

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 March 2024

DOCKET NUMBER: AR20230006382

APPLICANT REQUESTS: retroactive entitlement to Health Professions Officer Incentive Pay (HPO IP) effective 1 July 2022

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

- DD Form 149 (Application for Correction of Military Record)
- Hawaii Medical Board Certificate, 26 September 2022
- Email communication

FACTS:

1. The applicant states in pertinent part, his entitlement to HPO IP as a Post Graduate Year 2 (PGY-2) resident was delayed by 5-months due to a clerical error. He contests that his initial request was submitted in May 2022, however the point of contact did not process the action until September 2022 and payment was not established until December 2022. He was advised that they were unable to provide backpay and therefore he would need to request relief through this Board.
2. On 21 May 2017, the applicant was appointed a Reserve commission at the rank of second lieutenant (2LT)/O-1 and enrolled into the Health Professions Scholarship Program (HPSP) leading to a degree in Medicine.
3. On 20 July 2018, the applicant completed the Army Medical Department Basic Officer Leader Course.
4. On 15 April 2021, the U.S. Army Human Resources Command (AHRC) issued Orders Number A-04-100287 ordering the applicant to active duty at the rank of captain (CPT)/O-3 with a reporting date of 7 June 2021. The applicant was further assigned to Tripler Army Medical Center (TAMC) Student Detachment as a resident within the 60J (Obstetrician and Gynecologist) Area of Concentration (AOC).
5. On 8 June 2021, the applicant was awarded a medical degree by the University of California at San Diego.

6. On 2 July 2021, the applicant submitted his request for entitlement to HPO IP as a 60J at a rate of \$1,200.00 per year (prorated monthly). The applicant agreed to serve the 1-year period of continuous active-duty, effective 1 July 2021.
7. The applicant provides a Hawaii Medical Board Certificate dated 26 September 2022, reflective of the applicant being licensed by the State of Hawaii to practice as a physician and email communication reflective of the timeline associated with the processing of the applicant's HPO IP request being initiated in November 2022, submitted to the Defense Finance, and Accounting Service (DFAS) in December 2022.
8. On 6 October 2023, the Department of the Army, Office of the Surgeon General (OTSG), Chief, Special Pay Branch, provided an advisory opinion verifying the applicant's eligibility to receive HPO IP, effective 1 July 2022. The applicant is entitled to HPO IP (\$8,000.00) for 1 July 2022 – 30 September 2022 in the amount of \$2,000.00. The applicant has 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 eligible amount. As such, the applicant is eligible to receive a total of \$1,700.00 ($\$2,000.00 - \$300.00 = \$1,700.00$) for the above timeframe. The exact arrears will be determined by DFAS.
9. On 13 October 2023, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments.
10. On 17 October 2023, the applicant responded to the advisory opinion in concurrence with the provided recommendation.

BOARD DISCUSSION:

1. The Board carefully reviewed and considered the applicant's request for retroactive entitlement to HPO IP effective 1 July 2022, all supporting documents, the evidence found within the military record, the applicant's contentions, the military record, and the applicable regulatory guidance, and determined relief was warranted.
2. The Board agreed with the opinion provided by the OTSG, that "*The applicant is entitled to HPO IP (\$8,000.00) for 1 July 2022 – 30 September 2022 in the amount of \$2,000.00. The applicant has 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 eligible amount. As such, the applicant is eligible to receive a total of \$1,700.00 ($\$2,000.00 - \$300.00 = \$1,700.00$) for the above timeframe. The exact arrears will be determined by DFAS.*"

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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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:

- a. showing the applicant timely executed and submitted their HPOIP request contract effective 1 July 2022 – 30 September 2022, that his Personnel Office duly processed his request in a timely manner,
- b. paying the applicant any HPOIP due, less the period of overlap when he received intern HPO IP, in the amount determined after review by Office of the Surgeon General.

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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.

REFERENCE:

Department of Defense Financial Management Regulation, Volume 7A (Health Professions Special (HPS) and Incentive Pay (IP) Plan) provides that subject to acceptance by the Secretary of the Army, a Health Professions Officer (HPO) who is eligible for and not in an existing Retention Bonus agreement, and who is no longer obligated pursuant to a previous IP agreement, may enter into a new 1-year IP agreement at the rate in the HPS&IP plan. IP agreements must be for at least 1 year. Medical Corps Officers participating in their Initial Residency (Post-Graduate Year 2) are entitled to \$8,000.00 per year (prorated monthly).

//NOTHING FOLLOWS//