



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

[REDACTED]
Docket No. 1886-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD IC [REDACTED]
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 7220.17
(c) FY19 through FY23 MC Special Pay Guidance

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by BUMED, 7 Apr 23
(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 establish retroactive entitlement to Health Professional Officers Board Certified Pay (BCP) effective 16 August 2019.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 20 April 2023 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 30 May 2012, Petitioner signed NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Office for an inactive duty commission and also signed NAVCRUIT 1131/131, Armed Forces Health Professions Scholarship Program Service Agreement.

b. On 5 June 2016, Petitioner received Doctor of Osteopathic Medicine from the [REDACTED] College of Osteopathic Medicine. Additionally Petitioner signed NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Office for an active duty commission and entered active duty the same day.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

c. Petitioner was assigned to [REDACTED] for duty from 9 June 2016 through 30 July 2019.

d. On 31 July 2019, Petitioner reported to [REDACTED] [REDACTED] for duty.

e. On 20 November 2019, American Board of Internal Medicine issued Petitioner certification in Internal Medicine effective 16 August 2019.

f. On 17 November 2020, Petitioner detached [REDACTED] and reported to [REDACTED] [REDACTED] for duty through 1 June 2022. Petitioner reported to [REDACTED] for duty on 28 June 2022.

g. On 6 March 2023, Petitioner's BCP was processed with an effective date of 6 February 2023.

h. In the advisory opinion, 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. In accordance with references (b)¹ and (c),² Petitioner met the eligibility criteria for BCP. However, because of administrative oversight, Petitioner's BCP package was not appropriately processed; therefore, the Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner submitted BCP request package in a timely manner, and was approved by cognizant authority.

This change will entitle Petitioner to BCP with an annual rate of \$6,000 from 16 August 2019 to 5 February 2023.

Note: Defense Finance and Accounting Service will conduct an audit of Petitioner's pay records to determine retroactive special pay entitlement.

¹ In accordance with reference (b), the effective date of BCP is effective on the date of commencement of active duty, or the date the officer becomes board certified in the specialty, whichever is later.

² Reference (c) specified the 1-year rate (prorated monthly) for BCP is \$6,000.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

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.

5/1/2023

[REDACTED]

Deputy Director

[REDACTED]