

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 January 2024

DOCKET NUMBER: AR20230003728

APPLICANT REQUESTS: retroactive entitlement to Health Professions Officer Board Certification Pay (HPO BCP), effective 13 October 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- American Board of Emergency Medicine certification, 9 January 2023
- Leave and Earnings Statement (LES), 1-28 February 2023
- Email communication, October 2022 - March 2023
- Copies of Department of Defense (DoD) 7000.14-R, Financial Management Regulation (FMR), Volume 7A, Chapter 5 (BCP)

FACTS:

1. The applicant states that the Physician Specialty HPO BCP was not initiated prior to 1 October 2022, despite him receiving board certification on 13 October 2021, and providing evidence of such. This has resulted in nearly 12 months of lost HPO BCP totaling almost \$6,000.00. He has attempted to rectify this through S-1 and finance channels and was instructed to submit an Army Review Boards Agency (ARBA) request.

2. A review of the applicant's military records show the following:

a. Having prior Regular Army enlisted service and after enrolling to participate in the U.S. Army Health Professions Scholarship Program (HPSP), DA Form 71 (Oath of Office - Military Personnel) shows he was appointed as a Reserve commissioned officer and executed an oath of office on 10 June 2013.

b. On 8 August 2013, the U.S. Army Human Resources Command (HRC) published Orders Number C-08-311121, which assigned the applicant to the U.S. Army Reserve (USAR) Control Group (Officer Active Duty Obligor) for appointment, effective 10 June 2013.

c. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant achieved course standards for the Army Medical Department Basic Officer Leader Course (HPSP/Reserve Component) on 26 July 2014.

d. On 6 April 2017, HRC published Orders Number A-04-700474, which ordered the applicant to active duty for acceptance of Regular Army appointment with a report date of 1 June 2017.

e. On 7 April 2017, HRC published Order Number 417-097-SG7-13, which appointed the applicant in the Regular Army Medical Corps in the rank of captain, effective on the execution of the oath of office.

f. DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officers)) shows the applicant was granted his Doctor of Medicine degree from the University of Central Florida on 19 May 2017 and awarded 4 years of constructive credit which qualified him for the entry grade of captain.

g. On 10 January 2019, the State of Nebraska, Department of Health and Human Services Division of Public Health granted the applicant License Number [REDACTED] to practice as a Physician. The Nebraska Public Health Licensure Unit verified the certification of licensure on or about 16 May 2019.

h. His record is void of a request for HPO BCP.

3. In support of his case, the applicant provides:

a. American Board of Emergency Medicine certification dated 9 January 2023, which shows he is board certified in Emergency Medicine from 13 October 2021 to 31 December 2026.

b. LES for the month of February 2023 which shows his pay and allowances for the month. It does not show he received HPO BCP.

c. Email communication during the period of October 2022 through March 2023, which shows the applicant requested assistance to receive HPO BCP and was told to submit a request to ARBA.

d. Copies of DoD FMR 7000.14-R, Volume 7A, Chapter 5 (BCP), which shows the eligibility requirements for BCP.

4. On 17 August 2023, the Office of the Surgeon General (OTSG), Chief, Special Pay Branch Human Resources, G-1, provided an advisory opinion for this case and stated:

a. A review of supporting documentation, policy, special pay, and finance data, shows the applicant was eligible and met all requirements to receive the \$6,000.00/year HPO BCP effective 13 October 2021 - 31 August 2023. Due no fault of the applicant, the required documents were not processed as required.

b. The applicant is eligible to receive the HPO BCP (\$6,000.00/year) totaling \$11,300.00; \$1,300.00 (13 October 2021 - 31 December 2021); \$6,000.00 (1 January 2022 - 30 December 2022); \$4,000.00 (1 January 2023 - 30 August 2023). The exact arrears payment is determined by Defense Finance and Accounting Service-Indianapolis.

5. On 1 September 2023, the applicant was provided a copy of the OTSG advisory opinion for comments or rebuttal. He did not respond.

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 Board carefully considered the applicant's request, supporting documentation and the terms and conditions of the Health Professions Officer Board Certification Pay (HPO BCP). The Board found the applicant was eligible for and met all conditions for HPO BCP. However, due to circumstances outside of his control, the required documentation was not processed as required. After due consideration of the request, the Board 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:

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 to show the applicant is eligible to receive the HPO BCP (\$6,000.00/year) totaling \$11,300.00 for the following periods.

- \$1,300.00 (13 October 2021 - 31 December 2021);
- \$6,000.00 (1 January 2022 - 30 December 2022);
- \$4,000.00 (1 January 2023 - 30 August 2023).

2. The exact arrears payment is determined by Defense Finance and Accounting Service-Indianapolis.



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. DoD FMR 7000.14-R, Volume 7A, Chapter 5, Section 5.0 (BCP), subsection 5.1 (Eligibility) states, to be eligible for HPO BCP a member must be serving in an Active Component or Reserve Component of a Military Service and entitled to basic pay under Title 37, United States Code (USC), section 204 or compensation pursuant to Title 37, USC, section 206; and be serving on active duty or in an active Reserve status in a designated health professional specialty. Have a post-baccalaureate degree in a clinical specialty and be certified by a professional board in a designated health profession clinical specialty. Section 5.2 (Amount) states, the annual amount payable is \$6,000.00, to be prorated monthly.

2. Department of Defense Instruction 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs), currently in effect, states special pays for officers in a health profession are additional to any other pay or allowance to which an officer is entitled. To be eligible, an officer must sign a service agreement that specifies the amount of the bonus and method of payment, as well as the period of obligated service for the pay. The participant must have a current, valid, and unrestricted license, and must maintain all licensing, credentialing, specialty qualifications, and privilege requirements. The special pay may be terminated if the officer fails to fulfill the conditions of the agreement, or by the Secretary concerned for reasons such as a loss of privileges, court-martial conviction, or failure to maintain a current, unrestricted license.

//NOTHING FOLLOWS//