

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 9 April 2024

DOCKET NUMBER: AR20230007899

APPLICANT REQUESTS: retroactive Health Professions Officer (HPO) Board Certification Pay (BCP), effective 14 July 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- Orders Number 0322-076-SG17-08, 17 March 2022
- DA Form 5501 (Body Fat Content Worksheet (Female)), 20 April 2022
- Master of Physician Assistant Studies diploma, 7 May 2022
- DA Form 705-Test (Army Combat Fitness Test (ACFT) Scorecard), 22 May 22
- Interservice Physician Assistant Program diploma, 10 June 2022
- The National Commission on Certification of Physician Assistants (NCCPA), Physician Assistant National Certifying Examination certificate, 14 July 2022
- NCCPA letter, 28 July 2022
- Memorandum - Subject: Request for HPO BCP, undated and unsigned
- Privileged Provider Information Report for Physician Assistant, 26 October 2022
- Officer Record Brief (ORB), 28 December 2022
- Email communication, 2 December 2022 and 17 January 2023
- Email communication, 13 and 14 March 2023

FACTS:

1. The applicant states:

a. She is a new Army Physician Assistant (PA) - Certified. She became board certified on 14 July 2022 and then was on temporary duty through the summer and did not report to her unit until 5 October 2022. When she finally got to her unit and submitted the application for her BCP to be backdated to 14 July 2022, she was told that she cannot have a date prior to 1 October 2022 due to lack of funds and would need to submit a case to the Army Board for Correction of Military Records (ABCMR) to be backdated.

b. Her HPO BCP contract should be backdated to 14 July 2022, the date of her board certification. She did not have the opportunity to submit any documents for

special pay until arriving at her unit after the end of Fiscal Year 2022 (FY22) and the start of new funds. In addition to arriving to her first unit after the new FY, she also arrived during the Integrated Personnel and Pay System - Army brown out, causing a delay in processing her documents. It is a significant sum of earned money that she will lose without having the correct date.

2. A review of the applicant's official records show the following:

a. She enlisted in the Regular Army on 14 July 2015, and reenlisted on 24 August 2018 and 26 August 2019.

b. DA Form 1059 (Service School Academic Evaluation Report) shows she completed Phase 1 of the Interservice Physician Assistant Program on 23 April 2021.

c. On 17 March 2022, the U.S. Army Human Resources Command (HRC) published Orders Number 0322-076-SG17-08, which appointed the applicant in the Regular Army Medical Specialist Corps in the rank/grade of first lieutenant (1LT)/O-2, effective on the execution of the oath of office.

d. On 24 March 2022, HRC published Orders Number A-03-200123, which ordered the applicant to active duty to attend the Army Medical Department Basic Officer Leader Course (BOLC) with a temporary duty report date of 12 July 2022, and further assigned her to Camp Casey, Korea, with a report date of 30 September 2022. The purpose shown on the orders states to "fulfill active duty requirement in a voluntary indefinite status."

e. Her record contains an official transcript from the University of Nebraska Medical Center which shows she was awarded a Master of Physician Assistant Studies on 7 May 2022.

f. On 9 June 2022, she was honorably discharged to accept commission in the Army. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows she completed 6 years, 10 months, and 26 days.

g. On 10 June 2022:

- DA Form 71 (Oath of Office - Military Personnel) shows she was appointed in Regular Army Medical Specialist Corps in the rank/grade of 1LT and executed an oath of office
- DA Form 1059 shows she completed Phase 2 of the Interservice Physician Assistant Program on 10 June 2022

h. On 29 July 2022, HRC published Orders Number 210-008, which announced the applicant's 1LT active duty date of rank as 7 December 2021.

i. On 2 September 2022, DA Form 1059 shows she completed the Army Medical Department Basic Officer Leader Course.

