Hypo – Inconsistent GAF Scores
Introduction – What is a GAF Score?

- VA psychiatrists and other mental health examiners use the Global Assessment of Functioning (GAF) Scale.

- GAF scale – used to evaluate overall psychological, social, and occupational functioning.

- GAF scale – numerical assessment employing scale of 1 to 100.
Introduction – What is a GAF Score?

- A score of 100 – individual has superior overall functioning in a wide range of activities.

- Score of 1–10 – individual is so severely disabled that he or she is in persistent danger of hurting him or herself and others.

- Can use intermediate codes when appropriate, e.g., 45, 68, 72.
100 –

- Superior functioning in a wide range of activities,
- Life’s problems never seem to get out of hand,
- Is sought out by others because of his or her many positive qualities.
- No symptoms.
GAF Scores

81–90 –

- Absent or minimal symptoms (e.g., mild anxiety before an exam),
- Good functioning in all areas,
- Interested and involved in a wide range of activities,
- Socially effective,
- Generally satisfied with life,
- No more than everyday problems or concerns (e.g., occasional argument with family members).
GAF Scores

- **71–80 –**
  - If symptoms are present, they are transient and expectable reactions to psychosocial stressors (e.g., difficulty concentrating after family argument);
  - No more than slight impairment in social, occupational, or school functioning (e.g., temporarily falling behind in schoolwork).
61–70 –
- Some mild symptoms (e.g., depressed mood and mild insomnia)
- OR some difficulty in social, occupational, or school functioning (e.g., occasional truancy, or theft within the household),
- But generally functioning pretty well, has some meaningful interpersonal relationships.
51–60 –

- Moderate symptoms (e.g., flat affect and circumstantial speech, occasional panic attacks)
- OR moderate difficulty in social, occupational, or school functioning (e.g., few friends, conflicts with peers or co-workers).
41–50 –

- Serious symptoms (e.g., suicidal ideation, severe obsessional rituals, frequent shoplifting)
- OR any serious impairment in social, occupational, or school functioning (e.g., no friends, unable to keep a job).
GAF Scores

31–40 –

- Some impairment in reality testing or communication (e.g., speech is at times illogical, obscure, or irrelevant)
- OR major impairment in several areas, such as work or school, family relations, judgment, or mood (e.g., depressed man avoids friends, neglects family, and is unable to work; child frequently beats up younger children, is defiant at home and is failing at school).
GAF Scores

21–30 –

- Behavior is considerably influenced by delusions or hallucinations
- OR serious impairment in communication or judgment (e.g., sometimes incoherent, acts grossly inappropriately, suicidal preoccupation)
- OR inability to function in almost all areas (e.g., stays in bed all day; no job, home, or friends).
GAF Scores

11–20 –
- Some danger of hurting self or others (e.g., suicide attempts without clear expectation of death; frequently violent; manic excitement) OR occasionally fails to maintain minimal personal hygiene (e.g., smears feces)
- OR gross impairment in communication (e.g., largely incoherent or mute).
GAF Scores

0–10 –
- Persistent danger of severely hurting self or others (e.g., recurrent violence)
- OR persistent inability to maintain minimal personal hygiene
- OR serious suicidal acts with clear expectation of death.
Inconsistent GAF Scores

- VA examiner is required to afford the vet a thorough & contemporaneous exam, taking into account records of prior treatment.

- As it relates to GAF scores...the examiner ideally should reconcile –
  1. Differing GAF scores; and
  2. Any disconnect between GAF scores assigned and narrative of symptoms.
However, there is no responsibility on the part of the examiner to provide reasons or bases for his/her assessment – that is the job of a VA adjudicator or BVA.

Inconsistent GAF Scores

- The VA has the obligation to address and reconcile apparent conflict in GAF scores –
  - This may require obtaining a clarifying medical opinion.

Example of Failure to Address Inconsistent GAF Scores

- This example was from an actual case that we took to the Court.

- Vet assigned a 50% rating for PTSD (Vietnam vet, PTSD caused by in-service stressor).

- Vet had extensive outpatient and inpatient treatment for PTSD.
Example of Failure to Address Inconsistent GAF Scores

- GAF scores went from 50–60 in early 1990s to 40 (and lower).

- Vet undergoes psychiatric hospitalization from Dec 1999 through Jan 2000.

- Discharge summary from hospitalization notes that veteran had a GAF of 35 at entrance, and GAF of 40 at discharge from hospital.
Example of Failure to Address Inconsistent GAF Scores

- In Dec 1999, during hospitalization (1 day after admission), vet underwent VA compensation exam for PTSD

- VA examiner assigned GAF score of 60.
  - 1 day after the vet been assigned a GAF of 35!
Neither the VA adjudicator nor the examiner reconciled the higher GAF scores with the lower GAF scores. This was erroneous.

