

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 November 2024

DOCKET NUMBER: AR20230006380

APPLICANT REQUESTS:

- in effect, correction of Part III (Computation of Entry Grade and Date of Rank) on his DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officers)) to show 6.5 vice 4 years of constructive service credit
- Based on the foregoing correction, adjust his active date of rank (ADOR)

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

- DD Form 149 (Application for Correction of Military Record)
- Curriculum Vitae
- DA Form 5074-R
- Three State Licenses
- University Transcripts
- Diploma

FACTS:

1. The applicant states he believes he is entitled to the additional 2.5 years of constructive service credit based on his prior work experience as a dentist, and the award of a Master of Science degree in Administration (MSA).

a. The applicant points out that, per Army Regulation (AR) 135-101 (Appointment of Reserve Commissioned Officers for Assignment to Army Medical Department (AMEDD) Branches), table 3-1 (Constructive Service Credit), service credit can be awarded for advanced degrees that add "adjunctive skills to (the) primary specialty." The table additionally states that the degree must "contribute directly to performance in anticipated duty position(s)."

b. The applicant asserts, "My MSA degree provides me with the necessary skills and knowledge to excel as a dental provider, Clinic Officer-In-Charge (OIC), and Unit Commander within the Army Dental Corps."

(1) "As a dental provider, my MSA degree has taught me effective communication and interpersonal skills that are crucial for building strong relationships with patients and ensuring effective communication between healthcare professionals."

(2) "In particular, the course 'Human Relations Skills' has been instrumental in developing my ability to build positive relationships, manage conflict, work effectively in teams, and develop leadership skills. These skills have been invaluable in my role as a dental provider, allowing me to establish rapport with patients, promote a welcoming and supportive environment, and collaborate with other healthcare professionals to provide the best possible care."

(3) "As a Clinic OIC, my MSA degree has provided me with financial management skills through courses such as Collective Bargaining Labor Law, Planning and Control, and Strategic Leadership and Financial Analysis. These skills are essential for managing the budget and resources of a dental clinic or unit. As a Clinic OIC, I can effectively manage costs related to equipment, supplies, and personnel while developing strategies to optimize resource utilization. This ensures that the dental clinic or unit has the necessary resources to provide high-quality dental care to Army personnel."

(4) "As a Unit Commander, my MSA program has equipped me with the skills necessary to make strategic decisions that align with the goals of the Army Dental Corps. These courses have taught me how to develop policies and procedures that ensure compliance with Army and dental regulations, participate in dental research and education, and ensure effective communication between healthcare professionals. These skills will enable me to make strategic decisions that ensure that the dental health and readiness of Army personnel are maintained at the highest level."

c. In support of his request, he provides a Curriculum Vitae, which summarizes his education, research/professional experiences, certifications and prior military service. In addition, he submits his university transcripts and diploma for his MSA, and he includes a copy of the DA Form 5074-R issued to him by the Army and reflecting his qualification for rank/grade of captain (CPT)/O-3 with 4 years of constructive service credit.

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

a. On 22 May 2021, after completing over 8 years of enlisted service in the U.S. Navy and following the award of a bachelor of science in health care administration, an MSA, and a Master of Science in Biomedical Science, the applicant graduated as a Doctor of Dental Surgery (DDS). On 13 October 2021, he applied for an appointment as a Regular Army commissioned officer in specialty 63A (General Dentist).

b. On 8 August 2022, the Health Services Directorate at the U.S. Army Recruiting Command (USAREC) issued the applicant's DA Form 5074-R. On 12 August 2022, the USAREC Health Services Directorate provided the applicant with a letter of intent, which stated that the letter would be used in lieu of a DA Form 71 (Oath of Office – Military Personnel), and it verified that applicant was accepting his appointment as an Regular Army Dental Corps commissioned officer. On 15 August 2022, the applicant signed his "Statement for Commissioning AMEDD Officer U.S. Army – Active Duty," acknowledging his commissioning in the Regular Army Dental Corps.

c. On 8 September 2022, U.S. Army Human Resources Command (HRC) orders announced that, by the order of the Secretary of the Army, the applicant was appointed as a Regular Army Dental Corps commissioned officer, effective the date of the applicant's execution of his oath of office.

d. Effective on or about 13 November 2022, the applicant entered active duty and, following the completion of the AMEDD Basic Officer Leader Course, orders assigned him to his first duty assignment at Fort Meade, MD; he arrived on or about 31 March 2023. On 5 August 2024, HRC issued orders showing the applicant's active date of rank (ADOR) as a CPT was 7 July 2022. The applicant continues his active duty service as a Regular Army Dental Corps officer.

