

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20240000045

APPLICANT REQUESTS:

- correction of her DA Form 5074 (Record of Award of Entry Grade Credit (Health Services Officers) to show 4 years and 5 months of total constructive credit
- in effect, amendment of her date of rank to captain (CPT)/O-3 commensurate with the additional constructive service credit awarded

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) Memorandum Employment Verification

FACTS:

1. The applicant states her DA Form 5074 is not correct. She has 4.5 years of professional work experience as an Occupational Therapist and should have been given the rank of CPT. Her date of rank is 2 years, 11 months, and 26 days on her orders for constructive credit, which seems inaccurate, when compared with her peers. She has a document of proof of work with the VA, prior to joining the Army.
2. The applicant provides a memorandum from the VA, 13 June 2023, which states she was employed at the Iowa City VA Health Care System as a full-time Occupational Therapist since 6 July 2021.
3. A review of the applicant's service record shows:
 - a. Memorandum, 22 September 2021, which states she accepted her appointment in the Regular Army Specialist Corps in the rank of first lieutenant (1LT)/O-1 effective upon her arrival to the program.
 - b. DA Form 5074, 6 October 2021, which shows she was credited for 2 years as an Occupational Therapist and her entry rank was 1LT.

- c. DA Form 71 (Oath of Office - Military Personnel) shows she took the oath of office in the rank of 1LT in the Regular Army Medical Specialist Corps on 27 July 2023.
- d. Orders 091-001, published by U.S. Army Human Resources Command (HRC) on 30 March 2024 adjusted her 1LT date of rank to 1 February 2022.
- e. DA Form 5074, 17 June 2024, shows her entry rank was CPT and her date of entry on active duty as 17 June 2024. Remarks state officer reappointed in the Regular Army to correct an entry grade credit error following her petition to the Board.
- f. DA Form 71, shows she took the oath of office in the rank of CPT in the Regular Army Medical Specialist Corps on 17 June 2024.

4. On 30 May 2024, the Chief, Operations Management Division, HRC, provided an advisory opinion in the processing of this case.

- a. Her petition to the Board, requesting HRC amend her initial entry grade credit (EGC) determination by awarding additional constructive service credit (CSC) for her prior professional experience has been partially accommodated.
- b. Health Services Division (HSD), in coordination with the U.S. Army Recruiting Command, confirmed she should have been appointed in the Regular Army to the Army Medical Specialist Corps in the grade of CPT pursuant to EGC determination awarding 4 years, 1 month, and 17 days credit, which includes 2 years of CSC for the qualifying degree and an additional 2 years, 1 month, and 17 days CSC for her professional experience.
- c. The amended EGC award changes her entry grade to CPT (requires 4 years credit) with the excess credit (1 month and 17 days) going toward her date of rank in grade.
- d. HSD has amended her DA Form 5074 and submitted her reappointment scroll for CPT. Upon approval of the reappointment scroll, HSD will publish a new Regular Army appointment order and tender it along with a DA Form 71 to her to effectuate her reappointment in the Regular Army Specialist Corps as a CPT, effective for pay upon signature.
- e. Unfortunately, HRC cannot amend her initial Regular Army appointment and active duty order because there is no authorization to appoint her in the grade of CPT prior to her initial accession on 27 July 2023.
- f. The Board does possess the authority to remedy this injustice by directing:

(1) HRC to amend her Regular Army accession and active duty order by changing the entry grade from 1LT to CPT;

(2) HRC to reconstruct her initial Regular Army appointment order and DA Form 71 to reflect CPT as the appointment grade; and

(3) Defense Finance and Accounting Service to pay her the difference in basic pay between the grades of 1LT and CPT beginning 27 July 2023 through her prospective date of reappointment to CPT.

5. On 6 June 2024, the advisory opinion was provided to the applicant to allow her the opportunity to respond. On the same day she responded thanking the Board for the update and asked if she needed to do anything else or wait for HRC to respond.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the facts outlined in the HRC advisory opinion and the concurrence from the applicant of those facts, the Board concluded there was no further action required of the Board.

BOARD VOTE:

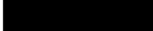
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:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
			DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

3/6/2025

XCHAIRPERSON


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. Army Regulation (AR) 135-101 (Appointment of Reserve Commissioned Officers for Assignment to Army Medical Department (AMEDD) Branches), provides eligibility requirement and processing procedures for the appointment of AMEDD officers with or without concurrent call to active duty. Paragraph 3-1 (Entry Grade Credit for Reserve Appointment Grade Determination) states 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. Entry grade credit granted will be the sum of constructive service credit and credit for prior active commissioned service. Entry grade credit awarded to AMEDD officers upon-appointment or assignment will be recorded on a DA Form 5074-R.
2. DODI 6000.13 Paragraph 6.1.1.3 states: Constructive credit may be awarded only if such advanced education or advanced degree is required as a prerequisite for original appointment as a commissioned officer in a particular officer category.
3. Additionally, paragraph 6.1.2.2.3 states the additional degree must add adjunctive skills to the primary specialty and must contribute directly to performance in the anticipated position in the Military Service concerned.

//NOTHING FOLLOWS//