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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02433

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Standard Form 600, Chronological Record of Medical Care, dated 28 Feb 71 be added to his medical record.

APPLICANT'S CONTENTIONS

His Standard Form 600 documents actions performed by medics due to a mortar attack on himself and others, which caused injuries, that should be included in his medical records.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force technical sergeant (E-6).

On 31 May 87, according to the DD Form 214, Certificate of Release or Discharge from Active Duty, the applicant was discharged from the Regular Air Force with a narrative reason for separation of "Vol Retirement for Years of Service Established by Law." He was credited with 20 years, 6 months and 11 days of active service.

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

AIR FORCE EVALUATION

AFMRA/SG6R recommends denying the application. After researching the Healthcare Artifact and Image Management Solution (HAIMS) where paper records and forms are scanned, the applicant does not currently have a profile in HAIMS. Further, the Standard Form 600 provided cannot be authenticated because it is unknown who filled out the form and whether that person was a clinical provider.

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 21 Apr 23 for comment (Exhibit D) but has received no response.

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FINDINGS AND CONCLUSION

- 1. The application was not 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 AFMRA/SG6R and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-02433 in Executive Session on 26 Jul 23:



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

Exhibit A: Application, DD Form 149, w/atchs, dated 11 Jan 22.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFMRA/SG6R, dated 20 Apr 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Apr 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

