

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 July 2024

DOCKET NUMBER: AR20230002374

APPLICANT REQUESTS: retroactive pay of the Health Professions Officer Incentive Pay (HPO IP), to include a pay increase from Pos-Graduate Year (PGY)-1 to PGY-2, with an effective date to reflect her Residency Start date of 1 July 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) Level 3 Performance Profile
- Residency Incentive Pay Form Request
- Virginia Department of Health Professionals License Lookup

FACTS:

1. The applicant states, in effect,

a. While her Residency Incentive Pay form was submitted on 23 May 2022 for processing prior to the expected pay change on 1 July 2022 to Ms. MC in the Human Resources (HR) section as instructed, Ms. MC later admitted that it was overlooked in her email inbox at the time. Ms. MC believes that this was due to the email changeover around that time.

b. Her Incentive Pay for graduation from Intern Year (PGY-1) to Resident (PGY-2) should have started in July 2022, but was only initiated after the change in the Fiscal Year (October 2022) despite appropriate documentation (Residency Incentive Pay Form) completed prior to July 2022. Incentive Pay increases from \$1,000/year to \$8,000/year, which means that she is missing \$1,998 from the time that she should have started to receive the increased incentive pay.

2. The applicant provides:

a. Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) Level 3 Performance Profile, test dates 6 December 2021 thru 13 December 2021, reflects the applicant passed with a score of 667.

b. Residency Incentive Pay Form Request was submitted as an attachment in an email dated 23 May 2022 addressed to Ms. MC of the U.S. Army Medical Command (MEDCOM) Tripler Army Medical Center (TAMC).

c. Virginia Department of Health Professionals License Lookup, dated 13 January 2023, reflects the applicant's license expire date as 31 January 2024, with a license status of current active.

3. A review of the applicant's service record shows:

a. USAREC Form 601-37.28 (DA Service Agreement, F. Edward Herbert Arnold Force Health Professions Scholarship Program (AFHPSP)) (10 pages), signed on 25 October 2017, is a service agreement used as the contract between the U.S. Army and student selected to enter the scholarship program. The program offers financial support in return for an active duty obligation of four (4) years.

b. On 25 October 2017, she took the Oath of Office as a second lieutenant (2LT), Reserve Commissioned Officer.

c. U.S. Army Garrison – Hawaii orders 127-0019, dated 6 May 2024, reflects the applicant was directed an interservice transfer, releasing her from further active duty with the Department of the Army, and her commissions in the Regular Army and Army of the United States are vacated effective on execution of oath of office in the Service (U.S. Navy) to which she is transferring. Effective date of transfer is 18 June 2024.

d. DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was honorably released from active duty on 17 June 2024, under the provision of Army Regulation (AR) 614-120 (Interservice Transfer of Army Commissioned Officers on the Active Duty List), Interdepartmental Transfer. She served 3 years and 22 days of net active service this period and 3 years, 7 months, and 1 days of total prior inactive service.

4. Office of The Surgeon General provided an advisory opinion on 14 June 2024, in the processing of this case. The advisory official stated:

a. The Army Medical Department (AMEDD) Special Pay Branch provides this advisory opinion to inform the Health Professions Officer in the Army Medical Department (AMEDD) about the eligibility criteria and the calculation of the arrears payment for the Health Professions Officer Incentive Pay (HPO IP) effective date amendment.

b. The officer requests the Health Professions Officer Incentive Pay (HPO IP) effective date be amended to reflect 20220701 (Residency Start Date). A meticulous

review of the relevant supporting documentation, special pay, and finance data confirms that the Officer has indeed met all eligibility criteria for the requested effective date; the current effective date is 20221001 for \$8,000/yr.

c. Considering the above discussion, the Officer met all the eligibility criteria. The Officer is eligible to receive \$666.66/month for 20220701-20220930, totaling \$1,999.98. However, the officer already received \$300.00 for the intern residency. This amount must be deducted from the total among eligible. The total amount eligible, less the \$300.00 already received, is \$1,699.98. DFAS-IN will calculate the exact arrears payment, ensuring a fair and accurate distribution of funds.

5. The applicant was notified of the advisory opinion provided by the Office of the Surgeon General. She was afforded the opportunity to submit comments on the advisory opinion; however, as of the date of this writing, none have been received.

6. Department of Defense (DoD) 7000.14-R (Financial Management Regulation), Volume 7A: "Military Pay Policy – Active Duty and Reserve Pay," Chapter 5: "Health Professions Officer (HPO) Special and Incentive Pay" establishes policy pertaining to Health Professions Special & Incentive (HPS&I) Pay. Each HPS&I pay is in addition to any other pay or allowance to which an HPO is eligible except as specified in sections 0503 through 0508.

#### BOARD DISCUSSION:

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. The applicant requests Health Professions Officer Incentive Pay (HPO IP) effective date be amended to reflect 1 July 2022 (Residency Start Date). The Board found the applicant's contention reasonable and supported. The Board also reviewed and agreed with the Army Medical Department (AMEDD) Special Pay Branch that the applicant met all the eligibility criteria. The applicant is eligible to receive \$666.66/month for the period 1 July 2022 to 30 September 2022, totaling \$1,999.98, less any intern residency pay already received. The applicant already received \$300.00 for the intern residency. This amount must be deducted from the total among eligible. DFAS-IN will calculate the exact arrears payment.

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:

- showing the Health Profession Officer (HPO)/Applicant timely submitted a request for Resident HPO IP for the period 1 July 2022 to 30 September 2022
- showing the HPO’s request was approved by the appropriate office and paying him any Resident HPO IP at the appropriate rate, less any Intern HPO IP received during the same period, as a result of this correction

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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. Army Regulation (AR) 135-7 (Army National Guard and Army Reserve - Incentive Programs) establishes a single reference for incentives authorized within the Army National Guard and the Army Reserve. Chapter 7 provides policy and guidance for the administration of the Health Professionals Loan Repayment (HPLR) Program. Under section 16302, title 10, U.S. Code, the program is designed to repay designated loans

secured by eligible commissioned officers of the Medical Corps (MC) and Army Nurse Corps (ANC) assigned to the Selected Reserve.

2. Department of Defense (DoD) 7000.14-R (Financial Management Regulation), Volume 7A: "Military Pay Policy – Active Duty and Reserve Pay," Chapter 5: "Health Professions Officer (HPO) Special and Incentive Pay" establishes policy pertaining to Health Professions Special & Incentive (HPS&I) Pay. Each HPS&I pay is in addition to any other pay or allowance to which an HPO is eligible except as specified in sections 0503 through 0508. Table 5-4 Medical Corps IP and RB contains the most current rates, see the Medical Corps IP/RB table on DFAS.mil.

//NOTHING FOLLOWS//