

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-01186

XXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His administrative discharge be changed to a medical discharge.

APPLICANT'S CONTENTIONS

He is a disabled veteran that was improperly discharged. He was injured in basic training and diagnosed with Freiberg's infraction, which is a permanent injury that becomes worse. He should have been medically discharged.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-3).

On 29 Jul 99, DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, indicates the applicant enlisted in the Air Force Reserve for eight years under the Delayed Entry/Enlistment Program (DEP). He was discharged from the DEP and enlisted in the Regular Air Force 9 Feb 00 for a period of six years.

On 6 Nov 02, according to the DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was honorably discharged with a narrative reason for separation of "Personality Disorder."

On 1 Jan 21, according to a Department of Veterans' Affairs (DVA) memorandum, dated 22 Feb 22, provided by the applicant, he was awarded service-connected disability compensation benefits.

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

AIR FORCE EVALUATION

The AFBCMR Medical Advisor recommends denial of the request to change the reason for discharge to a Medical Discharge, based upon insufficient or lack of evidence of an unfitting medical condition at the time of discharge. The Board deserves an explanation of the condition, Freiberg infraction. The condition was first described by its namesake, Dr Alfred Freiberg in 1914, as a flattening and collapse of the head of the second metatarsophalangeal joint of the foot, leading to degenerative changes and progressing to arthritis. The condition, an osteochondrosis affecting the metatarsal heads, are a family of disorders that result from an injury to the epiphysis, or growth plate of the joint, that then alters bone growth ["endochondral ossification"], producing a painful irregularity at the joint surface. There are other explanations of the conditions, but the two "most popular," include a traumatic cause and vascular compromise. There is no service medical documentation of an injury, treatment for an injury, or profile

restrictions imposed due to an injury. There is no evidence that the applicant presented with a painful foot condition, or perceptible gait disturbance, or difficulty walking or running at or about the time of discharge. These statements are made, not to refute the occurrence of an injury during military service but show the lack of evidence that it interfered with the applicant's ability to perform the duties of his office, grade, rank, or rating at the time of separation, which otherwise could have triggered a Medical Evaluation Board (MEB). Directing attention to the applicant's DD Form 214, depicting "Personality Disorder" as the reason for discharge, without medical documentation, the Medical Advisor cannot speculate the basis or validity of diagnosis appearing on the applicant's document. Stated differently, there is no evidence to either support or refute the appropriateness of the diagnosis. However, historically, some individuals with an "Adjustment Disorder," or those demonstrating a maladaptive pattern of behavior during military service, have been labeled with this diagnosis as the reason for separation. The Medical Advisor recommends removal of "Personality Disorder" from his DD Form 214 as the narrative reason for separation and to replace it with "Secretarial Authority."

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

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of the AFBCMR Medical Advisor and finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, there is no evidence of an unfitting condition that interfered with the applicant's ability to perform the duties of his office, grade, rank, or rating at the time of separation, which otherwise could have triggered an MEB; however, according to the applicant's DD Form 214, he was discharged due to a Personality Disorder diagnosis. For the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice, and the Board finds no basis to recommend granting that portion of the applicant's request. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 6 Nov 02, he was discharged with a narrative reason for separation of Secretarial Authority.

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

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-2023-01186 in Executive Session on 21 Feb 24:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 11 Apr 23.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory opinion, AFBCMR Medical Advisor, dated 20 Nov 23.
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 21 Nov 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.

X

Board Operations Manager, AFBCMR