



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

[REDACTED]
Docket No. 913-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], MSC, USN, [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 1120.8A, 3 Oct 11

Encl: (1) DD Form 149 w/attachments
(2) NRC ltr 1133 Ser N35, 22 Jul 22
(3) BUMED memo 1210 Ser M00C/22UM00C40018, 8 Mar 22
(4) 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 her naval record be corrected to establish Petitioner's official date of rank for Lieutenant pay grade O3 as 15 January 2021.

2. The Board, consisting of [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 11 August 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, to include reference (b).¹

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 17 January 2020, Petitioner signed a Medical Service Corps Entry Grade Credit Worksheet (NAVCRUIT 1070/3) crediting Petitioner with 4 years for the period of 1 August 2016 to 1 May 2019 based on successful completion of qualifying degree for each MSC specialty authorized by the CNO as identified in NAVPERS 15839I, part E (1 year for each year; 2 year max for masters, 4 year max for PhD/doctoral. Medical Service Corps Entry Grade Credit Worksheet was also certified.

b. On 15 January 2021, Petitioner signed a Memorandum of Understanding for Initial Date of Rank (NAVCRUIT 1131/245) listing a reconstructed date of rank of 17 January 2016, authorized entry grade credit for a given grade (Lieutenant), and official date of rank of 17 January 2020. Memorandum of Understanding for Initial Date of Rank was also certified.

c. On 15 January 2021, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/4) in the active Navy as a Lieutenant with a permanent grade date/present grade date of 17 January 2020 with a designator code of 2300 (Medical Service Corps Officer).

¹ Reference (b), appointment of officers in the Regular and Reserve components of the Medical Service Corps (MSC) under references (a) and (b), officers transferred from the line community or another staff corps into the MSC under OPNAVINST 1210.5, inter-service transfer from another uniformed service under SECNAVINST 1000.7F and DoD Instruction 1300.04 of 27 December 2006 and the transfer of members between Regular and Reserve components of the Military Services under DoD Directive 1205.05 of 22 April 2004. Award of entry grade credit on appointment in the MSC under 10 U.S.C., sections 533 and 12207, and under references DoD Instruction 6000.13 of 30 June 97 and DoD Instruction 1312.03 of 6 October 2006.

d. On 27 February 2021, Petitioner entered active duty.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3),² the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that on 17 January 2020, Petitioner's application to be a Medical Service Corps officer (Physical Therapist) was reviewed by the Professional Review Board (PRB) and an Entry Grade Credit Worksheet was completed. Petitioner was not offered an opportunity for appointment in fiscal year 2020 due to limited accession numbers; however, in the following fiscal year, she was offered, and accepted, an appointment. Petitioner commissioned on 15 January 2021 with a 17 January 2020 date of rank.

It appears that Petitioner's date of rank was calculated based on the initial Entry Grade Credit Worksheet dated 17 January 2020, which was twelve (12) months prior to her commission. Because constructive credit does not have to be taken by the member, the Bureau of Medicine and Surgery recommended that Petitioner's request to modify date of rank be approved and reflect 15 January 2021. The Bureau of Medicine and Surgery is not able to correct this error internally, but encourages the Board for Correction of Naval Records to pursue all appropriate avenues until reprieve is granted.

RECOMMENDATION

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

The NAVCRUIT 1000/4 executed on 15 January 2021 listed Petitioner in the active U.S. Navy, as a Lieutenant with a permanent grade date of "15 January 2021" vice "17 January 2020" and present grade date of rank "15 January 2021" and "17 January 2020." Note: Navy Personnel Command is authorized to make other corrections which may be required based on this change.

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.

8/24/2022

[REDACTED]

Deputy Director

[REDACTED]

² Enclosures (2) and (3), the offices 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.