

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 September 2024

DOCKET NUMBER: AR20240000040

APPLICANT REQUESTS: retroactive Health Professions Officer Incentive Pay (HPO IP) in the amount of \$43,000.00 per year for the period of 1 July 2022 through 30 June 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- Commonwealth of Virginia Department of Health Professions certificate
- American Board of Pathology certificate
- University of Maryland Medical Center certificate
- Request for HPO IP
- Virginia Department of Health Professions website as of 23 October 2023
- Request for HPO Retention Bonus (HPO RB)
- VA Department of Health Professions website as of 13 November 2023
- Army Medical Department (AMEDD) Special Pay Record Brief
- Biography

FACTS:

1. The applicant states when he had a permanent change of station in 2022, he was not notified he was eligible for HPO IP. He was not made aware of his eligibility until he was in-processing at his next duty assignment.

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

a. On 1 April 2004, Orders Number 92-63-A-505, issued by Headquarters, U.S. Army Cadet Command, the applicant was ordered to active duty, effective 11 July 2004, for acceptance of a U.S. Army Reserve appointment for completion of a 4-year active duty commitment.

b. On 7 May 2004, the applicant executed his oath of office and was appointed as a Reserve commissioned officer in the rank of second lieutenant (2LT).

c. On 4 August 2014, the applicant executed his oath of office and was appointed as a Regular Army commissioned officer.

d. The applicant achieved course standards in his first year of medical school during the period of 4 August 2014 through 23 August 2015.

e. The applicant achieved course standards in his second year of medical school during the period of 24 August 2015 through 28 August 2016.

f. The applicant achieved course standards in his third year of medical school during the period of 29 August 2016 through 18 August 2017.

g. On 10 January 2018, the applicant received 4-years credit for his Medical Degree from the Uniformed Services University of the Health Sciences for the period 4 August 2014 through 19 May 2018.

h. The applicant achieved course standards in his fourth year of medical school during the period of 21 August 2017 through 18 May 2018.

i. On 25 June 2018 the applicant was awarded his Doctor of Medicine from the Uniformed Services University of the Health Sciences.

j. The applicant completed the Hematopathology Fellowship during the period of 1 July 2022 through 30 June 2023 at the University of Maryland Medical Center.

3. The applicant provides:

a. Commonwealth of Virginia Department of Health Professions certificate which shows on 21 February 2020 the applicant fulfilled the requirements to practice medicine and surgery.

b. The American Board of Pathology certificate which shows on 8 June 2022 the applicant was certified in Anatomic and Clinical Pathology.

c. University of Maryland Medical Center certificate which shows the applicant services as a fellow in Hematopathology during the period of 1 July 2022 through 30 June 2023.

d. On 23 October 2023, the applicant requested and was approved for HPO IP in Pathology to be paid \$43,000.00 per year to be prorated monthly, effective 1 October 2023.

e. As of 23 October 2023, the Virginia Department of Health Professions website shows the applicant was licensed with an expiration of 31 January 2024.

f. On 31 October 2023, the applicant requested and was approved for HPO RB in Pathology to be paid \$30,000.00 per year to be paid annually, effective 16 October 2023.

g. As of 13 November 2023, the Virginia Department of Health Professions website shows the applicant was licensed in Medicine with an expiration of 31 January 2024.

h. AMEDD Special Pay Record Brief shows the applicant requested HPO IP for the period of 1 October 2023 through 30 September 2024 in the amount of \$43,000.00 per year and HPO RB for the period of 16 October 2023 through 15 October 2027 in the amount of \$30,000.00 per year which was waiting contract approval.

4. On 12 August 2024, in the processing of this case, the Office of the Surgeon General, provided an advisory opinion regarding the applicant's request for retroactive HPO IP for the period of 1 July 2022 through 30 September 2023 in the amount of \$43,000.00 per year. The advisory official stated it has been determined the applicant was eligible for retroactive HPO IP despite not entering into a HPO IP agreement until 1 October 2023 in the amount of \$43,750.00. The Defense Finance and Accounting Service will determine the exact arrears payment.

5. On 14 August 2024, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. The applicant responded via e-mail stating he did not have any additional comments.

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 review based on law, policy, and regulation. The Board found the evidence confirms the applicant was eligible to receive the HPOIP for the period 1 July 2022 through 1 October 2023. The Board reviewed and concurred with the Office of the Surgeon General (OTSG) finding he met the requirements for eligibility of the HPOIP. The Board determined the applicant is eligible to receive the pathology HPOIP at \$43,000 per year for 1 July 2022 to 30 September 2023, minus that already received by the applicant. The Board defers to the Defense Finance and Accounting Service (DFAS) for calculation of payment.

BOARD VOTE:

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█	█	█	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 timely submitted the appropriate request/form for payment of HPOIP (at the appropriate rate/year) for the period 1 July 2022 to 30 September 2023
- showing the appropriate office timely received his requests 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. 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 (RC) of a uniformed service who: is entitled to basic pay and is serving on active duty or in an active status in a designated health profession specialty or skill. (Maximum Amount and Method of Payment), the Secretary concerned shall determine the amounts of a bonus or incentive pay to be paid under this section, except that—health professions incentive pay under subsection (b) may be paid monthly and may not exceed, in any 12-month period: \$200,000.00 for medical officers and dental officers; and \$50,000.00 for officers in other health professions.

2. Department of Defense Instruction 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs)), enclosure 3, paragraph d. Incentive Pay (IP), To be eligible for IP, an HPO must: (a) Be in a regular or RC of a Military Service and be entitled to basic pay under section 204 of Reference (c) or compensation under section 206 of Reference (c). (b) Be serving on Active Duty or in an active status in a designated health profession specialty or skill. Annual payment amounts for IP contracts will be listed in the Health Professions Specialty and Incentive pay plan and paid in equal monthly payments. (b) IP When Not Participating in an RB Agreement. Subject to acceptance by the Secretary concerned, an HPO who is eligible for and not in an existing RB 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&I pay plan. IP agreements must be for at least 1 year and cannot be prorated. If, during the IP agreement, the HPO becomes eligible for a higher IP, the HPO may terminate and renegotiate at that higher rate, obligating for at least a year from the date of renegotiation. (d) Effective Date. The effective date of IP will be calculated from the completion of the qualifying training plus 3-months.

//NOTHING FOLLOWS//