

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 March 2024

DOCKET NUMBER: AR20230000818

APPLICANT REQUESTS: in effect, retroactive Health Professions Officer Board Certification Pay (HPO BCP), effective 14 September 2020.

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

- DD Form 149, Application for Correction of Military Record
- American Board of Psychiatry and Neurology Board Certification
- Request for HPOBCP
- Email correspondence-HBOBCP/Board Certification

FACTS:

1. The applicant states, in effect, that she successfully passed the Psychiatry Board in September 2020. She subsequently applied for Board Specialty Pay which was approved. However, the yearly \$6000 rate has not been included in her pay for the last two years. Her request for reimbursement was denied by the Office of the Surgeon General (OTSG).

2. On 6 June 2016, the applicant was appointed as a Reserve commissioned officer. She completed her residency training in psychiatry on 28 August 2020.

3. The applicant was notified on 17 September 2020, of her appointment to a Teaching Fellow of Psychiatry at the Uniformed Services University of the Health Sciences for the period 30 June 2020 to 30 June 2021. She accepted the position on 7 October 2020.

4. The applicant provided:

a. ABPN Certification documents which show she passed the certification examination in psychiatry on 14 September 2020.

b. A request for HPO BCP/Agreement, effective 1 October 2020. This agreement has an expiration date of 31 December 2021. It states the Army agreed to pay BCP at a rate of \$6000 a year; paid on a monthly basis, and subject to the availability of funds, and applicable State and Federal taxes for the life of the agreement. Any previous BCP

would be stopped, and any overlapping payments would be adjusted and recouped as necessary. The HPO BCP agreement was approved on 14 January 2021.

c. Email correspondence from January 2021 to September 2022 between the applicant, OTSG Special Pay, and the Chief, Military Human Resources Branch/S-1, wherein inquiries were made regarding the status of her board certification/specialty pay. The OTSG was unable to process her request for payment because it was not received in time and directed her to apply to the ABCMR.

5. On 19 September 2023 the Chief, Special Pay Branch, Human Resources, G-1, OTSG stated, in effect, a review of supporting documentation, policy, special pay, and finance data, the applicant was eligible (met all requirements) to receive the \$6,000 per year HPO BCP, effective 1 October 2020-30 September 2022. The current effective date is 1 October 2022. The applicant is eligible to receive the HPO BCP (\$6,000/yr.) totaling \$12,283.33; \$1,783.33 (14 September 2020-30 December 2020); \$6,000 (1 January 2021-31 December 2021); \$4,500 (1 January 2022-30 September 2022). The exact arrears payment is determined by the Defense Finance Accounting Service.

6. The applicant was provided a copy of the advisory opinion for review on 19 September 2023. She responded on 25 September 2023 with no objections to the advisory findings that she was eligible to receive HPO BCP totaling \$12,283.33.

7. At the effective date of IP agreement/contract, the Health Professions Officer (HPO) must have a current, valid, and unrestricted state license in the critical specialty authorized for the incentive; current certification, registration and additional credentials or privileges required to perform the duties in the specialty.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered.

2. The Board concurs with the Advisory opinion from the Chief, Special Pay Branch, Human Resources, G-1, OTSG. The applicant is eligible to receive the HPO BCP (\$6,000/yr.) totaling \$12,283.33; \$1,783.33 (14 September 2020-30 December 2020); \$6,000 (1 January 2021-31 December 2021); \$4,500 (1 January 2022-30 September 2022). The Defense Finance Accounting Service will determine the exact arrears payment. Her record should be corrected to show her request for board certification/specialty pay was timely receive and processed and pay her accordingly.

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:

- a. correct the applicant's record to show he submitted a timely request for HPOBCP, and that was timely accepted, processed, and approved by the appropriate official.
- b. paying the applicant BCP for the periods 14 September 2020-30 December 2020; 1 January 2021-31 December 2021; and 1 January 2022-30 September 2022 in accordance with the signed HPOBCP agreement. The Defense Finance Accounting Service will determine the exact arrears payment.

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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. Department of Defense Instruction 6000.13, 30 December 2015 with Change 1, 3 May 2016, states at the effective date of IP agreement/contract, the Health Professions Officer (HPO) must have a current, valid, and unrestricted state license in the critical specialty authorized for the incentive; current certification, registration and additional credentials or privileges required to perform the duties in the specialty.
2. Army Regulation 37-104-4, Military Pay and Allowances Policy, 8 July 2005, Chapter 20 - Settlement Actions Resulting from Correction of Records by the Army Board for Correction of Military Records (ABCMR); only the Director, DFAS may make settlement actions affecting the military pay accounts of Soldiers as a result of correction of records by the ABCMR per provisions of AR 15-185, ABCMR. Additional special pay will be paid to medical or dental officers on the effective date of their agreement to remain on active duty for at least one additional year.

//NOTHING FOLLOWS//