



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

[REDACTED]  
Docket No. 2170-23  
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) OPNAVINST 7220.17  
(c) FY21 through FY23 MC Special Pay Guidance

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by BUMED, 5 May 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 her naval record be corrected to establish retroactive entitlement to Health Professional Officers Board Certified Pay (BCP) effective 24 July 2021.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 May 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 6 July 2012, Petitioner signed NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Office for an inactive duty commission.

b. On 7 July 2012, Petitioner reported to [REDACTED] for temporary duty and detached on 10 August 2012.

c. On 11 August 2012, Petitioner reported to [REDACTED] for duty instruction.

d. On 21 May 2016, Petitioner signed NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Office for an active duty commission. Petitioner detached [REDACTED] on 23 May 2016.

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e. Petitioner reported to [REDACTED] for duty from 9 June 2016 to 13 July 2017 as an Intern and 13 July 2017 through 20 July 2020 as a Resident.

f. Petitioner was assigned to [REDACTED] from 20 July 2020 to 19 October 2020 for duty, followed by assignment to [REDACTED] from 19 October 2020 through 10 June 2021.

g. On 15 June 2021, Petitioner reported to [REDACTED] for duty under instruction.

h. On 24 July 2021, The American Board of Anesthesiology issued Petitioner initial certification in Anesthesiology; certification expires on 31 December 2031.

i. On 7 July 2022, Petitioner detached [REDACTED] and reported to [REDACTED] on 25 July 2022 for duty.

j. On 23 January 2023, Petitioner started to receive BCP.

k. 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)<sup>1</sup> and (c).<sup>2</sup> Petitioner met the eligibility criteria for BCP. However, because of administrative oversight, Petitioner's BCP package was not appropriately processed; therefore, the Board agreed, under this circumstance, 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 24 July 2021 to 22 January 2023.

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

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<sup>1</sup> 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.

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

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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.

6/2/2023

[REDACTED]

Deputy Director

Signed by [REDACTED]