

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 August 2023

DOCKET NUMBER: AR20220011856

APPLICANT REQUESTS:

- in effect, payment of Health Professions Officer Incentive Pay (HPO IP), effective 25 August 2022
- a personal appearance before the Board

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Application for Clinical Privileges/Medical Staff Appointment
- Email from the Office of the Surgeon General (OTSG)

FACTS:

1. The applicant states, she has been credentialed at Irwin Army Community Hospital since August 2022. At that time, during in-processing, she requested specialty pay with the S-1. Unfortunately, the S-1 did not process her request for specialty pay until the beginning of October.

2. The applicant's service record contains the following documents for the Board's consideration:

a. DA Form 71 (Oath of Office Military Personnel) shows the applicant completed the oath of office as a Reserve commissioned officer on 29 September 2015.

b. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant successfully completed the Army Medical Department Basic Officer Leader Course (Health Professions Scholarship Program/Reserve Component) from 11 June 2016 through 23 July 2016.

c. On 2 May 2022, Orders Number 122-707 issued by Headquarters, U.S. Army North (Fifth Army) ordered the applicant to a permanent change of station to the 299th Combat Support Brigade with Duty at Irwin Army Community Hospital, Fort Riley, KS, with a reporting date of 29 July 2022.

d. Officer Record Brief, dated 26 November 2022, shows the applicant's area of concentration as 62A (Emergency Physician).

e. The applicant's service record was void of her license to practice medicine, a memorandum requesting HPO IP, and a DA Form 5074 (Record of Award of Entry Grade Credit).

3. The applicant provides the following documents for the Board's consideration:

a. An Application for Clinical Privileges/Medical Staff Appointment, which she signed on 29 July 2022 and shows the applicant's privileges were granted on 25 August 2022 and expired on 24 August 2023. The application shows she was a 62A at Irwin Army Community Hospital. She attended the University of Illinois at Chicago from 10 August 2015 through 30 June 2019 and her degree was Doctor of Medicine. She performed her residency at San Antonio Uniformed Services Health Education Consortium from 1 July 2019 through 30 June 2022 in Emergency Medicine. The entire application is available for the Board's consideration.

b. An email from OTSG, dated 13 October 2022, which states all fiscal year 2022 HPO IP agreements effective between 1 October 2021 through 30 September 2022 had to be generated in their system by 31 September. She would have to petition the Board for any dates prior to 1 October 2022.

4. On 30 June 2023, the Chief, Special Pay Branch Human Resources, G-1, OTSG provided an advisory opinion for the Board's consideration, which states, in effect:

a. The applicant requests retroactive HPO IP (residency) effective, 25 August 2022, the date she was privileged to practice.

b. A review of supporting documentation, policy, special pay, and finance data shows the applicant was eligible to receive the HPO IP on the requested date. The applicant has already received \$8,000.00 per year (intern HPO IP rate) during the requested time frame and that would be deducted from the total amount she was eligible to receive.

c. The applicant was eligible for the \$49,000.00 per year HPO IP and the total amount she is eligible to receive is \$4,899.00 minus \$799.99 which equals \$4,100.00 (amount received 799.99 from 25 August 2022 through 30 September 2022; she is eligible to receive \$4,899.99 from 25 August 2022 through 30 September 2022). The exact arrears payment is determined by Defense Finance Accounting Service.

5. On 19 July 2023, the applicant was provided with a copy of the advisory opinion to provide a comment. She did not respond.

BOARD DISCUSSION:

1. The applicant's request for a personal appearance was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance before the Board is not necessary to serve the interest of equity and justice in this case.

2. After reviewing the application, all supporting documents and the evidence found within the military record, the Board determined that relief was warranted. The Board carefully considered applicant's contentions, military record, regulatory guidance and other supporting documentation as provided. Documentation available for review shows that the applicant was qualified for Health Professions Office Incentive Pay (HPO IP) effective 25 August 2022. However, through no fault of the applicant, there was a delay in processing the requested specialty pay. Based on the preponderance of evidence available for review, the Board determined the evidence presented sufficient to warrant a recommendation for relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by paying the applicant the Health Professions Officer Incentive Pay for the period 25 August 2022 through 30 September 2022, \$4,100, the amount eligible to receive. The exact arrears payment to be determined by Defense Finance Accounting Service.

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 37, United States Code, Section 335 (Special Bonus and Incentive Pay Authorities for Officers in Health Professions) states Health Professions Incentive Pay.—The Secretary concerned may pay incentive pay under this section to an officer in a regular or reserve component of a uniformed service who—(1) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title; and (2) is serving on active duty or in an active status in a designated health profession specialty or skill.

2. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//