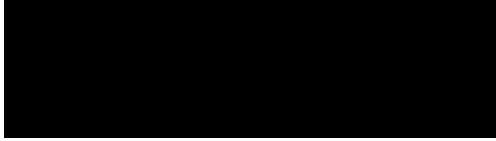




**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No. 1680-22  
Ref: Signature Date



Dear [REDACTED]

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 28 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 contained in Commander, Navy Reserve Forces Command letter 5420 Ser N1/170 of 10 May 2022 which was previously provided to you for comment.

In accordance with 37 U.S.C. § 335 published in 2018. Health Professions Incentive Pay. The Secretary concerned may pay incentive pay under this section to an officer in a regular or reserve component of a uniformed service who (1) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title; and (2) is serving on active duty or in an active status in a designated health profession specialty or skill.

Board Certification Incentive Pay. The Secretary concerned may pay board certification incentive pay under this section to an officer in a regular or reserve component of a uniformed service who (1) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title; (2) is board certified in a designated health profession specialty or skill; and (3) is serving on active duty or in an active status in such designated health profession specialty or skill.

Additional Eligibility Criteria. The Secretary concerned may impose such additional criteria for the receipt of a bonus or incentive pay under this section as the Secretary determines to be appropriate.

Reserve Component Officers. An officer in a reserve component authorized incentive pay under subsection (b) or (c) who is not serving on continuous active duty and is entitled to compensation under section 204 of this title or compensation under section 206 of this title may be paid a monthly amount of incentive pay that is proportionate to the basic pay or compensation received under this title.

In accordance with OPNAVINST 7220.17 published on 28 December 2005. This is an entitlement for qualified Reserve Component officers consistent with provisions contained in reference (a). 1. Medical Corps, Dental Corps, Medical Service Corps, and Nurse Corps officers of the Reserve Component will be eligible for Special Pays, on a pro-rata basis, based on the Fiscal Year Special Pay Plan when one of the following apply: a. Is a Reserve Component officer who is called to active duty, not for training (including those on initial active duty for training (IADT), annual training (AT), or additional duty training (ADT)), for a period of more than 30 days, but less than 1 year.

In accordance with Medical Corps Special Pay Guidance, a Physician is eligible for IP if he or she: Is serving in the Medical specialty for which the IP is being paid, unless terminated. (a) For Active Component: active duty for a period of not less than 1 year. (b) For Reserve Component: active duty for a period of more than 30 days and not for training only.

Medical Specialists are eligible to receive BCP at the annual rate as indicated in Table 3 paid in equal monthly amounts. To be eligible for BCP, an officer must: a. Be certified by a recognized board in the clinical specialty as listed in Table 4. b. Possess a current, valid, unrestricted license or approved waiver. c. Execute a written agreement to remain on active duty beginning on the date the contract is executed, for a minimum period of one year.

On 4 June 2020, The American Board of Pediatrics notified you that as of 4 June 2020 the American Board of Pediatrics (ABP) confirms that you are certified in General Pediatrics and are continuing to demonstrate your advanced medical knowledge, commitment to lifelong learning, professional development and ability to assess and improve your quality of care in General Pediatrics. You originally obtained certification on 24 October 2006 and were issued certificate number 85466. You have completed the necessary activities and are meeting the requirements of Maintenance of Certification (MOC) in General Pediatrics. Ongoing certification is contingent upon continuing to meet the requirements of MOC.

You requested Health Professions Officer (HPO) Board Certification Pay (BCP) and Incentive Pay (IP) for Inactive Duty Training (IDT) periods completed 28 January 2018 through 31 December 2020. 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 pursuant to Title 37 U.S.C. § 335, the Services have the authority to implement Consolidated Special Pays (CSPs) for HPOs. Eligibility criteria for Navy Reserve officers to receive HPO BCP and IP are outlined in Chief of Navy Operations Instruction 7220.17 and the

BUMED Fiscal Year 2018-2021 Special Pay Guidance. Chief of Navy Reserve has chosen not to authorize the payment of CSPs for HPOs in a training status (e.g. IDT periods and Reserve Personnel Navy training orders) and Bureau of Medicine and Surgery only authorizes CSPs for Reservists executing Military Personnel Navy active duty orders over 30-days, thereby rendering you ineligible for retroactive payment of HPO BCP and IP for IDT periods completed. 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,

8/9/2022

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