Case was remanded by BVA; vet re-examined by different examiner, who assigned GAF score consistent with earlier scores.

The vet was assigned a higher rating, and ultimately assigned TDIU due to PTSD.
This example involves under-evaluation.

The issue involves a GAF score that potentially does not correspond with the symptoms shown –
- In other words, the GAF score seems too high when taking the symptoms into account.


April 2011 – VA Form 21–4138 – attempt to reopen the PTSD claim –
  ◦ Vet provided a stressor statement.
July 2011– VA exam–

- Diagnosis of PTSD (chronic)
- GAF 50
- PTSD linked to fear of hostile military activity in Vietnam
- Symptoms include:
  - Suicidal thoughts;
  - Homicidal thoughts (beat his first wife);
  - Minimal personal hygiene;
  - Memory poor;
Hypo

- July 2011 – VA exam – continued
  - Obsessive and intrusive thoughts about a friend who died in service;
  - Panic attacks;
  - Depression and anxiety;
  - Impulsive behavior with aggressive thoughts;
- Gambling problem;
- Impaired sleep – only 1–2 hours per night;
- Sleeps in chair facing doors;
- Has nightmares & wakes up in a pool of sweat;
- Avoids crowds and fireworks;
- No friends (trouble connecting with people);
- Hyper-arousal symptoms (jumpy and easily startled).
Hypo

- Sept 2012 – VA rating – SC PTSD granted at 50% from April 2011.

- The severity of the veteran’s PTSD was under-evaluated
38 C.F.R. 4.126 Evaluation of disability from mental disorders.

(a) When evaluating a mental disorder, the rating agency shall consider the frequency, severity, and duration of psychiatric symptoms, the length of remissions, and the veteran's capacity for adjustment during periods of remission. The rating agency shall assign an evaluation based on all the evidence of record that bears on occupational and social impairment rather than solely on the examiner's assessment of the level of disability at the moment of the examination.
38 C.F.R. § 4.130 – 70%

Occupational and social impairment, with deficiencies in most areas, such as work, school, family relations, judgment, thinking, or mood, due to such symptoms as: suicidal ideation; obsessional rituals which interfere with routine activities; speech intermittently illogical, obscure, or irrelevant; near-continuous panic or depression affecting the ability to function independently, appropriately and effectively; impaired impulse control (such as unprovoked irritability with periods of violence); spatial disorientation; neglect of personal appearance and hygiene; difficulty in adapting to stressful circumstances (including work or a work-like setting); inability to establish and maintain effective relationships.
Over a period of the last few years—

- The veteran has suffered suicidal and homicidal thoughts.
- He has a background of domestic violence.

*see 38 C.F.R. § 4.126*
All these problems are attributed to his SC PTSD.

The VA has conceded occupational and social impairment (50 percent).
In fact, the vet’s problems finding and keeping a job are well documented
  ◦ As was noted in employment history on the recent VA exam.

Problems with work, family relations thinking and mood also described by the VA examiner.
Hypo

- He has symptoms of impaired impulse control almost as exactly described by the regulation.

- His attempts at hygiene have been described as minimal.
He also has demonstrated an inability to establish and maintain effective relationships.

[See the VA exam described above.]
GAF of 50 correlates to
- “serious symptoms (e.g., suicidal ideation, severe obsessional rituals, frequent shoplifting)
- OR any serious impairment in social, occupational, or school functioning (e.g., no friends, unable to keep a job).”
Here, the GAF score of 50 seems a little high when one reviews the severe symptomatology.

In contrast, GAF score of 40 corresponds to

- “some impairment in reality testing or communication.
- OR major impairment in several areas, such as work or school, family relations, judgment, or mood.”

Veteran here has “major impairment in several areas.”
Hypo – Result

- The veteran should ultimately be assigned a 70% rating for his SC PTSD.
When reviewing GAF scores, carefully review the scores to determine whether the scores:

1. Are consistent with symptoms that are noted in the examination report(s); and
2. Reflect or are consistent with prior scores – and if not – whether the examiner reconciles the differing scores.
Advocacy Tips

- Point out problems with GAF scores –
  - Argue that either scores, or symptoms, should take precedence.
- If warranted, ask that exam be returned as inadequate, and ask for clarifying opinion.
- As always – supportive lay evidence can help build a strong foundation for a favorable medical opinion.
Questions?