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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02002

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

1. Her date of birth (DOB) be corrected on her DD Form 214, *Certificate of Release or Discharge from Active Duty* (this was previously corrected-no Board action needed).
2. Her narrative reason for separation be changed from "Personality Disorder" to "Mental Health Related."

### APPLICANT'S CONTENTIONS

Her birthday is wrong and misrepresented. Additionally, she would like her discharge reason/description changed because she has been correctly diagnosed since her honorable discharge, and it is also a matter of privacy from employers.

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 13 Jan 03, the DD Form 214, *Certificate of Release or Discharge from Active Duty* indicates the applicant received an honorable discharge. Her narrative reason for separation is "Personality Disorder" and she was credited with 2 years, 1 month, and 15 days of total active service.

On 23 Sep 22, the applicant submitted a request to the Air Force Board for Correction of Military Records (AFBCMR) to correct her DOB on the DD Form 214.

On 17 Oct 22, Air Force Personnel Center (AFPC)/DP2SSR administratively corrected her DOB and produced a DD Form 215, *Correction to DD Form 214, Certificate of Release or Discharge from Active Duty*.

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

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## **APPLICABLE AUTHORITY/GUIDANCE**

On 3 Sep 14, the Secretary of Defense issued a memorandum providing guidance to the Military Department Boards for Correction of Military/Naval Records as they carefully consider each petition regarding discharge upgrade requests by veterans claiming PTSD. In addition, time limits to reconsider decisions will be liberally waived for applications covered by this guidance.

On 25 Aug 17, the Under Secretary of Defense for Personnel and Readiness issued clarifying guidance to Discharge Review Boards and Boards for Correction of Military/Naval Records considering requests by veterans for modification of their discharges due in whole or in part to mental health conditions [PTSD, Traumatic Brain Injury (TBI), sexual assault, or sexual harassment]. Liberal consideration will be given to veterans petitioning for discharge relief when the application for relief is based in whole or in part on the aforementioned conditions.

Under Consideration of Mitigating Factors, it is noted that PTSD is not a likely cause of premeditated misconduct. Correction Boards will exercise caution in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct. Liberal consideration does not mandate an upgrade. Relief may be appropriate, however, for minor misconduct commonly associated with the aforementioned mental health conditions and some significant misconduct sufficiently justified or outweighed by the facts and circumstances.

Boards are directed to consider the following main questions when assessing requests due to mental health conditions including PTSD, TBI, sexual assault, or sexual harassment:

- a. Did the veteran have a condition or experience that may excuse or mitigate the discharge?
- b. Did that condition exist/experience occur during military service?
- c. Does that condition or experience actually excuse or mitigate the discharge?
- d. Does that condition or experience outweigh the discharge?

On 19 Nov 24, the Board staff provided the applicant a copy of the liberal consideration guidance (Exhibit C).

## **AIR FORCE EVALUATION**

The AFRBA Psychological Advisor recommends the Board change the applicant's narrative reason for separation to "Condition Not a Disability" for privacy reasons, as her current DD Form 214 lists "Personality Disorder". This narrative reason is the appropriate and correct reason for her separation from service and is an acceptable narrative reason per liberal consideration guidance, Kurta Memorandum number 17. The applicant's service treatment records are not available or submitted by the applicant for review to determine if she was misdiagnosed with a personality disorder including borderline personality disorder (BPD). The compensation and pension (C&P) examiner also had the same issue and mentioned not being able to review her service treatment records. She was diagnosed and treated for bipolar disorder after she was discharged from service. Her Department of Veterans Affairs (DVA) treatment records reported

