

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02270

COUNSEL:

HEARING REQUESTED:

APPLICANT'S REQUEST

His Date of Separation be changed from 12 May 2023 to 12 November 2023.

APPLICANT'S CONTENTIONS

During his out-processing, he was briefed by the Force Support Squadron (FSS) he would not officially separate from the Air Force Reserve until six months after his separation approval (per DAFI 36-3211, *Military Separations*). He signed a request to waive participation with the intention of waiving the six-month waiting period at the Wg/CC level, in line with DAFI 36-3211. However, he was later told the intent was to waive the Unit Training Assembly (UTA) weekend participation and maintain "No Pay, No Points" status until six months after out processing was complete and Wg/CC approval was obtained. He was also told by the FSS they were uncertain if he would be covered by Tricare Select during the six-month period (12 May 2023 - 12 November 2023) and would need to contact the Defense Manpower Data Center (DMDC) to verify his coverage and obtain a loss of coverage letter if he lost coverage. This letter was necessary to show a qualifying life event and allow him to join his civilian health insurance mid-year, outside of open enrollment. DMDC confirmed he was still covered by Tricare; therefore, he could not receive a loss of coverage letter and be covered by his civilian insurance. He called multiple times to confirm and received a proof of Tricare coverage letter. Additionally, Tricare sent him monthly bills for his insurance premiums, which he paid. In November 2023, he contacted his unit to confirm when he would lose coverage and was told he should have lost coverage 12 May 2023, but the FSS had erroneously entered 12 May 2024 instead. The FSS then retroactively adjusted the Defense Eligibility Enrollment Reporting System (DEERS) from 12 May 2024 to 12 May 2023, which retroactively removed his Tricare benefits. This error caused him to lose coverage under both Tricare and his civilian insurance.

During the period of 13 May 2023 to 12 November 2023, his dependents had an estimated \$20,000 in medical bills due to two surgeries. Medical coverage information was not documented as covered during his out-processing and the signatures collected during his out-processing were dated in June 2023, a month after he was considered separated. The date that was retroactively entered as his separation date was before he had stopped participating in UTA weekends. There are multiple documents that prove he actively participated in and was compensated for the 3-4 June 2023 UTA weekend. Additionally, he was paid for the July 2023 UTA weekend, further proving that his unit understood that he was still considered a traditional reservist until November 2023. The Mission Support Group stated the issue could not be corrected at their level, and he would need to submit an appeal to the Air Force Board for Correction of Military Records.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force Reserve (AFR) captain (O-3).

On 29 May 2013, according to AF IMT 133, *Oath of Office (Military Personnel)*, the applicant commissioned into the Regular Air Force.

On 11 May 2019, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was honorably discharged in the grade of captain and transferred to the AFR with an obligation termination date of 28 May 2021. He was credited with 5 years, 11 months, and 13 days of net active service.

On 12 May 2019, according to Reserve Order, dated 13 May 2019, the applicant was appointed and assigned to the Reserve of the Air Force.

According to a letter provided by the applicant, dated 22 November 2023, DMDC confirmed DEERS reflected the applicant was covered by one of the Tricare administered programs, effective 1 October 2019.

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

AIR FORCE EVALUATION

ARPC/A1KK (Force Management) recommends granting the application. The applicant out-processed from the FSS in June 2023. He participated in the 3-4 June 2023 UTA for which he was paid and was authorized to complete his July 2023 UTA on 5-6 June 2023. However, his servicing FSS retroactively reassigned him to the Inactive[sic] Ready Reserve (IRR) weeks before he performed and was compensated for his duty. In May 2023, the Wg/CC approved the applicant's request for reassignment to the IRR. On 13 May 2023, the FSS retroactively reassigned the applicant to the IRR in the Military Personnel Data System (MilPDS), despite documented evidence of his performance in the following month.

The applicant was reportedly informed by his servicing FSS that he would remain on the manning document and in MilPDS for six months following the Wg/CC's approval for reassignment to the IRR. The MAJCOM did not issue stop-loss procedures for Fiscal Year 2023. The unit is responsible for providing clarification on why the applicant was advised he would stay on the books until November 2023, and why he was retroactively reassigned to the IRR before completing and being paid for eight periods of duty performed.

The complete advisory opinion is at Exhibit C.

The FSS/CC recommends granting the application. On 12 May 2023, the applicant voluntarily separated from the AFR. He reasonably believed that his service would continue through 12 November 2023, and that he would remain covered by Tricare during this period. Additionally, he was permitted to perform duty in June/July 2023. Furthermore, the applicant did not receive any notification regarding the termination of his healthcare coverage due to his change in duty status, leading him to believe that he remained in an active status until November 2023. Typically, transitions occur six months after the Wg/CC signs the separation order, and both the applicant and the support team advising him were under the impression this was the case. The administrative process was not clearly explained to the applicant, and the option he selected for immediate separation was not fully understood by the many Airmen who offered him advice. The administrative support staff even processed orders for him and allowed him to continue working, as they too believed he was still in the Air Force. The applicant worked and was compensated for the duty he performed on behalf of the Air Force. Therefore, it would be just to allow him to retain the pay he earned and the health insurance coverage he reasonably believed he had during that six-month period.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinions to the applicant on 5 March 2025 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 reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendations of ARPC/A1KK and FSS/CC and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records 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 the applicant's Individual Ready Reserve assignment effective date be changed to reflect 12 November 2023.

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-2024-02270 in Executive Session on 8 April 2025:

, 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 25 June 2024.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory opinion, AFRC/A1KK, dated 11 February 2025.
Exhibit D: Advisory opinion, 932nd FSS, dated 21 February 2025
Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 5 March 2025.

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.

A large, bold, handwritten 'X' mark, likely representing a signature, is positioned inside a rectangular box.

MICHELLE Y. GRIFFIN
Board Operations Manager, AFBCMR