

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 10 September 2024

DOCKET NUMBER: AR20240001192

APPLICANT REQUESTS: correction of his record to show he was paid Health Professions Officer Incentive Pay (HPO IP) at a rate equivalent to that of a physician Post-Graduate Year 1 (PGY1) beginning 29 August 2022-1 October 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- Doctor of Medicine Degree, 28 May 2022
- National Capital Consortium Certificate of Completion of Internship Training in Family Medicine
- Virginia Department of Health Professions License, 17 June 2022

FACTS:

1. The applicant states, in pertinent part, he was supposed to receive specialty pay for the period of 29 August 2022 – 1 October 2023 for family medicine as a first year resident internship. The contract was not generated timely due to a delay in his receipt of the appropriate documents and counseling on his benefit as a PGY1.
2. A review of the applicant's available service record reflects the following:
 - a. On 16 February 2018, the U.S. Army Human Resources Command (HRC) issued a Memorandum for Appointment as a Reserve commissioned officer of the Army.
 - b. On 29 May 2018, he was appointed as a Reserve commissioned officer and executed an oath of office. In conjunction he signed U.S. Army Recruiting Command Form 601-37.28 (Department of the Army Service Agreement F. Edward Herbert Armed Force Health Professions Scholarship Program) for a degree in medicine requiring a 4-year active duty service agreement upon completion.
 - c. DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officers)), dated 5 April 2022 shows completion of his medical degree from the University of Pittsburgh from 20 August 2018 through 28 May 2022.

d. On 12 May 2022, HRC issued Orders Number A-05-200540 ordering him to active duty, effective 2 June 2022.

e. He continues service on active duty.

3. The applicant provides the following:

- Doctor of Medicine Degree, 28 May 2022 showing the degree of Doctor of Medicine was conferred on him from the University of Pittsburgh School of Medicine
- National Capital Consortium Certificate of Completion of Internship Training in Family Medicine showing his completion of the internship from 1 July 2022 – 24 September 2023.
- Virginia Department of Health Professions License, 17 June 2022 showing his license in medicine as an Intern and/or Resident.

4. On 9 August 2024, the Office of the Surgeon General, Chief, Army Medical Department Special Pay Branch Human Resources, G-1 provided an advisory opinion recommending approval of the applicant's request stating:

a. The applicant requests the HPO IP effective date be amended to reflect 29 August 2022 (Residency Start Date). meticulous review of the relevant supporting documentation, special pay, and finance data confirms that he met all eligibility criteria for the requested effective date at \$1,200.00 per year; but never initiated a new agreement.

b. Considering the above discussion, he is eligible to receive \$1,200.00 per year for 29 August 2023 – 30 September 2023 (29 August 2022-31 December 2022 equals \$406.66; 1 January 2023 – 30 September 2023 equals \$900.00) totaling \$1,306.66. Defense Finance and Accounting Service will calculate the exact arrears payment, ensuring a fair and accurate distribution of funds. Please provide a copy of the final board results to this office.

5. On 9 August 2024, the applicant was provided a copy of the advisory opinion and afforded 14 days to provide comments. As of 23 August 2024, the applicant had 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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant contends his HPO IP effective date should be amended to reflect 29 August

2022 (Residency Start Date). The applicant met the eligibility criteria for the requested effective date at \$1,200.00 per year; but never initiated a new agreement. The Board reviewed and agreed with the OTSG advisory officials' determination that the applicant is eligible to receive \$1,200.00 per year for 29 August 2023 – 30 September 2023 (29 August 2022-31 December 2022 equals \$406.66; 1 January 2023 – 30 September 2023 equals \$900.00) totaling \$1,306.66. DFAS will calculate the exact arrears payment.

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 HPO submitted timely request for HPO IP - Residency for the period 29 August 2022 to 30 September 2023
- showing the HPO's request was approved by the appropriate office and paying the applicant any Residency HPO IP he is due as a result of this correction

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 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 Health Professions Special and Incentive Pay plan. IP agreements must be for at least 1 year and cannot be prorated. Medical Corps Officers are entitled to the \$1,200.00 (annually) prorated monthly.

//NOTHING FOLLOWS//