



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

MEH
Docket No. 4511-09
16 Nov 09

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 November 2009. 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 BUMED memo 7220 Ser M1/09UM1-2843 of 4 Aug 09, a copy of which is attached.

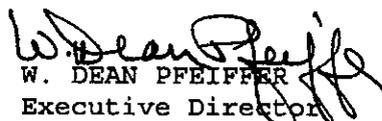
The Board carefully considered your request for a personal appearance, however it found that the issues in your case were adequately documented and that a personal appearance would not materially add to the Board's understanding of the issues involved. Thus, your request for a personal appearance has been denied.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice in the Navy's decision to change your subspecialty code. The Board found that the establishment of additional qualification codes (AQD) for advanced clinical programs in General Dentistry and Exodontia was made for a legitimate purpose. The Chief, Bureau of Medicine and Surgery determined that the change was needed to differentiate between those, such as you, who are trained in the 1-year ACP program and those that are trained in the 2-year residency program for Comprehensive Dentistry. That you are not a residency trained Comprehensive Dentist is undisputed. Accordingly, once the change was made, you were properly designated as a General Dentist 1700V with an AQD of 64D. Additionally, the Board found no evidence that as a result of the subspecialty code change you suffered a loss of compensation regarding your Dental Officer Multiyear Retention Bonus (DOMRB). Your DOMRB was paid commensurate with your level of training and at the same level as others who were classified as you were.

Accordingly, your request for the restoration of your 1725V subspecialty code, with appropriate monetary relief, 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 also 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