

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 October 2024

DOCKET NUMBER: AR20240002255

APPLICANT REQUESTS: amendment of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show award of the Combat Medical Badge.

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

- DD Form 149 (Application for Correction of Military Record)
- Orders Number DR-231-0033, dated 19 August 2019
- DA Form 2166-9-2 (Noncommissioned Officer Evaluation Report (NCOER)), dated 15 March 2020
- DA Form 638 (Recommendation for Award), dated 22 July 2020
- DA Forms 2823 (Sworn Statement), dated 11 February 2020
- DD Form 214 (Certificate of Release or Discharge from Active Duty), ending 8 July 2021
- Service Member (SM) TSgt B- Special Order Number G-23527, dated 10 July 2020
- DA Form 7791 (Eyewitness Statement (For Valor/Heroism)), dated 14 December 2022
- U.S. Army Human Resources Command (HRC) Memorandum for Request for Award of Combat Medical Badge, dated 27 June 2023
- SM CPT C- ABCMR Docket Number AR20230001860, dated 14 December 2023
- SM CPT C- Orders Number 016-01, dated 16 January 2024
- Proposed Award Narrative

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he earned the award of the Combat Medical Badge while deployed to Afghanistan in February 2020. His command submitted a retroactive request for the award in 2022 but was denied by HRC.

a. Per AR 600-8-22 para. 8-7.c.(4)(a), the Combat Medical Badge is awarded to "Medical personnel assigned or attached to, or under operational control of any ground combat arms or combat aviation units of brigade or smaller size, who satisfactorily perform medical duties while the unit is engaged in active ground combat, provided they are personally present and under fire." On 8 February 2020, he met all of these requirements while responding to an urgent medical evacuation request near Sherzad, Afghanistan. He was an Army Medical Department Non-Commissioned Officer assigned to the 10th Combat Aviation Brigade in Afghanistan as shown on his deployment orders.

b. Per Department of the Army Pamphlet 600-25, his duties as a 68W were to "provide emergency medical treatment, limited primary care, force health protection, and evacuation in a variety of operational and clinical settings from point of injury or illness through the continuum of military health care." By treating and evacuating five casualties as an HH-60 Flight Paramedic on 8 February 2020, he was satisfactorily performing his medical duties. Given eleven personnel were shot, it is clear the situation was active ground combat. Additionally, he was personally present as shown by CPT C's statement, his NCOER, and the AAM-C received for his actions that night.

c. CPT C- was his air mission commander and has since received the Combat Medical Badge for the same incident per the attached orders and ABCMR case. Finally, as TSgt B-'s and staff sergeant (SSG) R-'s statements show that his flight came under fire during the approach, while loading patients, and after departing the landing zone. TSgt B- ultimately received the Silver Star for his work that day, including loading patients under fire, which can be seen in the attached award citation.

d. He was medical personnel, assigned to a combat aviation unit of brigade or smaller size, who satisfactory performed medical duties while engaged in active ground combat and was personally present and under fire. These facts show he met all requirements for the award of the Combat Medical Badge.

3. The applicant provides the following:

a. DA Form 2166-9-2 (Noncommissioned Officer Evaluation Report), dated 15 March 2020 showing his outstanding service while assigned as Flight Paramedic NCO for a 12-Soldier Forward Support Medical Evacuation Platoon with C Company, 3-10 General Support Aviation Battalion, 10th Mountain Division, 10th Combat Aviation Brigade from 2 July 2019 to 15 March 2020.

b. DA Forms 2823, dated 11 February 2020 outline the details of the ensuing chaos surrounding the loading, assessing, and treatment of patients under fire from the applicant, CPT C-, and SSG R.

c. TSgt B- Special Order Number G-23527, dated 10 July 2020 showing his award

of the Silver Star for actions as a pararescueman while attached to an Army Special Forces Team and engaged with enemy forces in Ghara Village, Sherzad District, Afghanistan on 8 February 2020.

d. DA Form 7791, dated 14 December 2022 in which TSgt B- describes, the event took place in Ghara Village, Sherzad District, Afghanistan. The helicopters landed in an open field outside of the compound with minimal to no cover and concealment while being exposed to multiple fields of fire. The mission was to pick up the wounded personnel and transport them to a higher level of care. The pilots and crew were exposed to active enemy fire during their time landing, loading patients, and taking off from the landing zone.

e. HRC Memorandum for Request for Award of Combat Medical Badge, dated 27 June 2023 wherein the Chief, Awards and Decorations Branch denied the applicants request for the award of the Combat Medical Badge, states as follows:

(1) The request for award of the Combat Medical Badge to the applicant for service while deployed in support of Operation Iraqi Freedom is disapproved. The documentation submitted in support of this request does not provide sufficient justification to warrant retroactive approval for the incident in question.

(2) In accordance with AR 600-8-22, paragraph 8-7b(4)(a) and MILPER Message Number 11-268, dated 2 September 2011: On or after 18 September 2001, medical personnel assigned or attached to or under operational control of any Combat Arms or Combat Aviation unit of brigade or smaller size, who has satisfactorily performed medical duties while the unit is engaged in active ground combat, provided they are personally present and under fire are eligible for award of the Combat Medical Badge. Based upon review of the forwarded packet, he was not performing medical duties while his unit was actively engaged in active ground combat. As such, they cannot justify an award of the Combat Medical Badge for this incident.

