ISSUE:

Entitlement to an earlier effective date for the assignment of total (100%) rating, prior to 8-28-84.

EVIDENCE:

Claims File review;
Board of Veterans Appeals Decisions 9-11-82 and 12-17-85;
1985, 1995, 1997 Board of Veterans Appeals denials of the veteran's requests for reconsideration of their prior Decisions;
Duplicate evidence submitted by the veteran;
Letters and folders of material covering "Kangas Report"

DECISION:

Entitlement to an earlier effective date for the assignment of total (100%) rating, prior to 8-28-84, is not established.

REASONS AND BASES:

The Board of Veterans Appeals decision dated 9-11-82 affirmed the then assigned 50 percent evaluation for the service connected psychiatric condition. Subsequent to this Decision, based on new and material evidence, the evaluation was increased to 100 percent. The veteran appealed the effective date assigned for the total evaluation, 8-28-84, and the Board of Veterans Appeals Decision of 12-17-85 found this date to be correct. The veteran has repeatedly attempted to have this effective date changed and asked on numerous occasions to have the Board of Veterans Appeals reconsider their Decisions. The Board of Veterans Appeals found their Decisions not clearly in error and denied the veteran's requests for reconsideration.

The veteran now submits evidence attempting to reopen the claim for an earlier effective date,

The evidence submitted since the Board of Veterans Appeals Decision in 1985 is, for the most part duplicate evidence previously considered by the Board of Veterans Appeals. Evidence which is not duplicate, such as VA Review examinations and the multiple volumes concerning "Kangas Report" is not material to the issue of whether an earlier effective date is warranted as the evidence bears in no manner on the assignment of an earlier effective date. The veteran did submit a letter from Dr. Peterson, dated 4-11-88, which referenced his earlier letters in 1981. These 1981 letters were of record when the Board of Veterans Appeals made their Decisions. Dr. Peterson in 1988 stated, in part, that he examined the evaluation report by Dr. Kormos (the report on which the effective date was based) and that the signs and symptoms that Dr. Kormos observed were present during his (Dr. Peterson) treatment in 1980-1981.

The evidence submitted since the prior BVA Decision of 12-17-85 does not show that an earlier effective date is warranted. Specifically, the evidence does not establish that the veteran met the schedular requirements for a total evaluation prior to 8-28-84.