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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00775

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

His Medical Continuation (MEDCON) orders start date be backdated to 16 Nov 23.

### APPLICANT'S CONTENTIONS

Due to improper handoff within his unit's Aerospace Medicine Squadron (AMDS), his case failed to be processed in a timely manner. He began the MEDCON and Line of Duty (LOD) determination process on 12 Oct 23 and at this time the AMDS was waiting on the clinical documentation from the Urgent Care visit that took place that same day. However, the unit's primary care manager was out of the office for over a month which resulted in his LOD not being submitted until Dec 23 and found In Line of Duty (ILOD) in Jan 24.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an Air Force Reserve (AFR) technical sergeant (E-6).

According to documentation provided by the applicant:

On 11 Oct 23, according to AF Form 348, *Line of Duty Determination*, dated 20 Dec 23, while on active duty for operational support (ADOS) orders, he incurred an injury to his left arm: tear of the distal tendon of biceps brachii.

On 12 Oct 23, according to memorandum from the <redacted> medical unit, the applicant began the MEDCON and LOD process.

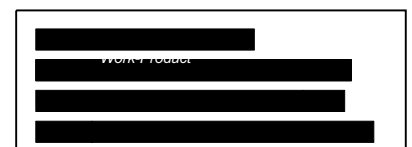
On 16 Nov 23, according to his medical record, he underwent surgery to his left arm to repair the distal tendon.

On 20 Dec 23, AF Form 348 was initiated for left arm, tear of distal tendon. On 6 Jan 24, it became Interim and was finalized the following day, 7 Jan 24, when the injury was found In-Line-of-Duty (ILOD).

On 11 Jan 24, according to Reserve Order Work-Product dated 24 Jan 24, he was placed on Medical Hold, in accordance with 10 USC 12322, for the purpose of MEDCON for the period of 11 Jan 24 – 19 Jun 24.

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On 19 Jun 24, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was released from active duty. Block 20, *Remarks*, reflects the following: "Member on MEDCON orders from 11 Jan 24 thru 19 Jun 24."

### **APPLICABLE AUTHORITY/GUIDANCE**

Department of the Air Force Instruction (DAFI) 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation Pay (INCAP)*, 3 Sep 21, Chap 6, MEDCON for ARC Members, 6.1., The primary purpose of MEDCON is to facilitate the authorization for access to medical and dental care for members who incur or aggravate an injury, illness, or disease while in a qualified duty status and to return members to duty as expeditiously as possible.

### **AIR FORCE EVALUATION**

AFRC/SGO recommends granting the request. There is evidence of an error or injustice. If the case had been initiated and reviewed by a credentialed military provider and commander and determined to be ILOD, he would have been eligible for MEDCON beginning the date of his surgery, 16 Nov 23. However, there was a delay in processing the applicant's case as documented by his Reserve medical unit. Since AFRC/SG is not the approval for MEDCON, they recommend any further information be discussed with AFRC/A1, who is the LOD Approving Authority and ARC CMD who is the MEDCON case manager.

The complete advisory opinion is at Exhibit C.

AFPC/DPFA recommends granting request. The applicant met all MEDCON eligibility requirements on 6 Jan 24, when the LOD was signed by his immediate commander. However, a memorandum provided by his Reserve medical unit stated he began the LOD process on 12 Oct 23. Had his LOD been initiated appropriately when his injury was first reported, it is likely he would have possessed a signed LOD and been appropriately profiled at the time of his surgical procedure. Although they are not the OPR, it is also possible he may have met the requirements for pre-MEDCON prior to this date. Therefore, based on a thorough review of all documentation provided, they recommend granting his request to have MEDCON orders from 16 Nov 23 through 19 Jun 24.

The complete advisory opinion is at Exhibit D.

### **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 1 Oct 24 for comment (Exhibit E), 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 thoroughly 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 both AFRC/SGO and AFPC/DPFA and finds a preponderance of the evidence substantiates the applicant's contentions. Although the applicant is requesting the date on the AF Form 348 be changed, the

Board notes that changing the date is not possible as this represents the date the form was initiated. However, the Board determines that the applicant is requesting his MEDCON be backdated to account for the pay and allowances that he would have been afforded had the LOD been initiated earlier and then processed in a timely manner. As such, the Board finds had his LOD been initiated appropriately when his injury was first reported, he would have possessed a signed LOD and been appropriately placed on profile and met all the requirements for MEDCON at the time of his surgical procedures. Therefore, the Board recommends correcting the applicant's record as indicated below.

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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show for the period 16 Nov 23 through 19 Jun 24, he was placed on active duty, for the purposes of medical continuation in accordance with Title 10, U.S.C. §12301(h).

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-2024-00775 in Executive Session on 10 Dec 24:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 26 Feb 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFRC/SGO, dated 26 Aug 24.
- Exhibit D: Advisory opinion, AFPC/DPFA, dated 6 Sep 24.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 1 Oct 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.

3/25/2025

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Board Operations Manager, AFBCMR  
Signed by: Work-Product