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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03520

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His "Uncharacterized" Entry Level Separation (ELS) with narrative reason of separation "Erroneous Entry" be changed to an honorable, medical separation.

APPLICANT'S CONTENTIONS

He completed bootcamp and was in technical school when he became ill. All medical documentation was correct and current prior to enlistment and all documentation was provided to the Military Entrance Processing Station (MEPS). He passed all entry level medical requirements; however, there was an erroneous evaluation done by the medical staff. His DD Form 214, *Certificate of Release or Discharge from Active Duty*, indicates erroneous entry which is a fraudulent enlistment which is incorrect. He needs this corrected to obtain Department of Veterans Affairs (DVA) benefits.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman basic (E-1).

Dated 5 Jan 22, DD Form 2807-2, *Accessions Medical History Report*, indicates the applicant was treated in the emergency room in Dec 21 for abdominal pain/dehydration.

Dated 5 Jan 23, the ELS Medical Waiver Decision Letter indicates the applicant's condition was very likely to have existed prior to service (EPTS) and he was aware of this condition; however, his medical condition did not meet medical waiver criteria for entry into the Air Force. Therefore, his waiver request was denied.

On 2 Feb 23, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of DAFI 36-3211, *Military Separations*, paragraph 7.14 for erroneous enlistment. The specific reason for the action was his diagnosis of acute pancreatitis with uninfected necrosis, unspecified which was determined to have EPTS.

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

On 8 Feb 23, the Chief of Administrative Discharges found the discharge action legally sufficient.

On 10 Feb 23, the discharge authority directed the applicant be given an ELS for an erroneous enlistment, with an uncharacterized service characterization. Probation and rehabilitation were considered, but not offered.

On 20 Feb 23, the applicant received an “uncharacterized” ELS. His narrative reason for separation is “Erroneous Entry” and he was credited with 4 months and 17 days of total active service.

For more information, see the excerpt of the applicant’s record at Exhibit B and the advisories at Exhibits C and E.

APPLICABLE AUTHORITY/GUIDANCE

Department of the Air Force Instruction (DAFI) 36-3211, dated 24 Jun 22, describes the authorized service characterizations that were applicable at the time of the applicant’s separation.

Honorable. The quality of the airman’s service generally has met Air Force standards of acceptable conduct and performance of duty or when a member's service is otherwise so meritorious that any other characterization would be inappropriate.

Under Honorable Conditions (General). If an airman’s service has been honest and faithful, this characterization is warranted when significant negative aspects of the airman's conduct or performance of duty outweigh positive aspects of the airman's military record.

Under Other than Honorable Conditions. When basing the reason for separation on a pattern of behavior or one or more acts or omissions that constitute a significant departure from the conduct expected of airmen. The member must have an opportunity for a hearing by an administrative discharge board or request discharge in lieu of trial by court-martial.

Entry Level Separation. Airmen are in entry level status during the first 180 days of continuous active military service or the first 180 days of continuous active military service after a break of more than 92 days of active service. Determine the member's status by the date of notification; thus, if the member is in entry level status when initiating the separation action, describe it as an entry level separation unless:

- A service characterization of under other than honorable conditions is authorized under the reason for discharge and is warranted by the circumstances of the case; or
- The Secretary of the Air Force determines, on a case-by-case basis, that characterization as honorable is clearly warranted by unusual circumstances of personal conduct and performance of military duty.

AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the application finding no evidence of an error or injustice. Airmen are in entry level status during the first 180 days of continuous active military service. The Department of Defense (DoD) determined if a member served less than 180 days continuous active service, it would be unfair to the member and the service to characterize their limited service.

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 19 Mar 24 for comment (Exhibit D), but has received no response.

ADDITIONAL AIR FORCE EVALUATION

The AFBCMR Medical Advisor recommends denying the application. His submitted evidence did not show any definitive evidence of a material error, injustice, impropriety, or inequity found in the process leading up to the applicant's separation.

