



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

[REDACTED]
Docket No. 4719-21
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) FY19 Nurse Corps Special Pay Guidance
(c) FY20 Navy Active Duty Nurse Corps Special Pays Guidance

Encl: (1) DD Form 149 w/attachments
(2) BUMED ltr 7220 Ser M1/2IUM10031 of 20 Oct 21
(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 that his naval record be corrected to show Petitioner accepted the Accession Bonus (AB) of \$20,000 (payback 3 years).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 January 2022 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 finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In accordance with reference (b), to be eligible for Retention Bonus (RB), a Nurse Corps officer must: "...Must have completed either a specialty nursing course approved by the Navy Surgeon General or a graduate program in the clinical specialty as follows: (a) Nurses in the Medical Surgical (MedSurg), 1910, and Emergency Room (ER), 1945, communities with an approved graduate degree qualifying for a primary specialty code with an educational suffix of "Q" according to the Navy Nurse Corps Subspecialty Code Management Guidance are eligible for RB. (b) For all other eligible NC specialties the education suffix of the member's primary subspecialty code requires an education suffix of "Q," or a "K" with a secondary or tertiary with a "V" in the same specialty..."

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c. In accordance with reference (c), to be eligible for RB, a Nurse Corps officer must be on permanent active duty, and meet the following requirements: "...Must have completed either a specialty nursing course approved by the Navy Surgeon General or a graduate program in the clinical specialty..."

d. On 12 December 2009, Petitioner was awarded Bachelor of Arts in Comm. Arts – Journalism from University of [REDACTED]

e. On 8 August 2017, Petitioner was awarded Bachelor of Science in Nursing from University of [REDACTED]

f. On 3 September 2019, Petitioner signed a Nurse Corps Active Duty, 2900 Service Agreement (NAVCRUIT 1131/133) and declined the accession bonus of \$20,000 (payback 3 years/\$30,000 (payback 4 years).

g. On 3 September 2019, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) and was appointed an Ensign in the U.S. Navy with a present grade date of 30 July 2018. Furthermore, he was issued a designator code of 2900 (Staff Corps Officer billet requiring Nursing specialty).

h. On 5 September 2019, Petitioner was issued official new appointment orders (BUPERS order: 2489), while residing at [REDACTED] with an effective date of departure of October 2019. Ultimate activity was [REDACTED] for duty with an effective date of arrival of November 2019.

i. On 19 October 2019, Petitioner entered active duty.

j. On 24 November 2019, Petitioner arrived to [REDACTED] for duty.

k. On 30 July 2020, Petitioner was advanced to Lieutenant Junior Grade/O-3.

l. On 5 April 2021, Petitioner was issued official change duty orders (BUPERS order: 0951), while residing at [REDACTED] with an effective date of departure of April 2021. Ultimate activity was [REDACTED] for duty with an effective date of arrival of November 2022.

m. On 22 April 2021, Petitioner was issued official modification to change duty orders (BUPERS order: 0951), while residing at [REDACTED] with an effective date of departure of April 2021. Ultimate activity was [REDACTED] for duty with an effective date of arrival of April 2021.

n. 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.

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 concluded that for Petitioner to be eligible to decline the AB and be eligible for the RB, he had to have met all of the same eligibility requirements as an active duty member upon reporting to active duty. Petitioner did not complete all of the requirements until after reporting to active duty, and therefore was ineligible for the RB in FY19 or FY20, and should not have been advised to decline the AB.

RECOMMENDATION

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

Petitioner signed a NAVCRUIT 1131/133 on 3 September 2019, and accepted the AB of \$20,000 (payback 3 years).

Note: This change will entitle the member to the AB of \$20,000.

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.

2/3/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]