



**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:**

**DOCKET NUMBER:** BC-2022-00253

*Work-Product*

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His removal from the Temporary Disability Retired List (TDRL) and discharge without benefits be changed to a permanent disability retirement.

**APPLICANT'S CONTENTIONS**

He was removed from the TDRL and discharged without benefits for failure to report for his periodic physical examination. There were many missed contacts via email and phone calls that made him unaware that he was at imminent risk of being removed from the TDRL and discharged without benefits. One of his re-evaluation appointments was cancelled by the Military Treatment Facility (MTF) doctor and he was having difficulties scheduling appointments due to conflicts with his civilian employer.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

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

On 27 Jun 18, AF IMT 618, *Medical Board Report*, indicates the applicant was referred to the Informal Physical Evaluation Board (IPEB) for ulcerative colitis.

On 23 Jul 18, the Department of Veterans Affairs (DVA) proposed a disability rating for his Category I unfitting medical condition of Ulcerative Colitis Atopic Gastritis and Gastroesophageal Reflux Disease (GERD), w/Lymphopenia claimed as Leukocytosis at 60 percent.

On 26 Jul 18, 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 Ulcerative Colitis Atopic Gastritis and GERD, w/Lymphopenia with a disability compensation rating of 60 percent with a recommendation of "Temporary Retirement."

**AFBCMR Docket Number BC-2022-00253  
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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
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On 27 Jul 18, 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.

Dated 30 Jul 18, 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 60 percent, effective 28 Nov 18.

On 2 Nov 20, a letter was sent to the applicant informing him of his scheduled medical examination. On the same date, a letter was sent to the applicant informing him his eligibility to receive retired pay under Title 10 U.S.C. Section 1210 would be 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 28 Nov 21.

On 2 Nov 21, the TDRL Maximum Term Removal Review Panel recommended the applicant be removed from the TDRL due to his failure to return for his re-evaluation appointments on numerous occasions.

Dated 12 Nov 21, Special Order **Work-Product**, indicates the applicant was removed from the TDRL and discharged without benefits, effective 27 Nov 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. Effective 28 Nov 18, the applicant was placed on TDRL and fell under a three-year panel that only allowed him to be on TDRL until 27 Nov 21. Every attempt was made to reach out to the applicant throughout the three years. The applicant claims there were many missed phone calls and emails that kept him unaware of the TDRL process. There were plenty of conversations with the applicant, the Keesler MTF, and the TDRL section, but the applicant did not comply with the TDRL program to complete his reevaluation as required within the TDRL timeframe. Effective 27 Nov 21, the applicant was removed from 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 2 Mar 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 permanently disability retired. Therefore, the Board recommends against correcting the applicant's records.

**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-2022-00253 in Executive Session on 27 Jul 22:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 20 Nov 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPFDC, w/atchs, dated 27 Feb 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 2 Mar 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.

5/18/2023

Work-Product

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Board Operations Manager, AFBCMR  
Signed by: USAF