



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 4859-01
12 August 2002



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 August 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by designees of the Specialty Leader for Psychiatry dated 22 January 2002, a copy of which is attached.

After careful and conscientious consideration of the entire record, and notwithstanding the advisory opinion, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. It noted that although the diagnosis of a personality disorder may not be substantiated by the available medical and personnel records, you have not demonstrated that the diagnosis is incorrect. The Board felt that the diagnosis was reasonable, given the symptoms which led to repeated contacts with mental health personnel in 1995, and adversely affected your deployability and ability to perform your duties. In addition, it noted that you did not contest the diagnosis when it was made, or object to your discharge. It concluded that you were unsuitable for further service at that time.

In view of the foregoing, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is

important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

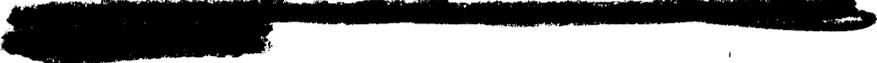
W. DEAN PFEIFFER
Executive Director

Enclosure

DEPARTMENT OF PSYCHIATRY
NAVAL MEDICAL CENTER
PORTSMOUTH, VIRGINIA 23708-2197

6520
0506: SLB-4024
22 JAN 02

From: Case Reviewers
To: Chairman, Board for correction of Naval Records,
Department of the Navy, Washington, D.C. 20370-2197

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO


Ref: (a) Your letter dated 26 SEP 01

Encl: (1) BCNR file
(2) Service Record

1. Pursuant to reference (a) the review of enclosure (1) was conducted to form opinions about the subject petitioner's claim requesting a correction of his naval record.

2. Facts of the case:

a) The service member enlisted in the United States Navy on 7 June 1988.

b) On the service member's entrance physical examination, dated 15 January 1988 there were two crossed out answers (SF 93 Question #11) regarding "depression and excessive worry" and "loss of memory or amnesia." The "yes" and "I don't know" responses were crossed out in the former, and the "yes" response on the latter was marked over. On question #19 the service member answered yes to prior hospitalizations and wrote "nothing, my being crazy."

c) The service member was hospitalized from 11-13 July 1995 on the Inpatient Psychiatry Service at Keesler Medical Center. He was diagnosed with Adjustment Disorder with Mixed Disturbance of Emotions and Conduct and Personality Disorder, Not Otherwise Specified, with passive-aggressive and dependent features.

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[REDACTED]

d) The service member was administratively separated at the convenience of the United States Government on 09 November 1995 on the basis of a personality disorder.

e) MEPERS evaluation dated 26 April 2001 rendered the opinion that the service member does not have a Personality Disorder.

3. The following opinions were submitted:

a) There is insufficient documentation to support the diagnosis of Personality Disorder.

b) The markings noted on the service member's entrance physical examination pertaining to psychiatric evaluation and treatment prior to enlistment are not sufficiently explained.

c) There is insufficient documentation pertaining to the reasons for administrative separation.

d) The MEPERS evaluation dated 26 April 2001 does not sufficiently clarify the patient's past psychiatric history.

4. Recommendation: There is insufficient documentation to evaluate the diagnosis of Personality Disorder, Not Otherwise Specified. The MEPERS evaluation of 26 April 2001 represents an incomplete psychiatric evaluation. It is recommended that documentation from the 1995 inpatient hospitalization be made available. A thorough and independent psychological evaluation including a complete history of social adaptability and psychologic testing is also recommended.

5. This review was conducted by CDR [REDACTED] MC USN under the supervision of [REDACTED], MC, USN.

[REDACTED] (P)
CDR MC USN (FS)

[REDACTED] (P)
CDR MC USN