



**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. 511-22  
Ref: Signature Date



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.

A three-member panel of the Board, sitting in executive session, considered your application on 20 July 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 by Bureau of Medicine and Surgery (BUMED), 26 April 2022 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 remission of indebtedness and waiver of recoupment relating to educational benefits received as a part of the Armed Forces Health Professions Scholarship Program (AFHPSP). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that pursuant to Title 10 U.S.C. § 2123, Department of Department Financial Management Regulation 7000.14-R promulgates, if a member is relieved of an active duty obligation by reason of separation because of a physical disability, then the Secretary of the Military Department concerned may give the member a service obligation as a civilian employee. The member may be employed, as a health care professional, in a facility of the uniformed services, for a period equal to the member's

remaining active duty service obligation. A review of your record indicates you signed NAVCRUIT 1131/131, Armed Forces Health Professions Program Service Agreement on 30 May 2014 acknowledging the aforementioned. Thereafter you entered the AFHPSP on 11 August 2014. On 28 December 2017, you honorably discharged because BUMED and Navy Recruiting Command found you not physically qualified and ineligible for a waiver of the physical standards. Ultimately, the Assistant Secretary of the Navy (Manpower and Reserve Affairs) denied your request for remittance of indebtedness to the Government and provided you an alternative to loan repayment by completing the obligation with the Department of Navy through service as a civilian physician. Although it appears the Navy cannot offer you a civilian position at this time, the Board determined you have the ability to seek employment at medical treatment facilities with the other services. Therefore, the Board felt, you have not exhausted all available remedies. In this connection, the Board 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,

8/4/2022

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