



Work-Product

# UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

## RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2024-03715

COUNSEL: NONE

HEARING REQUESTED: NO

## APPLICANT'S REQUEST

1. A Line of Duty (LOD) Determination be initiated for injury incurred while on active duty orders.
2. She be placed on Medical Continuation (MEDCON) orders for the period of 23 Nov 22 to 15 Feb 23.

## APPLICANT'S CONTENTIONS

While deployed to **Work-Product** Air Base, Afghanistan in 2020, she was seen by Physical Therapy for back pain. On 17 Feb 22, she later reagravated her back pain while completing the Air Force Fitness Test again during Physical Training, marching, and patient litter training while attending Officer Training School (OTS) from 28 Mar 22 – 2 May 22. She underwent an MRI on 12 Sep 22, and notified her unit's military treatment facility (MTF) of the results on 14 Sep 22. Realizing the extent of her injury, she pursued compensation from the Air Force. Unfortunately, when inquiring about eligibility for a Line of Duty (LOD) determination, she received misinformation from the MTF that she was allowed 10 years to report the injury. She personally covered the costs of her medical bills; however, she was unable to fulfill her duties in her civilian job and had to use her personal time off (PTO). Once her PTO was depleted, she was forced to return to work to meet her financial obligations even though she had not fully recovered.

The applicant's complete submission is at Exhibit A.

## STATEMENT OF FACTS

The applicant is an Air Force Reserve (AFR) Nurse Corps captain (O-3).

On 29 Mar 20, according to Reserve Order No **Work-Product** dated 18 Dec 19, the applicant then an AFR staff sergeant (E-5), was ordered to active duty in accordance with 10 USC 12302, Involuntary Partial Mobilization per Executive Order 13223J Operation **Work-Product** for the period of 29 Mar 20 to 17 Nov 20. On 9 Nov 20, her orders were amended changing the end date to 4 Dec 20.

On 30 Jun 20, according to **Work-Product** Physical Therapy: Initial Examination notes, provided by applicant, she was diagnosed with Acute thoracic pain.

On 4 Dec 20, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, then an AFR technical sergeant (E-6), she was honorably released from active duty due to

**AFBCMR Docket Number BC-2024-03715**

Work-Product

Controlled by: SAF/MRB  
**Work-Product**  
 Limited Dissemination Control: N/A  
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demobilization. Item 18, *Remarks*, states the following: Member served in Area of Responsibility from 16 May 20 thru 15 Oct 20.

On 3 May 21, according to Reserve Order [redacted] *Work-Product* dated 22 May 22, she was appointed a second lieutenant (O-1) in the Selected Reserve on [redacted] *Work-Product*, approved by the Secretary of Defense on 11 Mar 21. *Remarks*, reflects the following: Member is honorably discharged from enlisted status day before commissioning. Member is required to attend OTS with one (1) year of appointment.

On 29 Mar 22, according to Reserve Order [redacted] *Work-Product* dated 21 Mar 22, provided by applicant, she was ordered to Officer Training School for the period of 29 Mar 22 – 2 May 22.

On 7 Apr 22, according medical treatment notes from the [redacted] *Work-Product* Trainee Health Clinic, provided by applicant, she was treated for right sciatic pain.

On 29 Apr 22, according to AF Form 475, *Education/Training Report*, for the period of report of 29 Mar 22 – 29 Apr 22, she successfully completed all course requirements for Officer Training School – Abbreviated.

On 10 Apr 23, according to Special Order [redacted] *Work-Product* dated 17 Mar 23, she was ordered to Extended Active Duty (Voluntary) per 10 USC 12301(d) in accordance with 10 USC 12310 with a date of separation of 31 Mar 25 unless sooner relieved.

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

## AIR FORCE EVALUATION

AFRC/SGP, recommends granting the request for an in Line of Duty (ILOD) determination for the 28 Mar 22 – 2 May 22 OTS set of orders for L5-S1 Degenerative Disk Disease. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. Supported by the memorandum for record from the applicant's medical group attesting to the incorrect guidance provided to the applicant in 2022, had a LOD determination been processed, based on the preponderance of the evidence, AFRC/SGP would have recommended an In-Line LOD (ILOD) for M51.17, Intervertebral disc disorders with radiculopathy.

The complete advisory opinion is at Exhibit C.

AFPC/DPFA recommends partially granting the request for MEDCON orders. Based on a thorough review of all the documentation and analysis of the facts, there is evidence of an error or injustice. Records showed the applicant presented with right side sciatica symptoms on 7 Apr 22 while on school orders. She was later evaluated by a primary care provider and an MRI revealed a disc protrusion and she notified her Reserve Medical Unit (RMU) on 14 Sep 22. On 15 Oct 22, she was placed on a mobility restricting profile and underwent surgery on 23 Nov 22. While Her post-operative physical therapy was through 15 Feb 23, her mobility restricting profile transitioned to an only fitness restrictions profile on 8 Jan 23. Therefore, had she been granted an ILOD, she would have met all MEDCON eligibility criteria, in accordance with Department of the Air Force Instruction 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*, from her date of surgery on 23 Nov 22, through her release from her mobility restriction profile on 7 Jan 23.

The complete advisory opinion is at Exhibit D.

**APPLICANT’S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisories opinions to the applicant on 2 Jun 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 AFRC/SGP and AFPC/DPFA and finds a preponderance of the evidence substantiates the applicant’s contentions in part. Specifically, the applicant has provided sufficient evidence which is sufficient to justify granting the applicant’s request receive an In Line of Duty determination for the diagnosis of M51.17, intervertebral disc disorders with radiculopathy and to be placed on Medical Continuation orders for the period of 23 Nov 22 through 7 Jan 23. 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. 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:

- a. She received an In Line of Duty Determination for M51.17, intervertebral disc disorders with radiculopathy.
- b. She was placed on Medical Continuation (MEDCON) orders for the period of 23 Nov 22 through 7 Jan 23.

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-2024-03715 in Executive Session on 24 Jul 25:

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

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

*Work-Product*

- Exhibit A: Application, DD Form 149, w/atchs, dated 29 Oct 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFRC/SGP, dated 22 Apr 25.
- Exhibit D: Advisory opinion, AFPC/DPFA, dated 30 May 25.
- Exhibit E: Notification of advisory, SAF/MRBC to applicant, dated 2 Jun 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.

9/18/2025

X *Work-Product*

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

**AFBCMR Docket Number BC-2024-03715**

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