

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 March 2024

DOCKET NUMBER: AR20230006513

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

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum – Subject: Request for HPO IP

FACTS:

1. The applicant states in pertinent part that he received HPO IP from 1 July 2022 – 30 September 2022 at the incorrect rate of \$1,200.00 annually (pro-rated monthly/\$100) as in intern rather than \$8,000.00 annually (pro-rated monthly/\$666.67) as a 2nd year resident. He contests that he is owed approximately \$1,700.00 in backpay. He notes that the source of the issue resides within his HPO IP contract. Initially, the document was drafted to reflect an entitlement of \$100.00 per month until 30 September 2022. However, the mistake was later realized which required the completion of an additional contract reflective of the \$8,000.00 HPO IP entitlement as a Resident Physician within his 2nd year of his residency. The 2021-2022 fiscal year ended by that time so he was advised that he would need to seek relief through this Board in order to receive back pay for the previous period.

2. A review of the applicant's available service records reflects the following:

a. On 26 January 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.

b. On 19 July 2019, the applicant completed the Army Medical Department Basic Officer Leader Course.

c. On 29 April 2021, the U.S. Army Human Resources Command (AHRC) issued Orders Number A-04-100469 ordering the applicant to active duty at the rank of captain

(CPT)/O-3 with a reporting date of 30 May 2021. The applicant was further assigned to Brook Army Medical Center (BAMC) Student Detachment as a resident within the 62A (Emergency Medicine Physician) Area of Concentration (AOC).

d. On 16 May 2021, the applicant was awarded a medical degree by George Washington University.

e. On 21 October 2021, the applicant submitted his request for entitlement to HPO IP as a 62A 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.

3. The applicant provides a Memorandum – Subject: Request for HPO IP, dated 29 July 2022, reflective of the applicant's submitted request for entitlement to HPO IP as a 62A at a rate of \$8,000.00 per year (prorated monthly). The applicant agreed to serve the 1-year period of continuous active-duty, effective 1 July 2021.

4. On 6 October 2023, the Department of the Army, Office of the Surgeon General, 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 the Defense Finance and Accounting Service.

5. On 12 October 2023, the applicant was provided a copy of the advisory opinion and afforded 15 days to provide comments. As of 4 March 2024, the applicant has not responded.

#### 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 Office of the Surgeon General – Special Pay Branch Human Resources, G-1 advisory opinion, the Board concurred with the advising official finding the applicant was eligible to receive the Health Professions Officer Incentive Pay (HPO IP), effective 1 July 2022. The opine noted, the applicant is entitled to HPO IP (\$8,000.00) for 1 July 2022 – 30 September 2022 in the amount of \$2,000.00. Evidence shows 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 Board agreed, based on the advisory opine there is sufficient evidence to grant 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 by showing the applicant is authorized payment of Health Professions Officer Incentive Pay (HPO IP) (\$8,000.00) for 1 July 2022 – 30 September 2022 in the amount of \$2,000.00. Note 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. Exact arrears compensation is to be determined by Corrections-Claims Section, DFAS-IN.

3/19/2024

X [Redacted Signature]

CHAIRPERSON

[Redacted Name]

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//