

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2024-03119

XXXXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

Her official military personnel record amended to:

1. Reflect she was misdiagnosed with a personality disorder.
2. Remove "Personality Disorder" from her DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 28. *Narrative Reason for Separation.*"

### APPLICANT'S CONTENTIONS

She has been evaluated by a professional psychologist, and they have determined the applicant was misdiagnosed. Having this misdiagnosis on the applicant's DD Form 214 is inaccurate and highly stigmatizing when reviewed by future employers when presented as proof of service.

The delay for this request is due to the applicant's recent diagnosis of Autism Spectrum Disorder (ASD) and Post-Traumatic Stress Disorder (PTSD). It is common for females with ASD to be misdiagnosed with personality disorder. This is based on years of research that was not available when the applicant was first discharged.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an honorably discharged Air Force airman first class (E-3).

On 20 Jun 03, the applicant was furnished an honorable discharge, with narrative reason for separation of "Personality Disorder" and a separation code of "JFX" [Personality Disorder]. She was credited with one year and one month of active service.

On 20 Jun 24, according to a civilian provider's Psychological Evaluation report, provided by the applicant, she was diagnosed with PTSD, Major Depressive Disorder (recurrent, severe; MDD), with anxious features, and ASD.

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

### APPLICABLE AUTHORITY

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 (USD P&R) 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], known as the Kurta Memorandum. 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 3 Mar 25, the Board staff provided the applicant a copy of the liberal consideration guidance (Exhibit C).

## **AIR FORCE EVALUATION**

The AFRBA Psychological Advisor found although there is no error or injustice identified with the applicant's discharge from service for having an unsuiting mental health condition, this Psychological Advisor recommends the Board change her narrative reason for separation to "Condition Not a Disability" for privacy reasons. 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 #17.

A review of the available records finds no evidence the applicant was misdiagnosed as claimed or that her discharge from the Air Force for having an unsuiting mental health condition of a personality disorder was made in error or was unjust. This is mainly because her official discharge paperwork and service treatment records are not available or submitted by the applicant for review. Records detailing how the applicant's mental health condition had affected her ability to function in a military setting were unavailable. Her DD Form 214 reported the narrative reason for her separation was "Personality Disorder" and did not identify which personality disorder she was diagnosed with during service. The psychological evaluation report submitted by the applicant stated she had a history of Borderline Personality Disorder (BPD) and was sexually assaulted while on duty leading to her hospitalization and a diagnosis of BPD. There are no personnel or medical records to corroborate any of these reports. The applicant received psychological testing 21 years after her discharge from the Air Force and specifically was administered two personality inventories, MCMI-IV and MMPI-3. Her results on these inventories revealed her responses were consistent with self-devaluation and exaggeration or over-reporting, and she endorsed having anxiety, nervousness, trauma/PTSD symptoms, anger, irritability, depression, sadness, guilt, insecurities, vulnerability, self-doubt, low self-confidence, low tolerance for frustration, difficulty making decisions, feeling overwhelmed, having conflict

with familial relationships, and poor social skills to name a few. These problems may describe an individual with anxiety, depression, PTSD, and ASD, and the applicant was diagnosed with PTSD, MDD with Anxious Features, and ASD to reflect these problems and symptoms. There is no evidence or record the applicant had or experienced any of these conditions during service. However, the same problems and symptoms endorsed on the two personality inventories may also describe traits of a personality disorder such as BPD. She was also reported to have a history of suicidal ideation and engaged in cutting and self-harming behaviors in the report, and her Primary Care Manager at a Medical Treatment Facility reported the applicant was hospitalized in 2003 for suicidal ideation due to superficial cutting. These behaviors may be traits of a personality disorder and/or BPD as well. The examiner did not directly address whether the applicant did or did not meet the diagnostic criteria for a personality disorder, did not dispute or rule out her personality disorder diagnosis or BPD, and did not declare she was misdiagnosed with a personality disorder as the applicant contended. This Psychological Advisor finds the psychological evaluation report was not sufficient to convincingly determine the applicant did not have a personality disorder during service or that she was misdiagnosed.

