



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-03457

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His not in the line of duty (NILOD) determination be found in the line of duty (ILOD).

APPLICANT'S CONTENTIONS

He was not notified by his acting unit commander of the NILOD determination which prevented him from filing an appeal within 30 days which is evident in the email from his unit dated 9 Aug 24. Additionally, there is no evidence or proven research to confirm his condition existed prior to service (EPTS). His last hematology report confirms this. He was on military orders when he became symptomatic resulting in an emergency room (ER) visit with diagnosis of acute stress associated with elevated A1c levels. There is no proven clinical research indicating the exact length of time required to go from a non-diagnosis to a diagnosis of type II diabetes mellitus; however, research does show acute stress can greatly affect hemoglobin levels. Dealing with his acute stress, he was able to lower his A1c levels within a year.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air National Guard (ANG) captain (O-3).

On 15 Apr 21, DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the applicant was honorably discharged in the grade of first lieutenant (O-2) after serving 2 months and 28 days of active duty for this period. His form indicates he has 6 years, 2 months, and 14 days of prior active service and 9 years, 11 months, and 19 days of prior inactive service. He was discharged, with a narrative reason for separation of "Completion of Required Active Service."

Dated 2 Dec 23, AF Form 348, *Line of Duty Determination*, provided by the applicant, indicates his medical condition of type II diabetes mellitus without complications, existed prior to service (EPTS) with no service aggravation (NSA). It was noted the applicant went to the ER with palpitations and was diagnosed with diabetes mellitus. On 19 Jan 24, the approving authority found the applicant's condition EPTS-NSA noting it takes years to go from asymptomatic to a

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diagnosis and the acceptable pathophysiology of diabetes is such that this condition clearly EPTS with no evidence to support service aggravation above and beyond the expected natural progression. The applicant's condition was diagnosed approximately 90 days into his period of service.

Dated 18 Jul 24, Order Number [REDACTED], provided by the applicant, indicates he is on active duty for operational support (ADOS) orders for the period of 1 Oct 23 through 30 Sep 25.

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

AIR FORCE EVALUATION

NGB/A1PS recommends partially granting the applicant's request to allow him to appeal his not in the line of duty (NILOD) determination due to an administrative error in the process. The applicant must submit all pertinent new medical evidence and research for the appeal process following guidance provided in DAFI 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*.

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 Feb 25 for comment (Exhibit D) 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 recommendation of NGB/A1PS and finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, the applicant provided an email from his unit dated 9 Aug 24 which indicates he was not informed of the NILOD decision on his case which prevented him from filing an appeal within 30 days, which is sufficient to justify granting the applicant's request to file an appeal outside the required timeframe. 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. The Board could not make a determination on whether the applicant's condition existed prior to service or was service aggravated beyond the natural progression and advises the applicant to submit all medical documentation to the correct office as outlined in DAFI 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON)*,

and Incapacitation (INCAP) Pay. 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 allow him to appeal his line of duty determination outside the required timeframe as outlined in DAFI 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*.

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-2024-03457 in Executive Session on 13 May 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 3 Sep 24.

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

Exhibit C: Advisory opinion, NGB/A1PS, w/atch, dated 17 Jan 25.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 19 Feb 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.

5/13/2025

Board Operations Manager, AFBCMR

Signed by:

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