3. On 13 October 2023, the USAREC Health Services Directorate provided an advisory opinion, recommending the updating of the applicant's DA Form 5074-R to reflect the total constructive service credit he is authorized, but that his entry grade not be changed.

a. On 13 November 2022, the applicant executed his DA Form 71. "Constructive (service) credit is calculated based on military experience, qualifying education, and professional work experience in accordance with Department of Defense (DOD) guidance, policies, and instructions.

(1) "Military Experience: [Applicant] has prior enlisted service in the U.S. Navy (16 July 2003 – 03 August 2011). However, he had no prior Active Federal Commissioned Service Time. No constructive service credit for enlisted military service is awarded."

(2) "Qualifying Education: [Applicant] obtained his qualifying degree (DDS) for the (specialty) 63A (General Dentist) on 22 May 2021 from (a university). He is eligible for 4 years constructive credit for the DDS degree. Prior to the qualifying DDS degree, [applicant] earned a Master of Science from (a second university) in 2016 and a Master of Science from (a third university) in 2013. Per DOD Instruction (DODI)

6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPO)), no constructive service credit is authorized for these degrees because they were obtained prior to the DDS qualifying degree."

(3) "Professional Work Experience: Consistent with DODI 6000.13, a person receiving an appointment to the Regular Army in an AMEDD Branch will receive one-half day credit for each day of qualified, licensed work experience."

(a) "On 04 June 2021, [applicant] obtained his State...Dental Residency Permit. On 16 September 2021, he obtained his State...Dental License."

(b) "Dates eligible to receive one-half day credit for every day of professional work experience are calculated from the applicant's curriculum vitae (CV) and (dental) employment history. The original DA 5074-R provided no constructive service credit for professional work experience because the applicant's CV and employment history...indicated [applicant] was unemployed."

(c) "Per the updated CV provided (by the applicant) in the ARBA (Army Review Boards Agency) packet, [applicant] was employed as a dentist in (his State) prior to accessing to active duty. He is authorized to receive one-half day credit for every day of professional work experience from the date of full dental licensure (16 September 2021) to the date he ended civilian employment (31 July 2022)."

b. "Recommendation: Adjust [applicant's] DA Form 5074-R to award professional work experience constructive service credit. Dates eligible to receive one-half day credit: 16 September 2021 to 31 July 2022. Professional work experience Total = 5 months, 7 days. Combined with 4 years constructive credit for education, Total Constructive Service Credit = 4 years, 5 month, 7 days, qualifying him for the grade and rank of O-3/CPT."

4. On 13 October 2023, ARBA provided the applicant a copy of the advisory opinion for his review and the opportunity to submit matters in rebuttal. On 25 October 2023, the applicant sent the following:

a. "Contrary to the Advisory Opinion, DODI 6000.13 does not explicitly prevent the awarding of constructive service credit for degrees obtained before the qualifying DDS degree. As per AR 135-101 Table 3-1 paragraph 4, credit for additional degrees is awarded based on full-time equivalent education, up to 24 months for a master's degree or up to 36 months for a doctorate, provided the degree adds adjunctive skills to the primary specialty and directly contributes to performance in the anticipated duty position. My MSA degree aligns precisely with these stipulations, offering essential administrative, teamwork, leadership, and financial proficiencies crucial to my roles as a

Dental Officer, Officer in Charge (OIC), and Commander." The applicant enclosed another copy of his MSA transcripts.

b. The applicant offered details of the specific courses he contended added adjunctive skills.

(1) "The Strategic Planning and Leadership, as well as Organizational Dynamics courses from my MSA program, empowered me to develop comprehensive operational strategies, ensuring streamlined resource allocation within complex healthcare environments. This directly contributed to the effective management of resources in my capacity as a Dental Officer, resulting in demonstrable improvements in patient care and treatment outcomes. Similarly, the Human Relations Skills course equipped me with essential skills in team management and coordination, fostering a culture of collaboration among dental professionals. These initiatives led to enhanced patient care processes, elevated patient satisfaction, and optimized treatment plans, all of which are integral to my responsibilities as a Dental Officer."

(2) "Additionally, the Finance and Analysis, Planning, and Control course provided me with an adept understanding of budgeting and financial management, enabling me to make informed decisions concerning resource allocation within the Army Dental Corps. These competencies are fundamental to sustaining operational efficiency and ensuring the prudent utilization of available resources." "As I prepare to assume the critical roles of an Officer in Charge (OIC) and Commander within the Army Dental Corps, I am eager to apply the leadership and strategic proficiencies gained through my MSA education."

