



**CUI//SP-MIL/SP-PRVCY**  
**UNITED STATES AIR FORCE**  
**BOARD FOR CORRECTION OF MILITARY RECORDS**

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

*Work-Product*

**DOCKET NUMBER:** BC-2021-03881

**COUNSEL:** NONE

**HEARING REQUESTED:** YES

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**APPLICANT'S REQUEST**

He be placed back on the Temporary Disability Retired List (TDRL) to be medically evaluated.

**APPLICANT'S CONTENTIONS**

He was removed from the TDRL without his knowledge. The contact information, his address and phone number on file, was incorrect. Due to this, he was never informed that reevaluations had to be completed. He was receiving care through the Department of Veterans Affairs (DVA) on a routine basis and was under the assumption those medical check-ups were used to complete his disability reevaluation assessment.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force senior airman (E-4).

On 8 Apr 16, AF IMT 618, *Medical Board Report*, indicates the applicant was referred to the Informal Physical Evaluation Board (IPEB) for Irritable Bowel Syndrome (IBS).

On 9 Jul 16, the DVA proposed a disability rating for his Category I unfitting medical condition of IBS and Gastroesophageal Reflux Disease (GERD) with associated history of non-cardiac chest pain at 30 percent.

On 13 Jul 16, AF Form 356, *Informal Findings and Recommended Disposition of USAF Physical Evaluation Board*, indicates the applicant was found unfit due to his medical condition of IBS and GERD with a disability compensation rating of 30 percent with a recommendation of "Temporary Retirement."

On 27 Jul 16, AF Form 1180, *Action on Physical Evaluation Board Findings and Recommended Disposition*, indicates the applicant agreed with the findings and recommended disposition of the Board and waived his right to a formal hearing.

**AFBCMR Docket Number BC-2021-03881**  
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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

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Dated 28 Jul 16, Special Order *Work-Product*, indicates the applicant was placed on the TDRL in the grade of senior airman (E-4) with a compensable percentage for physical disability of 30 percent, effective 29 Oct 16.

On 22 Jan 18, a letter was sent to the applicant informing him of a requirement to schedule his evaluation appointment.

On 5 Feb 18, a letter was sent to the applicant informing him his eligibility to receive retired pay under Title 10 U.S.C. Section 1210 was terminated and he would continue to be carried on the TDRL in a no-pay status until he reported for a complete physical examination or until he reached the maximum time he may remain on the TDRL, which was 7 Oct 21.

On 7 Oct 20, a letter was sent to the applicant informing him that his five years on the TDRL was due to expire on 29 Oct 21 and was given the opportunity to report and complete the required examination by law.

Dated 13 Oct 21, Special Order *Work-Product*, indicates the applicant was removed from the TDRL and discharged without benefits, effective 28 Oct 21.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

**AIR FORCE EVALUATION**

AFPC/DPFDC recommends denying the application finding no evidence of an error or injustice. Effective 29 Oct 16, the applicant was placed on TDRL and fell under a 5 year panel that only allowed him to be on the TDRL until 28 Oct 21. Every attempt was made to reach out to him to complete the examination required by law throughout the 5 years. The applicant did not provide any new evidence that he was re-evaluated by any civilian or a DVA provider within the last six months while on the TDRL that the IPEB could review. Effective 28 Oct 21, the applicant was removed from the TDRL and discharged without benefits.

The complete advisory opinion is at Exhibit C.

**APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 27 Jan 22 for comment (Exhibit D), but has received no response.

**FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.

3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPFDC and finds a preponderance of the evidence does not substantiate the applicant's contentions to warrant he be placed back on the TDRL to be medically evaluated. Therefore, the Board recommends against correcting the applicant's records.

4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

**RECOMMENDATION**

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

**CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-03881 in Executive Session on 27 Jul 22:

*Work-Product* [Redacted], Panel Chair  
*Work-Product* [Redacted], Panel Member  
*Work-Product* [Redacted], Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 8 Nov 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPFDC, w/atchs, dated 13 Jan 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 27 Jan 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

5/17/2023

*Work-Product* [Redacted Signature]

Board Operations Manager, AFBCMR  
Signed by: USAF