The applicant contended she was recently diagnosed with ASD and PTSD and that it is more common for females with ASD to be misdiagnosed with a personality disorder. This is a possibility, but again, the problems and symptoms the applicant had may be shared among many different disorders including ASD, PTSD, anxiety, depression/MDD, and personality disorder. Her symptoms needed to be more clarified and specific to a certain diagnosis. Even if it is accepted that the applicant had ASD instead of a personality disorder during service, and this was the condition that impacted her ability to function in a military environment, her administrative discharge would not have changed. ASD, like a personality disorder, is also classified as an unsuiting mental health condition for military service and would result in an administrative discharge, the same type of discharge the applicant received. Thus, there is no error or injustice with her discharge from service for having an unsuiting mental health condition. Furthermore, since her discharge paperwork and service treatment records 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.

Despite there being no error or injustice identified with her personality disorder diagnosis and discharge, her DD Form 214 currently lists "Personality Disorder" as the narrative reason for separation. For privacy, this Psychological Advisor recommends changing her narrative reason to "Condition Not a Disability." This alternative narrative reason accurately reflects her administrative discharge for having an unsuiting mental health condition and is an appropriate narrative reason based on liberal consideration.

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

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 of "Personality Disorder" be changed due to being misdiagnosed. She was recently diagnosed with ASD and PTSD and contended it is common for females with ASD to be misdiagnosed with a personality disorder.

2. Did the condition exist, or experience occur, during military service?  
The applicant's service treatment records are not available for review so the actual personality disorder she was diagnosed with during service is unknown. The submitted psychological evaluation report, dated 20 Jun 24, completed exactly 21 years after her discharge from the Air Force, stated the applicant had a history of BPD, and she was sexually assaulted while on duty

leading to her hospitalization and a diagnosis of BPD that ultimately led to her discharge from service. There are no records to corroborate any of these reports. From the psychological evaluation report, the applicant was diagnosed with PTSD, MDD, Recurrent, Severe with Anxious Features, and ASD from problems and symptoms of self-devaluation and exaggeration or overreporting, anxiety, nervousness, trauma/PTSD symptoms, anger, irritability, depression, sadness, guilt, insecurities, vulnerability, self-doubt, low self-confidence, low tolerance for frustration, difficulty making decisions, feeling overwhelmed, having conflict with familial relationships, and poor social skills to name a few. Additionally, the applicant had a history of having suicidal ideation and engagement in cutting and self-harming behaviors. These same problems and symptoms may also describe traits of a personality disorder or BPD.

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

The examiner did not directly address whether the applicant did or did not meet the diagnostic criteria for a personality disorder and did not declare she was misdiagnosed with a personality disorder as the applicant claimed. The psychological evaluation report did not convincingly demonstrate the applicant did not have a personality disorder or that she was misdiagnosed. It is accepted it is possible the applicant had ASD, and this condition may be confused with a personality disorder because they may share some similar symptoms, but ASD is also an unsuiting mental health condition meeting the criteria for an administrative separation. Thus, her discharge would remain the same. Moreover, since the applicant's official discharge paperwork is 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's unsuiting mental health condition caused her discharge but does not excuse or mitigate her discharge.

4. Does the condition or experience outweigh the discharge?

Since the applicant's mental health condition does not excuse or mitigate her discharge, her mental health condition also does not outweigh her original discharge.

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 3 Mar 25 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, the applicant's DD Form 214 does reflect a narrative reason for separation of "Personality Disorder," which is sufficient to justify granting the applicant's request to amend her DD Form 214 for privacy reasons. Liberal consideration was applied; however, for the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice. There is insufficient evidence the applicant was misdiagnosed during service, 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 20 Jun 03, she was discharged with a narrative reason for separation of “Condition, Not a Disability” and a separation code of “JFV.”

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-2024-03119 in Executive Session on 18 Jun 25:

, 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 29 Aug 24.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Letter, SAF/MRBC, w/atchs (Liberal Consideration Guidance), dated 3 Mar 25.  
Exhibit D: Advisory opinion, AFRBA Psychological Advisor, dated 19 Feb 25.  
Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 3 Mar 25.

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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Board Operations Manager, AFBCMR