



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 8816-20
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USNR,
XXX-XX [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) FY20 Medical Corps AC Special Pay Guidance

Encl: (1) DD Form 149 w/attachments
(2) BUMED ltr 7220 Ser DCTF/20UDCTF0090 of 1 Nov 20
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting his naval record be corrected to establish entitlement to Health Professions Officer (HPO) Incentive Pay (IP) and Board Certification Pay (BCP) for the period of 22 March 2020 through 29 May 2020.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 23 November 2021 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), Reserve Component personnel that execute active duty orders of 30 days or more are eligible for IP. BCP eligibility is the later of, date of certification, date of license, date assigned the qualifying specialty, or date of active duty.

b. On 5 December 2011, Petitioner was Board Certified in Surgery.

c. On 21 March 2020, Petitioner was issued Active Duty for Training (ADT) orders to report to USNS [REDACTED] from 22 March 2020 to 21 May 2020.

d. On 22 March 2020, Petitioner reported to USNS [REDACTED].

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- e. On 28 April 2020, Petitioner requested HPO IP and BCP for General Surgery.
- f. On 13 May 2020, Petitioner was issued Modification to ADT orders to report to USNS [REDACTED] from 22 March 2020 to 15 May 2020.
- g. On 15 May 2020, Petitioner was issued Annual Training (AT) orders to report to Navy Operational Support Center (NOSC) [REDACTED] from 16 May 2020 to 29 May 2020
- h. Per Petitioner's History of Assignments, he detached USNS [REDACTED] on 21 May 2020, reported to NOSC [REDACTED] on AT orders on 22 May 2020 and detached NOSC [REDACTED] on 29 May 2020.
- i. On 1 June 2020, USNS [REDACTED] recommended approval of Petitioner's request for HPO IP and BCP for General Surgery.
- j. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action. Navy Medicine officers were brought on active duty to assist civilian medical providers during the initial phase of the Novel Coronavirus 2019 pandemic. Due to administrative error, Petitioner was placed on ADT orders (Reserve Personnel Navy (RPN) funded) vice mobilization orders (Military Personnel Navy (MPN) funded) resulting in Bureau of Medicine and Surgery's inability to process HPO IP and BCP accordingly.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board determined Petitioner met the eligibility criteria to receive HPO IP and BCP in accordance with reference (b). However, payment can only be processed for MPN funded active duty orders in accordance with enclosure (2). Because the Service failed to allocate RPN funding for Consolidated Special Pays, Petitioner was unable to receive payment of the aforementioned incentives. Although the proper administrative requirements were not completed, the Board did not want to delay payment to this first line caregiver; therefore, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner submitted HPO IP and BCP request packages in a timely manner, and cognizant authority approved them.

Note: This change will entitle Petitioner to HPO IP with an annual rate of \$52,000 and BCP with an annual rate of \$6,000 for the period of 22 March 2020 through 29 May 2020. Defense Finance and Accounting Service will determine Petitioner's retroactive pay entitlement.

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A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

12/9/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]