

Jose J Rivero – Guardian of Larry Reaves
382 NW 112 Ave
Coral Springs, FL 33071
USA



BOARD OF VETERANS' APPEALS

FOR THE SECRETARY OF VETERANS AFFAIRS

WASHINGTON, DC 20038

Date: August 5, 2019

SS [REDACTED]

LARRY D. REAVES

Jose J Rivero – Guardian of Larry Reaves

382 NW 112 Ave

Coral Springs, FL 33071

USA

Dear Appellant:

The Board of Veterans' Appeals (Board) has made a decision in your appeal, and a copy is enclosed.

| <i>If your decision contains a</i> | <i>What happens next</i> |
|------------------------------------|---|
| Grant | The Department of Veterans Affairs (VA) will be contacting you regarding the next steps, which may include issuing payment. Please refer to VA Form 4597, which is attached to this decision, for additional options. |
| Remand | Additional development is needed. VA will be contacting you regarding the next steps. |
| Denial or Dismissal | Please refer to VA Form 4597, which is attached to this decision, for your options. |

If you have any questions, please contact your representative, if you have one, or check the status of your appeal at <http://www.vets.gov>.

Sincerely yours,

K. Osborne

Deputy Vice Chairman

Enclosures (1)

CC: Disabled American Veterans

Disabled American Veterans
3725 Alexandra Pike
Cold Springs, KY 41076



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BOARD OF VETERANS' APPEALS

FOR THE SECRETARY OF VETERANS AFFAIRS

IN THE APPEAL OF
LARRY D. REAVES

Represented by
Disabled American Veterans

SS [REDACTED]

Docket No. 13-27 513
Advanced on the Docket

DATE: August 5, 2019

REMANDED

Whether the Veteran is competent to handle the disbursement of the Department of Veterans Affairs (VA) funds is remanded.

REASONS FOR REMAND

The Veteran, who is the appellant, had active service in the U.S. Army from December 1971 to September 1983. This matter is on appeal from an April 2010 rating decision.

Whether the Veteran is Competent for VA purposes

The issue of whether the Veteran is competent to handle the disbursement of VA funds is remanded for further evidentiary development. In May 2018, the Board remanded the appeal for updated VA treatment records, consent and authorization to obtain private treatment records, Social Security disability records, and a VA examination with a medical opinion on the question of whether the Veteran can manage his VA funds. In August 2018 and September 2018, respectively, updated VA treatment and Social Security disability records were obtained; however, the Veteran did not respond to the August 2018 letter asking for consent and authorization to obtain private treatment records and did not appear for VA examinations scheduled for September 2018 or January 2019.

In April 2019, the Veteran called to reschedule the VA examination and provided an updated mailing address while reporting that he was homeless (i.e., on the streets). The Agency of Original Jurisdiction agreed to reschedule the VA examination; however, the VA examination has not yet been rescheduled. *See* April 18, 2019 Report of General Information.


Additionally, a May 2019 Report of General Information reveals that updated VA treatment records may be relevant to the competency appeal because VA medical providers are reportedly seeking a guardianship or someone to oversee the Veteran's medical needs. For these reasons, another remand for updated VA treatment records and a VA examination with a medical opinion addressing competency is warranted.

The matters are REMANDED for the following actions:

1. Obtain the VA treatment records from August 2018 to the present.
2. Schedule the Veteran for an examination by an appropriate examiner to help determine whether the Veteran is competent to manage his financial affairs.

If the Veteran does not report for the examination, the examiner should provide an opinion based on the record as to whether the Veteran is competent to manage his financial affairs.

3. Thereafter, readjudicate the appeal.

A handwritten signature in blue ink, appearing to read "J. Parker", is shown within a rectangular box. Below the box is a horizontal line.

J. PARKER
Veterans Law Judge
Board of Veterans' Appeals

Attorney for the Board

C. Ferguson, Counsel

The Board's decision in this case is binding only with respect to the instant matter decided. This decision is not precedential, and does not establish VA policies or interpretations of general applicability. 38 C.F.R. § 20.1303.