3. The applicant provides:

a. DA Form 5501 dated 20 April 2022, which shows she was in compliance with Army body fat content standards.

b. Master of Physician Assistant Studies diploma dated 7 May 2022, which shows she was awarded her Master of PA Studies by the University of Nebraska Medical Center, College of Allied Health Professions.

c. DA Form 705-Test dated 22 May 22, which shows she passed the ACFT.

d. Interservice Physician Assistant Program diploma dated 10 June 2022, which shows she successfully completed the course.

e. The NCCPA, Physician Assistant National Certifying Examination certificate dated 14 July 2022, which shows she successfully completed the PA National Certifying Examination.

f. NCCPA letter dated 28 July 2022, which states, the applicant is currently certified by NCCPA and holds identification number 11988XX, which will remain valid until 31 December 2024. This PA was initially certified on 14 July 2022.

g. Memorandum - Subject: Request for HPO BCP, undated and unsigned, which states:

(1) She understood in consideration of her entering into this BCP agreement effective 1 October 2022 and expiring 31 December 2024 (date of board certification expiration/PAs enter indefinite), the Army agrees to pay BCP at a rate of \$6,000.00 a year; paid on a monthly basis, and subject to the availability of funds, and applicable State and Federal taxes for the life of this agreement. Any previous BCP will be stopped, and any overlapping payments will be adjusted and recouped as necessary.

(2) She will maintain Diplomate, certification, or board status in the professional board of her specialty of Primary Care PA Assistant (JP) - PA (65D). She was board certified by NCCPA. The board effective dated shows 1 October 2022, with an expiration date of 31 December 2024.

h. Privileged Provider Information Report for Physician Assistant dated 26 October 2022, which shows the applicant's requested and approved privileges.

i. ORB dated 28 December 2022, which provides her personal, training, assignment, education, and service data.

j. Email communication dated 2 December 2022 and 17 January 2023, between the applicant and Medical Command Korea S-1 discussing the documents for initiating her special pay and generating a contract.

k. Email communication dated 13 and 14 March 2023, between the applicant and Medical Command Korea S-1 discussing her NCCPA certified date and credentialed date. The email also discusses her HPO BCP contract and backpay.

4. On 16 November 2023, the Office of the Surgeon General (OTSG), Chief, Special Pay Branch, Human Resources, G-1 provided an advisory opinion for this case and stated, a review of supporting documentation, policy, special pay, and finance data, the applicant was eligible to receive the HPO BCP on the requested date. The applicant is eligible to receive the HPO BCP (\$6,000.00/year) for the 14 July 2022 - 31 December 2022 timeframe, in the amount of \$2,783.33. The exact arrears payment is determined by Defense Finance and Accounting Service-Indianapolis.

5. On 22 November 2023, the applicant was provided a copy of the OTSG advisory opinion for comments or rebuttal. She 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. A review of supporting documentation, policy, special pay, and finance data, the applicant was eligible to receive the HPO BCP on the requested date. The Board agreed with the advisory official's finding that the applicant is eligible to receive the HPO BCP (\$6,000.00/year) for the period 14 July 2022 to 31 December 2022, in the amount of \$2,783.33. The exact arrears payment is determined by Defense Finance and Accounting Service-Indianapolis.

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 that the evidence presented was 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 request/form for payment of HPO BCP (\$6,000.00/year) for the 14 July 2022 to 31 December 2022 timeframe
- showing the appropriate office timely received his request and authorized payment as a result of this correction

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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. Department of Defense Financial Management Regulation, Volume 7A section 050501 states to be eligible for HPO BCP a member must be serving in an Active Component or Reserve Component of a Military Service and entitled to basic pay under Title 37, United States Code (USC), section 204 or compensation pursuant to Title 37, USC, section 206; Serving on active duty or in an active Reserve status in a designated health professional specialty. Have a post-baccalaureate degree in a clinical specialty and be certified by a professional board in a designated health profession clinical specialty. Section 050502 states HPO BCP is payable in an amount of \$6,000.00, to be prorated monthly.
2. Department of Defense Instruction (DODI) 6000.13, currently in effect, states special pays for officer in a health profession are additional to any other pay or allowance to which the officer is entitled. To be eligible, an officer must sign an agreement that specifies the amount of the bonus and method of payment, as well as the period of obligated service for the pay. The participant must have a current, valid, and unrestricted license, and must maintain all licensing, credentialing, specialty qualifications, and privilege requirements. The special pay may be terminated if the officer fails to fulfill the conditions of the agreement, or by the Secretary concerned for reasons such as a loss of privileges, Court-martial conviction, or failure to maintain a current, unrestricted license.

//NOTHING FOLLOWS//