

IN THE CASE OF: [REDACTED]

BOARD DATE: 31 October 2024

DOCKET NUMBER: AR20240001467

APPLICANT REQUESTS: retroactive entitlement to Health Professions Officer Retention Bonus (HPORB) effective 1 July 2020.

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

- DD Form 149 (Application for Correction of Military Record)
- License, State Board of Dental Examiners [REDACTED] (2019, 2021, 2023, 2025)
- Application for Clinical Privileges/Medical Staff Appointment

FACTS:

1. The applicant states:

a. She is requesting retroactive pay of the HOPRB for a 63N (Oral and Maxillofacial Surgeon), effective 1 July 2020 for a period of 4 years.

b. Additionally, she states she is an active-duty Army dentist who commissioned as a direct accession after graduating dental school. She did not take part in the Health Professions Scholarship Program (HPSP). When she requested resignation, she was misinformed by her unit and not allowed to renew her retention bonus. As a result, she missed the opportunity to partake in multiple multi-year retention bonuses that could have been served concurrently along with her Active Duty Service Obligation (ADSO) for oral surgery training.

c. Upon review of her record, the U.S. Army Human Resources Command (HRC) confirmed that she was not a HPSP recipient and therefore had no HPSP obligation. The error has since been corrected and she believes she is eligible for retroactive pay of the HPORB.

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

Orders Number A-04-207210 issued by HRC on 17 April 2012, ordered her to active duty, effective 11 June 2012.

b. On 19 May 2012, the Mehary Medical College conferred the Doctor of Dental Surgery upon her.

c. On 11 June 2012, the applicant was appointed as a Regular Army Dental Corps commissioned officer and executed an oath of office.

d. The applicant's service record contains two Active Army Component HPO agreements. They show:

(1) On 5 August 2015, she was approved for HPO IP at a rate of \$20,000.00, a year, prorated monthly, effective 8 August 2015. Her specialty and Area of Concentration (AOC) were shown as "General Dentistry (EU) – General Dentist (63A)."

(2) On 20 May 2024, she was approved for HPO RB at a rate of \$115,000.00, paid annually, effective 30 July 2024. Her specialty and AOC were shown as "Oral Surgery (EH) – Oral and Maxillofacial Surgeon (63N)."

e. Her record is void of any additional HPO IP/RB agreements.

f. The applicant is currently serving in the Regular Army.

3. The applicant provides:

a. Licenses showing, she had an active license as a dentist for the period 2019 – 2025.

b. Application for Clinical Privileges/Medical Staff Appointment showing she was a credentialed provider (63N) with the U.S. Army Dental Activity at Fort Bliss, TX, effective 15 June 2020, and an expiration date of 19 January 2021.

4. On 24 September 2024, the Office of the Surgeon General (OTSG), Chief, Army Medical Department Special Pay Branch, Human Resources, G-1, provided an advisory opinion for this case and stated:

a. The applicant requests the HPO RB Incentive Pay effective date be amended to reflect 1 July 2020, which is to run concurrently with the Residency ADSO.

b. A meticulous review of the relevant supporting documentation, special pay, and finance data has been conducted, confirming the Officer's eligibility for the HPO RB for the requested effective date. However, the HPORB obligation and the residency ADSO will need to be served consecutively because on the requested retroactive date, effective 1 July 2020, she was not in the HPORB, so any remaining ADSO would be

served consecutively. The applicant also stated that she did not sign a new HPO RB agreement as she received incorrect information from her local pay technician.

c. Considering the above discussion, she has met all the eligibility criteria and is assured of her eligibility for the HPO RB and HPO IP. The Officer's eligibility for a \$75,000.00 HPO RB and corresponding \$70,000.00 HPO IP, for the 21 August 2021-20 August 2025 timeframe, is confirmed. She is eligible to receive \$75,000.00/year HPO RB for the above timeframe totaling \$225,000.00 and the \$70,000.00/year HPO IP totaling \$210,000.00 for the same timeframe. However, she is receiving the \$55,000.00/year HPO IP for 21 August 2021-20 August 2024. She is owed approximately, \$45,000.00. The total amount she is eligible to receive is \$270,000.00 (\$225,000.00 + \$45,000.00). Defense Finance and Accounting Service – Indianapolis will calculate the exact arrears payment, ensuring a fair and accurate distribution of funds.

5. On 25 September 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. She responded via email that she did not have anything additional to add.

