



improving veterans health through information and education

To: The Honorable Bob Filner, Chair, U.S. House of Representatives
Committee on Veterans' Affairs

From: Thomas J. Berger, Ph.D., Executive Director, Veterans Health Council
Vietnam Veterans of America

Date: October 29, 2010

What recommendations do you have for DoD in correcting the wrongful diagnosis of personality disorder? Do you believe that DoD should eliminate personality disorder discharges altogether or find another alternative rigorous means of validating personality disorder discharges?

First, we at Vietnam Veterans of America remain skeptical of the claims by both DoD and the individual military services that each of the 22,600 personality disorder discharges reported back in 2007 were, in fact, reviewed appropriately to determine the possibility of a misdiagnosis. Our skepticism was bolstered by the October 2008 GAO report and the testimony presented by GAO Director Dr. Draper before the HVAC on September 15, 2010 that "only 40 to 78 percent" of the reviews of service jackets for "312 members separated for personality disorder from four military installations" were not compliant with the regulations governing such separations. In addition, after the GAO report was issued in 2008, the number of personality disorder discharges dropped by 75 percent, while the number of PTSD diagnoses soared. Thus, there is no reason to believe the number of personality disorder discharges would decrease so quickly unless hundreds of military personnel had been misdiagnosed in the first place.

Secondly, VVA believes that the military services, with the Army in particular, may now be using different administrative designations – "adjustment disorder" and/or "readjustment disorder" – to erroneously discharge members of the Armed Forces who are experiencing symptoms of Post-traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI), instead of making sure they can receive the mental health medical care worthy of their service and sacrifice.

Because of these concerns, VVA and the Jerome N. Frank Legal Services Organization at the Yale School of Law have filed a FOIA request with DoD and each military service (including National Guard) to provide the records and

demographic details of all personality disorder discharges, adjustment disorder discharges and readjustment disorder discharges from October 2001 through October 2010 (see attached letter to the Navy). This FOIA request is a more detailed complement to the October 15, 2010 request from Senators Bond, Brownback, Grassley, and Leahy to Secretary Gates for information about the use of personality disorder discharges (see attached letter from U.S. Senate).

As a result, As a result, VVA suggests that a review of the FOIA information should take place before making a recommendation to keep or eliminate the personality disorder discharge altogether.

In your view, does VA do a good job of ensuring that veterans who have been inappropriately discharged with a personality disorder discharge are correctly diagnosed and provided the appropriate care and benefits?

According to the statement of the VA's Acting Deputy Chief of Patient Care Services, Dr. Antoinette Zeiss, at the September 15, 2010 HVAC hearing, "A separation resulting from a reported personality disorder is of potential significance to VA only if it results in a separation that is less than honorable or if it results in a separation before completion of the minimum active duty requirement. Veterans are not bound by any diagnosis from the Department of Defense (DOD) when seeking treatment from VA or when submitting a claim for service connection." However, VVA does not know how many "veterans who have been inappropriately discharged with a personality disorder" have been subsequently "correctly diagnosed and provided the appropriate care and benefits". So VVA and the Jerome N. Frank Legal Services Organization at the Yale School of Law have also filed a FOIA request with the VA to provide the records and demographic details of inappropriate personality disorder discharges handled by VA's mental health services.

8719 Colesville Road, Suite 100, Silver Spring, Maryland 20910
Phone: 301-585-4000|Fax: 301-585-3180|Toll-free:1-800-882-1316

THE VETERANS HEALTH COUNCIL IS A PROGRAM OF VIETNAM VETERANS OF AMERICA

