

Not published

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 18-6780

ANA T. RODRIGUEZ,

APPELLANT,

v.

ROBERT L. WILKIE,
SECRETARY OF VETERANS AFFAIRS,

APPELLEE.

Before GREENBERG, *Judge*.

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

On October 30, 2018, the Board of Veterans' Appeals issued a decision, vacating that part of an August 2018 Board decision that denied the appellant special monthly pension (SMP) benefits. Record (R.) at 3-9. The Board found that an August 2018 VA Form 21-2680 Examination for Housebound Status showed that the appellant had established a factual need for aid and attendance and was permanently housebound. In its October 2018 decision, however, the Board found that the appellant was not entitled to SMP benefits because her computable income exceeded the maximum annual death pension rate and there were no applicable expenses to offset her income after December 1, 2019. R. at 8.

In her informal brief, the appellant contends that the Board failed to take her medical expenses into account. Appellant's Informal Brief at 2. Based on the foregoing, the Court concludes that more information is needed for its determination. Therefore, it is

ORDERED that within 7 days of the date of this order, the Secretary shall supplement the Record of Proceedings with (1) any correspondence or notice from VA to the appellant regarding what expenses could be considered to offset any computable income for SMP benefits purposes; (2) the August 2018 VA Form 21-2680 Examination for Housebound Status; and (3) any evidence the appellant has submitted regarding her medical expenses.

DATED: April 7, 2020

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William S. Greenberg", with a long horizontal flourish extending to the right.

WILLIAM S. GREENBERG
Judge

Copies to:

Ana T. Rodriguez

VA General Counsel (027)