31, 1987.
  - ❖ Note: The date range for treatment is different from the date range for compensation benefits.
- ❖ Hospital care and medical services may not be furnished for an illness or condition of a family member that is found to have resulted from a cause other than the residence of the family member as described above.

# Honoring America's Veterans Caring for Camp Lejeune Families Act of 2012

## Requirements (Cont'd):

- ❖ Hospital care and medical services can be for any of the following illnesses or conditions with a confirmed diagnosis:
  - Esophageal cancer
  - Lung cancer
  - Breast cancer
  - Bladder cancer
  - Kidney cancer
  - Leukemia
  - Multiple myeloma.
  - Myelodysplastic syndromes
  - Renal toxicity
  - Hepatic steatosis
  - Female infertility
  - Miscarriage
  - Scleroderma
  - Neurobehavioral effects
  - Non-Hodgkin's lymphoma

# Links and Additional Information

- ❖ Link for the new healthcare law for Camp Lejeune contamination
  - ❖ <http://www.va.gov/health/NewsFeatures/20120823a.asp>
- ❖ FAQs relating to the studies and findings dealing with the Camp Lejeune contamination
  - ❖ [http://www.atsdr.cdc.gov/sites/lejeune/qa\\_healthstudyactivities.html](http://www.atsdr.cdc.gov/sites/lejeune/qa_healthstudyactivities.html)

# Questions

