

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 December 2023

DOCKET NUMBER: AR20230002577

APPLICANT REQUESTS: Exception to Policy (ETP) to retroactively receive Health Professions Officer Incentive Pay (HPO IP) for the period of 22 August through 21 November 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum for Surgeon General of the Army, Human Resources Army Medical Department (AMEDD) Special Pay Branch, Subject: Request for HPO IP
- Application for Clinical Privileges/Medical Staff Appointment

FACTS:

1. The applicant states in effect, he requests an ETP for receipt of HPO IP for the period of 22 August through 21 November 2022. He was credentialed as a Urologist on 22 August 2022 but he did not receive his HPO IP until 21 November 2022. He should have received HPO IP for Urology when he became credentialed. He was not aware that he needed to request HPO IP.

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

a. On 18 October 2010, the applicant was appointed as a Reserve commissioned officer and executed his oath of office.

b. On 26 January 2011, Orders Number C-01-101215, issued by the U.S. Army Human Resources Command (HRC), the applicant was assigned to the U.S. Army Reserve (USAR) Control Group (Officer Active Duty Obligor (OADO)), effective 18 October 2010.

c. On 21 April 2014, Orders Number A-04-499062, issued by HRC, the applicant was appointed in the U.S. Army and ordered to active duty effective the date of entry on active duty 6 June 2014.

d. On 16 May 2014, the applicant was granted his degree of Doctor of Medicine from the Drexel University College of Medicine.

e. On 7 September 2018, the applicant requested and was approved for HPO IP in the amount of \$8,000.00 per year, prorated monthly in Area of Concentration (AOC) 60K (Urologist).

f. The applicant completed the initial Urology Residency during the period of 1 July 2018 through 30 June 2019 at the University of Texas Health Science Center.

g. The applicant completed the final Urology Residency during the period of 1 July 2021 through 30 June 2022 at the University of Texas Health Science Center.

3. The applicant provides:

a. HPO IP request shows the applicant requested HPO IP on 13 December 2022, to be effective 22 November 2022, in the amount of \$51,000.00 per year, prorated monthly in AOC 60K. The form was not signed by the approval authority.

b. The application for Clinical privileges/medical staff appointment shows the applicant was granted privileges on 12 August 2023 as a Urologist at Blanchfield Army Community Hospital.

4. On 1 November 2023, in the processing of this case, the Office of the Surgeon General, provided an advisory opinion regarding the applicant's request for retroactive HPO IP effective 22 August 2022. The advisory official stated the applicant was eligible to received HPO IP beginning 22 August 2022. He received HPO IP during the period of 22 August through 21 November 2022 at the \$8,000.00 rate totaling \$1,999.97. This amount will be deducted from the total amount eligible. The applicant is eligible for the \$51,000.00 per year. HPO IP totaling \$12,750.00 (\$1,275.00; 22 through 30 August 2022: \$8,500.00; 1 September through 30 October 2022; \$8,500.00: \$2,975.00; 1 November through 21 November 2022. $\$12,750.00 - \$1,999.97 = \$10,750.03$, this is the total amount the applicant is eligible to receive. The exact arrears payment is determined by the Defense Finance and Accounting Service.

5. On 3 November 2023, the Army Review Board Agency, Case Management Division provided the applicant the advisory opinion for review and comment. He did not respond.

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 Board carefully

considered the applicant's contentions, the military record, and regulatory guidance. The Board considered the terms and conditions by which the applicant was eligible for Health Professions Officer Incentive Pay as defined by U.S. Code and Department of Defense Instruction. The Board found sufficient evidence that the applicant was approved for HPO IP based on his credentialing as a Urologist. The Board agreed that the applicant was eligible to received HPO IP beginning 22 August 2022 and received HPO IP for the period of 22 August through 21 November 2022 at the \$8,000.00 rate totaling \$1,999.97. As the applicant has already received that amount, it will be deducted from the total amount eligible. The Board further agreed that the applicant is eligible for the \$51,000.00 per year. HPO IP totaling \$12,750.00 (\$1,275.00; 22 through 30 August 2022: \$8,500.00; 1 September through 30 October 2022; \$8,500.00: \$2,975.00; 1 November through 21 November 2022. $\$12,750.00 - \$1,999.97 = \$10,750.03$, this is the total amount the applicant is eligible to receive. After due consideration of the request, the Board determined the evidence presented sufficient to warrant a recommendation for relief.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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 applicant is authorized payment of Health Professions Officer Incentive Pay (HPO IP) based on his credentialing as a Urologist for the following periods:

- 22 through 30 August 2022 - \$1,275.00
- 1 September through 30 October 2022 - \$8,500.00
- 1 November through 21 November 2022 - \$2,9750.00

2. Minus payment already received, the applicant is eligible to receive \$10,750.03, the exact amount of arrears payment to be determined by the Defense Finance and 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), (b) 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. (e) (Maximum Amount and Method of Payment), (1) Maximum amount. The Secretary concerned shall determine the amounts of a bonus or incentive pay to be paid under this section, except that (D) health professions incentive pay under subsection (b) may be paid monthly and may not exceed, in any 12-month period; (i) \$100,000.00 for medical officers and dental officers; and (ii) \$15,000.00 for officers in other health professions.

2. Department of Defense Instruction 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs)), to establish policy, assign responsibilities, and prescribe procedures for: a. Military Department payment of incentives and bonuses to HPOs pursuant to section 335 of Title 37, USC, Paragraph 10 f. Board Certification Pay. To be eligible for BCP, an HPO must: (1) Be entitled to basic pay under section 204 of Reference (c) or compensation under section 206 of Reference (c). (2) Have a post-baccalaureate degree in a clinical specialty. A post-master's certificate acceptable to the Secretary concerned can satisfy this requirement. (3) Be certified by a professional board in a designated health profession clinical specialty. (4) Be serving on AD or in an active status in the specialty of the board certification.

//NOTHING FOLLOWS//