

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 September 2024

DOCKET NUMBER: AR20230003736

APPLICANT REQUESTS: correction of her constructive credit as a direct commission officer and any applicable adjustment to her date of rank

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

- DD Form 149 (Application for Correction of Military Record)
- [REDACTED] Nursing License
- DA Form 5074-1-R (Record of Award of Entry Grade Credit)
- DA Form 71 (Oath of Office - Military Personnel)
- Orders A-09-201007 Order to Active Duty
- General Healthcare Resources Employment Letter
- [REDACTED] Hospital Employment Letter
- [REDACTED] Hospital Employment Letter
- Curriculum Vitae

FACTS:

1. The applicant states she direct commissioned as an officer in the Army Nurse Corps with an active duty start date of 13 November 2022.

a. With the length of time it took to receive her commission, the applicant obtained additional civilian nursing experience related to her area of concentration (AOC) that was not accounted for on her constructive credit form. She has a total of 5,640.5 hours working as a registered nurse in the civilian sector equivalent to 156.68 weeks or 3 years working a full-time schedule of 36 hours per week.

b. All of this has been performed in a relevant bedside setting to the applicant's current AOC. She would greatly appreciate a reevaluation of her DA Form 5074-1-R to reflect her total experience as a registered nurse and subsequent rank if it exceeds the necessary constructive credit requirements to make first lieutenant.

2. The applicant provides the following documents:

a. [REDACTED] Board of Nursing License shows she has been authorized as a Registered Nurse with an issue date of 20 June 2019 and an expiration date of 30 November 2024.

b. Letter from General Healthcare Resources, 8 March 2023, states she worked as a registered nurse from 30 May 2022 through 27 August 2022 and worked 36 hours a week for a total of 462 hours.

c. Letter [REDACTED] Hospital, 9 March 2023, states she worked as a full-time registered nurse. In 2019 she worked 901 hours, in 2020 she worked 1,980.75 hours, and in 2021 she worked 61 hours.

d. Letter from [REDACTED] Hospital, 10 March 2023, states she worked as a registered nurse from 11 January 2021 through 26 February 2022, 36 hours per week for a total of 2,235.75 hours.

e. Her Curriculum Vitae shows her licenses, work experience, education, certifications, professional affiliations and leadership, and honors and awards. The document is available for the Board's review.

3. The applicant's service record contains the following documents:

a. A letter of intent, 17 December 2021, in which the applicant acknowledges that, if selected for appointment as an officer in the Regular Army, Army Nurse Corps, she will accept the offer.

b. Orders A-09-201007, dated 26 September 2022 and published by U.S. Army Human Resources Command, directing the applicant to enter active duty in the rank of second lieutenant (2LT) with a report date of 13 November 2022.

c. DA Form 71 shows she took the oath of office in the Regular Army, Army Nurse Corps in the rank/grade of 2LT/O-1, on 13 November 2022.

d. DA Form 5074-1-R, 19 November 2022, shows the applicant attended [REDACTED] College during the inclusive dates of 4 August 2018 through 30 June 2020 with no credit awarded toward her rank. The form reflects credit for professional experience from 8 July 2019 through 16 November 2021, and that she was awarded 1 year, 2 months, and 4 days of constructive credit. The form additionally states her constructive credit qualified her for the rank/grade of 2LT/O-1.

4. On 3 April 2024, the Program Manager, Headquarters, U.S. Army Recruiting Command (USAREC) and Fort Knox provided an advisory opinion; the Program Manager states:

a. After careful review of the applicant's record, it is the opinion of Health Services Directorate, USAREC that the applicant's constructive credit should be adjusted on the DA Form 5074-R to give credit for her work experience after she boarded, up until she stopped working on 27 August 2022 and prior to being accessed onto active duty. Based on her curriculum vitae, her work experience is:

- 8 July 2019 to 2 January 2021 (267 days)
- 11 January 2021 to 26 February 2022 (203 days)
- 30 May 2022 to 27 August 2022 (44 days)

b. The Department of Defense Instruction 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPO)) states, "credit of one-half year for each year of experience, to a maximum of 3 years, may be granted for experience in a health profession." Thus, the applicant's constructive credit should be adjusted from 1 year, 2 months, and 4 days to 1 year, 5 months, and 4 days. Also, it is important to note that constructive credit is not calculated by how many hours worked; instead it is by how many days. This correction to her constructive credit does not change her initial entry grade.

5. On 3 April 2024, the Army Review Boards Agency forwarded the applicant a copy of the advisory opinion for review and the opportunity to submit a statement or additional evidence on her own behalf; the applicant did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.

2. The Board concurred with the conclusion of the advisory official that the evidence supports adjusting the applicant's constructive service credit to account for the professional experience she gained while her application for appointment was pending review and approval. Based on a preponderance of the evidence, the Board determined the applicant's constructive credit should be adjusted to 1 year, 5 months, and 4 days.

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 she was credited with 1 year, 5 months, and 4 days of constructive service upon her accession into the Army Nurse Corps.

2/26/2025

X

CHAIRPERSON

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 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPO)) states the following in Enclosure 3 (Procedures), paragraph 1c (Constructive Service Credit):

a. This credit is awarded to a person who begins commissioned service after obtaining the additional education, training, or experience required for appointment, designation, or assignment as an HPO. The designation will be to the same grade and date of rank comparable to that attained by officers who begin commissioned service after getting a baccalaureate degree and serve for the period of time it would take to obtain the additional education. Constructive service credit will only be used to determine initial grade, rank in grade, and service in grade for promotion eligibility.

b. One year of constructive service credit will be granted for each year of graduate level education toward the first professional degree completed when that degree is required for appointment in the professional specialty being entered. The maximum number of years of constructive service credit that may be awarded under this provision is the number of years of graduate level education required by a majority of institutions that award degrees in that professional field.

c. Credit for master's and doctorate degrees in a health profession other than those listed in paragraph 1c(3)(a) (i.e., doctors of osteopathic medicine, doctors of dental surgery, doctors of dental medicine, and doctors of veterinary medicine) of this enclosure may be awarded based on actual full-time equivalent education of up to 2 years for a master's degree and up to 4 years for a doctorate degree. Credit may not include time spent in attainment of baccalaureate or other lower degrees. No additional credit may be given for more than one advanced degree in a single field or closely related field. The total credit allowed for both a master's and a doctorate degree may not exceed the maximum allowed for a doctorate.

d. Credit will be awarded for any period of advanced education in a health profession (other than medicine and dentistry) beyond the baccalaureate degree level that exceeds the basic education required for the appointment, if such advanced education will be directly used by the Military Department concerned.

e. Credit may only be given for experience in a health profession other than medicine or dentistry if such experience will be directly used by the Military Department concerned.

2. Army Regulation 135-101 (Appointment of Reserve Commissioned Officers for Assignment to Army Medical Department Branches) states:

a. Grade and date of rank upon original appointment and assignment to an AMEDD branch will be determined by the number of years of entry grade credit awarded. Except as limited by maximum credit limits (a below (Medical Corps and Dental Corps), entry grade credit granted will be the sum of constructive service credit and credit for prior active commissioned service. Entry grade credit awarded to AMEDD officers upon-appointment or assignment will be recorded on DA Form 5074-R.

b. Table 3-1 (Constructive Service Credit) states for Medical Service Corps credit one year for each year (or school year) limited by level of degree. Credit for additional advanced degrees (see Table 3-4). Degree must add adjunctive skill to primary specialty and must contribute directly to performance in anticipated duty position.

//NOTHING FOLLOWS//