her provider at the dialectical behavior therapy (DBT) center had assessed her borderline traits were less prominent and problematic than bipolar disorder and changed her diagnosis from BPD to bipolar disorder. Her providers at the DVA did not offer an opinion about her personality disorder diagnosis nor disputed them, although she was given a diagnosis of BPD by the C&P examiner and her earlier providers at the DVA documented she had a history of BPD. Her service treatment records are not available for review to assess the actual personality disorder she was diagnosed with during service, and the rationale provided for the diagnosis. This is especially relevant since she was hospitalized during service and her stressors and clinical presentation appeared to be different during and after service. Since her service treatment records and discharge paperwork are not available for review, the presumption of regularity is applied and there is no error or injustice identified with her personality disorder diagnosis and discharge from service for having an unsuiting mental health condition. The applicant is requesting to change her narrative reason for separation on her DD Form 214 for privacy reasons because it currently lists "Personality Disorder." Despite there being no error or injustice identified with her personality disorder diagnosis and discharge; the Psychological Advisor supports her request. She is requesting to change her narrative reason for separation to "Mental Health Related," but this is not an available option. Instead, the Psychological Advisor recommends the Board change her narrative reason for separation to "Condition Not a Disability." This characterization not only serves to provide relief to the applicant but is also an appropriate basis for her discharge based on liberal consideration. This alternative narrative reason accurately reflects her administrative discharge for having an unsuiting mental health condition/personality disorder while maintaining her privacy as desired.

**LIBERAL CONSIDERATION:** Liberal consideration is applied to the applicant's petition due to her contention of a mental health condition. It is reminded that liberal consideration does not mandate an upgrade or change to the record per policy guidance. The following are responses based on the available records to the four questions from the Kurta Memorandum:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

The applicant is requesting her narrative reason for separation be changed from "Personality Disorder" to "Mental Health Related," because she had been correctly diagnosed since her honorable discharge and as a matter of privacy for employers. She submitted pictures of her current medication bottle for lamotrigine prescribed for bipolar disorder. She did not discuss how her mental health condition may excuse or mitigate her discharge.

2. Did the condition exist or experience occur during military service?

The applicant's service treatment records are not available for review so it could not be determined the actual personality disorder she was diagnosed with, and when or how she was diagnosed with a personality disorder during service. There is evidence she was discharged from service for having an unsuiting personality disorder per her DD Form 214.

3. Does the condition or experience actually excuse or mitigate the discharge?

Since the applicant's service treatment records and official discharge paperwork are not available or submitted for review, the presumption of regularity is applied and there is no error or injustice identified with her personality disorder diagnosis and discharge from service for having an

unsuited mental health condition. Her personality disorder caused her discharge but does not excuse or mitigate her discharge.

4. Does the condition or experience outweigh the discharge?

Since her mental health condition/personality disorder does not excuse or mitigate her discharge, her mental health condition also does not outweigh her original discharge. However, since “Personality Disorder” is currently listed as the narrative reason for separation on her current DD Form 214, her narrative reason should be changed to “Condition Not a Disability” for privacy reasons.

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 19 Nov 24 for comment (Exhibit E) 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 AFRBA Psychological Advisor and finds a preponderance of the evidence substantiates the applicant’s contentions in part. Specifically, due to possible adverse negative consequences of the applicant’s narrative reason for separation, the Board recognizes the potential stigma of “Personality Disorder” listed on her DD Form 214 which is sufficient to warrant a change to her records. Therefore, the Board recommends correcting the applicant’s records as indicated below. However, for the remainder of the applicant’s request, the evidence presented did not demonstrate an error or injustice, and the Board therefore finds no basis to recommend granting that portion of the applicant’s request. Liberal consideration was applied to the applicant’s request; however, the Board finds no evidence the applicant had a mental health condition that impaired her ability to reasonably perform her military duties in accordance with her office, grade, rank, or rating. The applicant’s service treatment records were not available, nor did she submit medical documentation from her time in the service to support her request to have her narrative reason changed to reflect a mental health disorder. Per DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, applicants have the burden of proof for providing evidence in support of their claim. Therefore, the Board finds no reason to correct that portion of the applicant’s request.

**RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 13 January 2003, she was discharged with a separation code and corresponding narrative reason for separation of JFV (Condition, Not A Disability).

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 DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-02002 in Executive Session on 5 Mar 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 2 Jun 24.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Liberal Consideration Guidance), dated 19 Nov 24.
- Exhibit D: Advisory Opinion, AFRBA Psychological Advisor, dated 19 Nov 24.
- Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Nov 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.

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X Work-Product  
Work-Product  
Board Operations Manager, AFBCMR  
Signed by: USAF