(3) If he believes this determination to be unjust, he has the right to appeal to the Army Board for Correction of Military Records (ABCMR), the highest appellate authority on personnel matters. He may apply to the ABCMR by completing a Department of Defense Form 149 (Application for Correction of Military Record) and following the submission instructions on the form. In addition, he must provide a copy of this correspondence with his application. Although this response was not favorable, this determination in no way reflects negatively on his service on behalf of our Nation.

f. SM CPT C- ABCMR Docket Number AR20230001860, dated 14 December 2023 wherein the Board approved his request stating, in pertinent part, they gave weight to the eyewitness statements which attest to the specificity to the applicant's actions under fire during a mass casualty event, his record of service and missions flown, and the

available service record to determine the evidence presented was enough to warrant a recommendation for relief and award of the Combat Medical Badge.

g. SM CPT C- Orders Number 016-01, dated 16 January 2024 showing his retroactive award of the Combat Medical Badge for actions on 8 February 2020.

h. Proposed Award Narrative for his award of the Combat Medical Badge.

4. A review of the applicant's service records show:

a. On 9 April 2012, he enlisted in the Regular Army. He held military occupational specialty 68W (Health Care Specialist).

b. He served in Afghanistan from 29 September 2019 to 27 July 2020.

c. DA Form 638, dated 22 July 2020 shows he was awarded the Army Achievement Medal with C Device by way of Permanent Order Number 204-12, for outstanding meritorious achievement while deployed in support of Operation Freedom's Sentinel and serving as a critical care flight paramedic following a mass casualty event.

d. DD Form 214, ending 8 July 2021 reflects honorable discharge from active duty for completion of required active service. He completed 9 years and 3 months of active duty service. He was awarded or authorized:

- Army Commendation Medal (2nd Award)
- Army Achievement Medal (3rd Award)
- Air Medal with C Device
- Army Achievement Medal with C Device
- Army Superior Unit Award
- Army Good Conduct Medal (3rd Award)
- National Defense Service Medal
- Global War on Terrorism Service Medal
- Korea Defense Service Medal
- Afghanistan Campaign Medal with Campaign Star
- Non-Commissioned Officer Professional Development Ribbon (2nd Award)
- Army Service Ribbon
- Overseas Service Ribbon (3rd Award)
- NATO Medal
- Expert Field Medical Badge
- Basic Aviation Badge
- Driver and Mechanic Badge with Driver – Racked Vehicle(s) Clasp
- Expert Marksmanship Badge with Carbine Bar

- Driver and Mechanic Badge with Driver – Wheeled Vehicle(s) Clasp

5. By regulation (AR 600-8-22), on or after 18 September 2001, medical personnel assigned or attached to or under operational control of any ground combat arms or combat aviation unit of brigade or smaller size, who satisfactorily perform medical duties while the unit is engaged in active ground combat, provided they are personally present and under fire, are eligible for award of the Combat Medical Badge.

#### 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 evidence of record shows the applicant held military occupational specialty (MOS) 68W (Health Care Specialist) and served in Afghanistan from 29 September 2019 to 27 July 2020; assigned to C Company, 3-10 Aviation Battalion (Task Force Phoenix). The Combat Medical Badge is authorized for several qualifying wars, conflicts, and operations, including Afghanistan. In order to be awarded the Combat Medical Badge, the member, with a qualifying medical specialty, must be assigned or attached by appropriate orders to an infantry unit of either a brigade, regiment, or smaller size, or to a medical unit of company or smaller size, organic to an infantry unit of brigade or smaller size, during any period the infantry unit is engaged in actual ground combat. The member must satisfactorily perform medical duties during any period the unit is engaged in active ground combat, provided the member is personally present and under fire. Based on his unit of assignment and in the evidence provided, including sworn statements he satisfactorily performed medical duties during a unit's engagement in active ground combat, the Board found sufficient evidence the applicant met the criteria for award of the Combat Medical Badge.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- awarding the applicant the Combat Medical Badge for satisfactorily performing medical duties on 8 February 2020 while the unit was engaged in active ground combat
- amending the applicant's DD Form 214, for the period ending 8 July 2021 to show award of the Combat Medical Badge

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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 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 600-8-22 states, in part:

a. The Combat Medical Badge was designed to provide recognition to the field medic who accompanies the infantryman into battle and shares experiences unique to the infantry in combat. There was never any intention to award the Combat Medical Badge to all medical personnel who serve in a combat zone or imminent danger area. As with the Combat Infantryman Badge, the Combat Medical Badge was intended to recognize medical personnel who were personally present and under fire while rendering medical care.

b. On or after 18 September 2001, medical personnel assigned or attached to or under operational control of any ground combat arms or combat aviation unit of brigade or smaller size, who satisfactorily perform medical duties while the unit is engaged in active ground combat, provided they are personally present and under fire, are eligible for award of the Combat Medical Badge.

c. The wartime command retains wartime awards approval authority for 12 months after redeployment and can approve award of the Combat Medical Badge for Soldiers who deployed with their command, and qualified for, but did not receive the Combat Medical Badge during the deployment. Requests for retroactive award of the Combat Medical Badge will not be made except where evidence of injustice is presented. For requests submitted under paragraph 8-7j(2)(b) through (d) must include justification explaining why the Combat Medical Badge was not awarded in theater.

//NOTHING FOLLOWS//