

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 February 2024

DOCKET NUMBER: AR20230005263

APPLICANT REQUESTS: Exception to Policy (ETP) to receive Health Professions Officer Board Certification Pay (HPO BCP) effective 24 July through 30 September 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- American Board of Orthopaedic Surgery verification
- American Board of Orthopaedic Surgery letter, 2 September 2022
- E-mail from the applicant
- E-mail from the U.S. Army Human Resources Command (HRC)
- Memorandum for Surgeon General of the Army, Human Resources Army Medical Department (AMEDD) Special Pay Branch, Subject: Request for HPO BCP

FACTS:

1. The applicant states in effect, he passed his American Board of Orthopaedic Surgery examination on 2 September 2022 at which time he submitted the request for HPO BCP at Tripler Army Medical Center (TAMC) on 13 September 2022. After delays, TAMC approved his request retroactively to 1 October 2022. He is requesting an ETP to received HPO BCP for the period of 24 July through 30 September 2022.

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

a. On 28 June 2010, the applicant executed his oath of office and was appointed as a Reserve commissioned officer.

b. On 27 September 2010, Orders Number C-09-013649, issued by HRC, the applicant was assigned to the U.S. Army Reserve Control Group (Officer Active Duty Obligors (OADO)), effective 28 June 2010.

c. DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officers)) dated 21 November 2013m shows ██████████ University conferred the degree of Medical Doctor on the applicant on 17 May 2014.

d. On 21 April 2014, Orders Number A-04-499258, issued by HRC, the applicant was ordered to active duty, effective 3 June 2014, with assignment to TAMC to attend the internship training program in Orthopaedics.

e. On 2 September 2022, the American Board of Orthopaedic Surgery notified the applicant he passed the American Board of Orthopaedic Surgery Oral Board Certification Examination and was a diplomate of the American Board of Orthopaedic Surgery. The certification was valid for 10-years.

3. The applicant provides:

a. American Board of Orthopaedic Surgery verification which stated he was certified in General Orthopaedics effective 24 July 2022.

b. Email from the applicant dated 13 September 2022, wherein the applicant inquired about who he needed to submit his request for HPO BCP to.

c. Email from the Human Resources Assistance at TAMC dated 17 April 2023 stated the applicant was required to submit his request for retroactive HPO BCP for the prior fiscal year to the Army Board for Correction of Military Records.

d. Memorandum for Surgeon General of the Army Human Resources AMEDD Special Pay Branch, Subject: Request for HPO BCP dated 17 April 2023 shows for specialty Orthopedic Surgeon certified by the American Board of Medical Specialties effective 1 October 2022 the applicant requested HPO BCP for 1-year retainability on active duty to be paid \$6,000.00 per year to be paid on a monthly basis. The memorandum was endorsed by the senior commander.

4. On 27 September 2023, in the processing of this case, the Office of the Surgeon General, provided an advisory opinion regarding the applicant's request for HPO BCP effective 24 July 2022. The advisory official stated after review of the application and supporting documentation it was determined the applicant was eligible to receive HPO BCP effective 24 July 2022, the request was submitted after the deadline due to no fault of the applicant. He is eligible to receive a total of \$1,166.66 for the period of 24 July through 1 October 2022; the amount of \$116.66 for the period of 24 through 30 July 2022 and \$1,000.00 for the period of 1 August through 30 September 2022. The exact arrears payment to be determined by the Defense Finance and Accounting Service.

5. On 29 September 2023, the Army Review Boards Agency, Case Management Division provided the applicant the advisory opinion for review and comment. 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 record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and the Office of the Surgeon General- Special Pay Branch Human Resources, G-1 advisory opinion, the Board concurred with the advising official finding the applicant is eligible to receive HPO-BCP effective 24 July 2022. The Board noted, the opine determined the applicant is eligible to receive a total of \$1,166.66 for the period of 24 July through 1 October 2022; the amount of \$116.66 for the periods of 24 through 30 July 2022 and \$1,000.00 for the period of 1 August through 30 September 2022. The exact arrears payment to be determined by DFAS-IN. As such, the Board granted relief.

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 to show the applicant is eligible for an exception to policy (ETP) to receive Health Professions Officer Board Certification Pay (HPO BCP) effective 24 July 2022. The applicant is eligible to receive a total of \$1,166.66 for the period of 24 July through 1 October 2022; the amount of \$116.66 for the periods of 24 through 30 July 2022 and \$1,000.00 for the period of 1 August through 30 September 2022. The exact arrears payment to be determined by DFAS-IN.

3/29/2024

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. Title 37 United States Code (USC), 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. Board certification incentive pay under subsection (c) may not exceed \$6,000.00 for each 12-month period an officer remains certified in the designated health profession specialty or skill.

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//