(3) "Based on the substantial evidence provided, I respectfully request a revision of my total constructive service credit to 6.5 years, acknowledging the 2 additional years warranted by my MSA degree, in accordance with the stipulations outlined in AR 135-101 table 3-1 paragraph 4. Additionally, I request adjustments to my Active Date of Rank (ADOR) to accurately reflect this credit."

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation.

a. Constructive Credit. Partial Grant. Upon review of the applicant's petition, available military records, and the advisory opinion provided by the U.S. Army Recruiting Command, the Board majority determined there is sufficient evidence to

support 4 years, 5 months, and 7 days of constructive service credit; however, insufficient evidence to support awarding the applicant the 6.5 years of constructive service credit requested. The Board minority determined there was insufficient evidence to support awarding the applicant additional constructive service credit.

c. Active Date of Rank. Deny. Based on the recommendation from the U.S. Army Recruiting Command, the Board determined there was insufficient evidence to support amending the applicant's active date of rank.

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 be corrected to show he was awarded 4 years, 5 months, and 7 days of constructive service credit for education.

2. The Board further determined that the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any additional relief in excess of the above.

6/10/2025

X

■

■

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 (DODI) 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPO)), currently in effect, includes guidance on determining constructive service credit in Enclosure 3 (Procedures).

a. Paragraph 1 (Entry Grade Credit). A prospective HPO's entry grade and rank within grade will be determined by the number of years of entry grade credit awarded on original appointment, designation, or assignment as an HPO. The entry grade credit will equal the sum of constructive service credit and prior commissioned service credit for service other than as a commissioned warrant officer.

b. Paragraph 1c (Constructive Service Credit).

(1) 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.

(2) 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.

(3) The Secretary concerned may direct that doctors of dental surgery (DDS) be given sufficient constructive service credit to allow appointment to the grade of O-3 in a Regular or Reserve Component.

(a) Credit for master's and doctorate degrees in a health profession may be awarded based on actual full-time equivalent education of up to 2 years for a master's degree.

(b) 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.

(c) 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.

2. Army Regulation (AR) 601-100 (Appointment of Commissioned and Warrant Officers in the Regular Army), currently in effect, prescribes policies and procedures of appointing Regular Army commissioned and warrant officers. Paragraph 2-4 (Determination of Appointment Grade) states Army Medical Department (AMEDD) officers appointed in the Regular Army will have their grades and dates of rank determined in accordance with AR 135-101 (Appointment of Reserve Commissioned Officers for Assignment to AMEDD Branches).

3. Army Directive 2015-32 (Changes to the Grade Determination System for AMEDD Officers), dated 13 August 2015, stated that, while DODI 6000.13 had served the Army well, adjustments were needed to align entry grade determinations for AMEDD officers across all Army components.

a. "Effective immediately, the criteria for determining the entry grade of Reserve officers will be the same as the criteria for Regular Army officers (formerly known as RC officers called to active duty in the AMEDD). The Director of Human Resources/G-1 for The Surgeon General updates the criteria at least annually and publishes for each Corps. The U.S. Army Recruiting Command (USAREC)'s Health Services Division will be responsible for computing the entry grade credit."

b. "For Medical and Dental Corps officers, USAREC records entry grade credit awarded on DA Form 5074-R (Record of Award for Entry Grade Credit (Medical and Dental Officers))."

4. AR 135-101, currently in effect, includes guidance for determining constructive service credit and entry grades for AMEDD officers.

a. Paragraph 3-1 (Entry Grade Credit for Reserve Appointment Grade Determination). 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. The entry grade credit granted will be the sum of constructive service credit and credit for prior active commissioned service.

b. Table 3-1 (Constructive Service Credit), Paragraph 4 (Credit for Additional Advanced Degrees) directs the reader to see table 3-4 (Credit for Additional Advanced Degrees) for additional guidance on qualifying advanced degrees. The paragraph then states, "Degree must add adjunctive skills to primary specialty and must contribute directly to performance of anticipated duty position. Credit is awarded based on full-time equivalent education up to 24 months for a master's degree and 36 months for a doctorate.

c. Table 3-4 shows a list of advanced degrees that may qualify for additional constructive credit; the list does not include a Master of Science in Administration.

//NOTHING FOLLOWS//