



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

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Docket No. 4462-21
Ref: Signature Date

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Dear █,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 11 January 2022. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Navy Personnel Command (PERS-00J) letter of 23 November 2021 and your response to the opinion.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested appointment as a commissioned Ensign (ENS)/O-1 in the Medical Service Corps (MSC) effective 1990 or 1991 and receipt of retroactive associated pay during your time in service and retirement. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that because of the time that has elapsed since submitting your applications for a MSC commissioning in 1990 and 1991, there is no way to identify timely submission and, or receipt of your packages by the cognizant agency. Additionally, the Board noted the Medical Enlisted Commissioning Program (MECP) is a commissioning program offering qualified enlisted men and women from all enlisted ratings a chance to earn an entry-level nursing degree followed by

an appointment as an ENS/O-1 in the Nurse Corps. You met the ratings requirement to participate in the MECP program, however, your request was for a direct commissioning in Health Care Administration, MSC, USNR – not a Nurse in the Nurse Corps. The MSC In-Service Procurement Program (IPP) is a pathway to a commission in MSC as a Health Care Administration Officer. In accordance with Secretary of the Navy Instruction 1120.8B, the basic qualification for entry into the MSC IPP and subsequent commission in the MSC, applicants must be Hospital Corpsmen or Dental Technicians serving on extended active duty in the Navy, in pay grades E-6 through E-9 at the time of initial application. The Board found that you did not meet the basic eligibility criteria for the MSC IPP as an Aviation Electrician's Mate Second Class/E-5 at the time of your 1990 and 1991 applications. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

2/24/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]