



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

██████████
Docket No. 187-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER ██████████, USN,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Official Military Personnel File

Encl: (1) DD Form 149 w/attachments

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 by directing that he be evaluated for placement on the permanent disability retired list (PDRL).

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 18 January 2024, and pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. According to the reference (b) official military personnel file, Petitioner enlisted in the Navy and commenced active duty on 20 August 2002. During his service, Petitioner reviewed in the Disability Evaluation System and placed on the temporary disability retired list (TDRL) on 28 August 2012. Petitioner was administratively removed from the TDRL on 24 August 2018. On 10 January 2024, an Informal Physical Evaluation Board (IPEB) conducted a review of Petitioner's medical records, which applied 38 CFR § 4.129, and found that the Department of Veterans' Affairs (VA) conducted an interval evaluation and increased the member's rating for the condition PTSD to 100%, effective 14 April 2014. The IPEB further found that based on the interval VA clinical record, the unfitting condition is of a permanent nature and stable for ratings purposes and that Petitioner's interval rating by the VA is considered sufficient in consistent 10 U.S.C. Ch. 61 requirements and should be applied on a permanent basis as below with placement on the PDRL as follows:

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XXX-XX-[REDACTED]

Unfitting Conditions:

1. PTSD* CR(AC) (cz) 9434-9411 100%

1.1. DYSTHYMIC DISORDER. Related Unfitting Diagnosis

CONCLUSION

In its review of the entirety of Petitioner's materials as described above, and in particular its review of applicable VA medical records, the Board concluded that the Petitioner is entitled to relief in the form of placement on the PDRL as described in the recommendation below.

RECOMMENDATION

In view of the above, the Board directs the following corrective action:

That Petitioner be placed on the PDRL effective the date that he was removed from the TDRL for the following conditions:

1. PTSD* CR(AC) (cz) 9434-9411 100%

1.1. DYSTHYMIC DISORDER. Related Unfitting Diagnosis

This results in a rating of 100%.

The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine Petitioner's pay entitlements.

That a copy of this report of proceedings 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 Regulation, 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/6/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]