



DEPARTMENT OF THE ARMY
UNITED STATES ARMY PHYSICAL DISABILITY AGENCY
6900 GEORGIA AVENUE, NW
BUILDING 7 WRAMC
WASHINGTON DC 20307-5001

AHRC-DOE

30 September 2009

MEMORANDUM FOR Presidents, U.S. Army Physical Evaluation Boards

SUBJECT: Assigning Multiple Thigh Limitation of Motion Codes

1. Based on the PDA's reading of the VASRD (4.14, Avoidance of Pyramiding; DC 5003, Osteoarthritis; DC 5251, Thigh, limitation of extension; 5252, Thigh limitation of flexion of; 5253, Thigh, impairment of), case law (Esteban v. Brown, 1994), and informal communication with Veterans Benefits Administration (VBA), it is acceptable to assign multiple ratings for the same injury causing the requisite unfitting limitation of motion (to include combined effect) with reference to VASRD 5251, and/or 5252 and/or 5253.
2. In Esteban v. Brown, the Court of Veterans Appeals held that different manifestations of a single injury are to be separately rated.
3. Following this rationale, the PDA considers separate ratings under multiple thigh limitation of motion codes as different manifestations of a single condition, and therefore, separately rated when unfitting, to include combined effect.

//signed//

DANIEL L. CASSIDY
COL, IN
Deputy Commander