

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 January 2024

DOCKET NUMBER: AR20230004222

APPLICANT REQUESTS: retroactive payment of Health Professions Officer Incentive Pay (HPO IP) (residency) effective 1 July 2023 to 30 September

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

- DD Form 149 (Application for Correction of Military Record)
- Letter of Lateness, 30 December 2022
- Request for Health Professions Officer Incentive Pay, 21 December 2022
- January 2023 Leave and Earnings Statement
- Residency Contract

FACTS:

1. The applicant states he is currently a general surgery resident working at Tripler Army Medical Center, HI. He is receiving \$8,000 annual residency incentive pay that was supposed to start being paid in July 2022 in approximately \$666 increments. Despite the contract being completed in July 2022, it was not correctly submitted until December 2022 at which time he was told that to receive back pay before October 2022, he would need to submit a request through this system. He received back pay to October 2022 and he is now being paid the correct amount but can't be paid the amount from July-October due to this administrative issue due to fiscal year justification. He has attached the contract and the letter of lateness, and he is requesting whatever needs be done to receive the appropriate back-pay from July 2022 to October 2022. He was specifically told by HRD at Tripler that this is the correct process and that a simple pay inquiry or another memo would not suffice. The error was caused because Mrs. [Name] did not submit his contract in a timely fashion.

2. He provides a letter of lateness, signed by the Commander, Tripler Army Medical Center, who states the special pay contract for [Applicant] is submitted late and no fault of the officer. The applicant reached out to the Special Pay point of contact at Tripler in July and again in October. Due to the 365 migration his email was not received.

3. Review of the applicant's service records shows:

a. The applicant was appointed a Regular Army medical service officer and executed an oath of office on 11 June 2017.

b. Following completion of medical school at the Uniformed Services University of the Health Sciences, and promotion to captain in May 2021, he was assigned as a General Surgery Intern at Tripler AMC, HI in July 2021.

c. On 21 December 2022, he signed a Request for Health Professions Officer Incentive Pay, as a licensed and credentialed General Surgeon (61J), agreeing to serve on active duty effective 1 October 2022, in exchange for an annual incentive pay.

d. He also signed a residency form indicating that he is a graduating Intern scheduled to attend Residency training soon after graduation and would be eligible to receive the \$8,000.00 Residency Incentive Pay upon entry into Residency.

4. On 13 September 2023, the Office of The Surgeon General, Special Pay, provided an advisory opinion in the processing of this case. An advisory official restated the applicant's request for retroactive Health Professions Officer Incentive Pay (HPO IP) (residency) effective, 20230701. After review of supporting documentation, policy, special pay, and finance data, the advisory official indicated the applicant was eligible to receive the HPO IP on the requested date. The officer is eligible to receive the HPO IP (\$8,000.00) for 20220701-20220930 timeframe, in the amount of \$2,000.00. Soldier already received the intern HPO IP (\$1,200.00) in the amount of \$300.00 for the same timeframe, which must be deducted from the total amount eligible. As such, the Officer is eligible to receive a total of \$1,700.00 ($\$2,000.00 - \$300.00 = \1700.00) for the timeframe mentioned above. The exact arrears payment is determined by DFAS-IN.

5. The applicant was provided with a copy of this advisory opinion to give him an opportunity to provide a response. 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant requests retroactive Health Professions Officer Incentive Pay (HPO IP) (residency) effective, 1 July 2023. The Board reviewed and agreed with the OTSG advisory official's finding that the applicant was eligible to receive the HPO IP on the requested date. The applicant is eligible to receive the HPO IP (\$8,000.00/year) for the period 20220701-20220930, in the amount of \$2,000.00. He already received the intern HPO IP (\$1,200.00) in the amount of \$300.00 for the same timeframe, which must be deducted from the total amount eligible. As such, the Board determined the applicant is

eligible to receive a total of \$1,700.00 (\$2,000.00-\$300.00=\$1700.00) for the timeframe mentioned above. The exact arrears payment is determined by DFAS-IN.

BOARD VOTE:

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:	:	:	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 applicant timely submitted the appropriate form/contract for eligibility for payment of Health Professions Officer (HPO) Incentive Pay (IP) at the appropriate rate for the period 1 July 2022 to 30 September 2022
- showing the appropriate office timely received and approved her request for payment, less any interim HPO IP the applicant may have already received

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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. DODI 6000.13 defines HPO (Health Professions Officer) as officers designated as a medical officer, dental officer, veterinary officer, medical service officer or biomedical sciences officer, medical specialist, or a nurse.
2. DOD 7000.14-R, Financial Management Regulation, Volume 7A, Chapter 5 authorizes various incentive pays for a variety of medical specialties. HPO Incentive Pay (IP) is authorized for certain specialties. For General Medical Officer , the incentive pay is \$20,000/year prorated monthly, for Initial Residency (Post Graduate Year 2) the rate is \$8,000/year, prorated monthly, and for Internship is \$1,200/year prorated monthly. Eligibility date begins not earlier than upon completion of qualifying training and date of privileging or licensure as an HPO. The HPO must execute a binding written IP agreement to remain on active duty beginning on the agreement effective date.

//NOTHING FOLLOWS//