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 requests her HPO Retention Bonus Incentive Pay effective date be amended to reflect 1 July 2020, which is to run concurrently with the Residency ADSO (Additional Duty Service Obligation). The Board reviewed and agreed with the OTSG Special Pay advisory official in their determination that:

a. The HPO RB obligation and the residency ADSO will need to be served consecutively because on the requested retroactive date, effective 1 July 2020, she was not in the HPO RB, so any remaining ADSO would be served consecutively. The applicant also stated that she did not sign a new HPO RB agreement as she received incorrect information from her local pay technician. Table -5-3A (Dental Corps IP and RB) of the DOD FMR shows that an Oral Maxillofacial Surgeon is authorized HPO RB in the amount of \$75,000; paid annually and HPO IP at a rate of \$55,000 yearly/prorated monthly. The applicant met all the eligibility criteria and is assured of her eligibility for the HPO RB and HPO IP.

b. The applicant's eligibility for a \$75,000.00 HPO RB and corresponding \$70,000.00 HPO IP, for the 21 August 2021-20 August 2025 timeframe, is confirmed. She is eligible to receive \$75,000.00/year HPO RB for the above timeframe totaling \$225,000.00 and the \$70,000.00/year HPO IP totaling \$210,000.00 for the same

timeframe. However, she is receiving the \$55,000.00/year HPO IP for 21 August 2021-20 August 2024. She is owed approximately, \$45,000.00. The total amount she is eligible to receive is \$270,000.00 (\$225,000.00 + \$45,000.00). Defense Finance and Accounting Service – Indianapolis will calculate the exact arrears payment, ensuring a fair and accurate distribution of funds.

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 Health Professions Officer (HPO) submitted a timely request for the 4-year HPO Retention Bonus (RB) as well as the HPO Incentive Pay (IP) for the period 21 August 2021-20 August 2025
- showing the HPO's request was timely received and approved by the appropriate office and paying the applicant any HPO RB and HPO IP for the period 21 August 2021-20 August 2025

10/31/2024

X

CHAIRPERSON

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 7000.14-R, Financial Management Regulation, Volume 7A, Chapter 5, establishes policy pertaining to Health Professions Special and Incentive Pay.

a. Paragraph 6.2 (Eligibility) states, to be eligible for IP, an HPO must be: (1) Serving in an Active Component or Reserve Component of a Military Service and entitled to basic pay under Title 37, U.S. Code, section 204 or compensation pursuant to Title 37, U.S. Code, section 206; (2) Serving on Active Duty or in an active Reserve status in a designated health professional specialty; and (3) Eligible as prescribed in paragraph 2.4 (Eligibility).

b. Paragraph 6.3 (Amounts) states, annual payment amounts for IP contracts are listed in Tables 5-3 through 5-6 and paid in equal monthly payments. For the most current IP rates, see the Dental Corps IP/Retention Bonus (RB), Medical Corps IP/RB, Nurse Corps IP/RB, and Specialty IP/RB tables on DFAS.MIL.

c. Table -5-3A (Dental Corps IP and RB) shows that an Oral Maxillofacial Surgeon is authorized RB 6-year rate in the amount of \$75,000.00; paid annually and HPO IP at a rate of \$55,000.00 yearly/prorated monthly.

d. Paragraph 7.0 (Retention Bonus) states, Subject to acceptance by the Secretary concerned, an HPO with an existing multiyear special pay pursuant to 37 U.S.C. Chapter 5, Subchapter I, or with an RB contract pursuant to 37 U.S.C. Chapter 5, Subchapter II, may request termination of that contract to enter into a new RB contract with an equal or longer obligation at the RB annual rate in effect at the time of execution of the new contract. The new obligation period will not retroactively cover any portion or period that was executed in accordance with the prior contract. 7.1.2. The Secretary concerned may pay an RB to HPOs based on their clinical specialty or subspecialty regardless of their ability to spend appropriate time in a clinical setting.

e. Paragraph 7.2 (Eligibility) states, to be eligible for an RB, an HPO must: Meet the eligibility criteria itemized in paragraph 2.4; have completed qualifications for the specialty or subspecialty for which the RB is being paid before the beginning of the fiscal year during which a written agreement is executed; enter into a written agreement, accepted by the Secretary concerned, to remain on Active Duty or in an active status in an RC as an HPO for 2, 3, or 4 years.

//NOTHING FOLLOWS//