Unless warranting a referral through the Disability Evaluation System (DES) for completion of a Medical Evaluation Board (MEB) and subsequent fitness and rating determination by a Physical Evaluation Board (PEB), or other basis for discharge, then a service member is released as an ELS, with an "uncharacterized" characterization of service. This is a discharge that does not attempt to characterize the type of service as either good or bad, but simply denotes the service member's short time in uniform. This brief time constraint reflects an inadequate period to judge an individual's work characteristics appropriately and fairly because in the first few months of service, a new enlistee's duties revolve around training; both Basic Military Training (BMT) and technical school, prior to performing their specialized work. The applicant is advised the current designation of erroneous enlistment on his DD Form 214, does not imply he knowingly or fraudulently entered military service. The Medical Advisor finds it necessary to provide the extracted definitions as taken from DAFI 36-3211, Section 7C, *Defective Enlistments*, in an effort to inform the applicant and the Board. Paragraph 7.13.3, *Erroneous Enlistments*, reads, an erroneous enlistment is one the USAF or USSF should not have accepted, but it does not involve fraud, such as unintentionally leaving certain legal and or medical history events off the enlistment documents and paragraph 7.13.4, *Fraudulent Entry*, reads a fraudulent entry is one involving deliberate deception on the part of the member. Medical circumstances meeting the aforementioned criteria are generally determined to have EPTS and either were not known to the applicant at the time of entry (Erroneous Entry) or were known by the member, but deliberately concealed or misrepresented at the time of entry to military service (Fraudulent Entry). This case equates to the former description.

Gallbladder sludge is a gradual buildup of substances in the gallbladder. It alone is not a medical condition, but can lead to, and often does, two conditions such as gallstones and pancreatitis. In this case, the military medical personnel determined the applicant's condition of acute pancreatitis

was likely caused by the sludge present within his gallbladder. It is well known within medical literature; pancreatitis occurs when gallstones or sludge from the gallbladder block a common drainage duct of bile and pancreatic secretion and thus obstructing the flow of pancreatic enzymes. The build-up of gallbladder sludge may, in some cases, rarely cause adverse symptoms and in other cases cause severe painful symptoms. Although the condition of pancreatitis comes on suddenly and thus known as acute pancreatitis, the build-up of such sludge, as a precursor of the condition is more long term and thus is chronic in nature (most likely unknown to an individual). In this case, although the applicant's enlistment physical examination (PE) is not available (only known medical history), the Medical Advisor assumed it was normal for he was processed through as being qualified. The assumption about his PE being normal may not be known in certainty, but what is for certain is the factual reported history of being seen in the emergency room (ER) for abdominal pain in Dec 21 and diagnosed with dehydration. Pre-service medical records were not available for review. According to the Mayo Clinic, pancreatitis can cause dehydration. The Medical Advisor opines the reported medical history of a single episode of abdominal pain in late 2021, severe enough to be evaluated in an ER, could very well have been a symptom manifestation in the setting of an acute, self-limiting case of pancreatitis. That certainly is medically plausible. In this case, knowing the non-acute buildup of gallbladder sludge coupled with the well-known association of that scenario leading to an episode or even multiple episodes of acute pancreatitis, and a prior noted diagnosis of (pre-service) dehydration in the setting of abdominal pain, it remains more likely than not his causative condition EPTS and therefore, he was appropriately separated under the EPTS policy.

The complete advisory opinion is at Exhibit E.

APPLICANT'S REVIEW OF ADDITIONAL AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 2 Jul 24 for comment (Exhibit F), 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/ DP2SSR and the AFBCMR Medical Advisor and finds a preponderance of the evidence does not substantiate the applicant's contentions. Airmen are given entry level separation with uncharacterized service when they fail to complete a minimum of 180 days of continuous active military service and the applicant only served 4 months and 17 days of active service, therefore, the type of separation and character of service are correct as indicated on his DD Form 214. Additionally, the Board finds no error with the processing of the applicant's separation for an erroneous enlistment due to his pre-existing medical condition. The Board notes the applicant's contention, he provided all medical documentation and was cleared for military service; however, finds his single episode of

abdominal pain in late 2021, a symptom manifestation of pancreatitis due to the non-acute buildup of gallbladder sludge. Because of this and due to the pre-service diagnosis of dehydration in the setting of abdominal pain, the Board finds his condition EPTS and was not service aggravated and therefore, he was not eligible to be processed through the DES for a medical separation and recommends against correcting the applicant's record.

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-2023-03520 in Executive Session on 22 Aug 24:

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Panel Chair

, Panel Member

Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 11 Sep 23.

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

Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 19 Mar 24.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Mar 24.

Exhibit E: Advisory Opinion, AFBCMR Medical Advisor, dated 27 Jun 24.

Exhibit F: Notification of Advisory, SAF/MRBC to Applicant, dated 2 Jul 24.

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.

9/6/2024

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Board Operations Manager, AFBCMR

Signed by: USAF

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