

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

Work-Product

RECORD OF PROCEEDINGS**IN THE MATTER OF:**

Work-Product

DOCKET NUMBER: BC-2023-00300**COUNSEL:** NONE**HEARING REQUESTED:** YES

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APPLICANT'S REQUEST

His Board Certification Pay (BCP) contract be backdated from 11 Oct 22 to 29 Aug 22.

APPLICANT'S CONTENTIONS

He is eligible for BCP effective 1 Aug 22. He took his board certification exam on 29 Aug 22 and signed a BCP contract on 29 Aug 22. However, he waited to submit the contract until after he was notified of the board results in Oct 22. When he finally received his board results, he signed another contract in Oct 22 with a requested start date of 1 Aug 22, unaware that the signature date on the contract and the effective start date had to be completed in the same month. His commander along with the Chief, Air Force Medical Service for Recruitment and Sustainment discussed his case and concluded that had he simply submitted the original BCP contract he signed in Aug 22, his certification pay would have had an effective start date of 1 Aug 22. As it stands, the Oct 22 contract resulted in the loss of two months of BCP.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a major (O-4) in the Regular Air Force.

On 11 Oct 22, the applicant signed *Fiscal Year 2022 (FY22) Board Certification Pay Contract Request – All Corps*, with an effective start date of 1 Oct 22. The contract authorized the applicant to receive \$500 in monthly BCP payments upon execution of the plan.

According to the American Board of Internal Medicine (ABIM) memorandum, dated 11 Oct 22, the applicant was certified in Internal Medicine. ABIM memorandum, dated 6 Dec 22, provided by the applicant, confirms he was board certified, effective 29 Aug 22.

According to the Military Personnel Data System, the applicant's BCP start date is 1 Oct 22.

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

APPLICABLE AUTHORITY/GUIDANCE

Department of the Air Force (DAFI) 41-110, *Medical Health Care Professions Scholarship Programs* and *United States Air Force Fiscal Year 2022, Medical Corps Consolidated Special*

**AFBCMR Docket Number BC-2023-00300
CUI//SP-MIL/SP-PRVCY**

Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

Pay (CSP) Plan. All CSP pay types require a contract to initiate pay. Details on contract durations and rates are provided in the pay plan. Individual officers must submit their own contract via myPers to ensure appropriate tracking and payment. To be eligible for BCP, an officer must submit a BCP contract and copy of the board certificate with start date (or notification letter) via myPers. BCP is a contract based pay and does not allow backdating. The contract effective date may be no earlier than the first day of the month in which the contract was signed, or the start date of certification, whichever is later.

AIR FORCE EVALUATION

AFPC/DPMN (Medical Career Management Division) recommends denying the request. Based on the analysis of the facts, there is no evidence of an error or injustice. In accordance with the Medical Corps Consolidated Special Pay Plan and DAFI 41-110, contracts must be submitted to myFSS within two months of the officer's signature, and all contracts are binding upon signature and submission to the AFPC Medical Special Pay office. On 12 Oct 22, the applicant submitted a BCP contract with a signature date of 11 Oct 22 and a requested start date of 29 Aug 22. He was advised his start date could be no earlier than 1 Oct 22 as the signature date on the contract was 11 Oct 22. On 17 Nov 22, he submitted a second BCP contract with a signature date of 29 Aug 22 and a start date of 29 Aug 22. At that time, he was advised his second contract could not be accepted.

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 14 Sep 23 for comment (Exhibit D), and the applicant replied on 14 Sep 23. In his response, the applicant contended that the advisory is factually invalid as he did submit his contract through myFSS within the required two month signature window as he submitted his contract on 12 Oct 22 with a request start date of 29 Aug 22. However, the Medical Special Pay office did not respond until over a month later, on 17 Nov 22, when they requested he submit corrections to the contract. On that same day, he complied with their request and submitted the corrected contract. He is only asking for the pay he is eligible for and nothing beyond what is listed in the FY22 Medical Corps Consolidated Special Pay Plan.

The applicant's response is at Exhibit E.

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/DPMN and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant failed to submit a properly signed contract compliant with governing instructions within the required timeframe. 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 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-2023-00300 in Executive Session on 19 Oct 23:

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 12 Jan 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMN, w/atc, dated 21 Jul 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 14 Sep 23.
- Exhibit E: Applicant’s Response, dated 14 Sep 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.

3/21/2024

X Work-Product

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Board Operations Manager, AFBCMR
Signed by: USAF