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THE SUSTAINED IMPROVEMENT TEST

A reduction requires more than showing that symptoms looked better at one moment.



COMPARE Old evidence to new evidence	TEST Material and lasting improvement	CONTEXT Ordinary conditions of life
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RULE FILE

For a stabilized evaluation, improvement must be material and reasonably certain to continue under ordinary conditions of life. For a total schedular rating, section 3.343 also requires material improvement evaluated with the full record.

TEST 01 | THREE-PART COMPARISON

BUILD THE IMPROVEMENT ANALYSIS

1

Establish the prior disability picture
Identify the findings, symptoms, functional loss, and examination quality that supported the current evaluation.

Baseline: why this level was assigned

2

Identify the claimed improvement
Separate a true change in disability from treatment control, a quiet period, a better day, or a different examiner's wording.

Change: what is actually better?

3

Test whether it will last
Ask whether the improvement appears reasonably certain to continue during ordinary activity, work, and daily life.

Durability: sustained, not temporary

TEST 02 | EVIDENCE QUALITY

WHAT MAKES THE COMPARISON STRONGER

TIME

Longitudinal records
Treatment notes across time can reveal whether the apparent improvement persisted or fluctuated.

FUNCTION

Daily functioning
Evidence should address work, activity, endurance, relationships, self-care, and other condition-specific functioning.

EXAM

Comparable examinations
Compare scope, testing, history, flare-up assessment, and specialty input instead of comparing conclusions alone.

TEST 03 | NOT AN ABSOLUTE EXAM COUNT

USE THE CORRECT ONE-EXAMINATION RULE

Do not say every reduction requires multiple examinations. For diseases subject to temporary or episodic improvement, one examination generally cannot support reduction unless all the evidence clearly warrants the conclusion that sustained improvement has been demonstrated.

BURDEN MATTERS

A reduction case asks whether VA lawfully established improvement. It is not simply a new claim asking the veteran to prove the old rating again.

