

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 December 2024

DOCKET NUMBER: AR20240003199

APPLICANT REQUESTS: retroactive Health Professions Officer Incentive Pay (HPO IP) with an effective date of 1 July 2022.

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

- DD Form 149 (Application for Correction of Military Record)
- [REDACTED] - Fellowship Training in Gynecologic Oncology from 1 July 2018 to 30 June 2022
- Army Active Component Health Professions Officer Special and Incentive Pay Plan effective 1 January 2024

FACTS:

1. The applicant states:

a. She graduated military fellowship in Gynecologic Oncology and needs her HPO IP to reflect that. She has been underpaid since 1 July 2022 and is owed the difference in pay since that time and for the foreseeable future (\$8,333.33 at the time of this submission and counting). She has been in contact with the special pay office at Madigan Army Military Center several times and have been told that this is the only avenue to have her records corrected, despite sending them her graduation certificate and despite having colleagues in her same specialty join her in practice with the correct pay. All her residency and fellowship training has been while she has been on active duty at Walter Reed National Military Medical Center, which is reflected in her records.

b. She does not know why the error occurred or even if there is an error, however, she has been instructed this is her only avenue to receive appropriate pay. For reference, she attached her graduation certificate from fellowship in Gynecologic Oncology as well as the most recent Army Active Component Health Professions Officer Special and Incentive Pay Plan. Referring to Table 3, she should be paid under the category of Subspecialty Category V, while she is currently being paid under Obstetrics-Gynecology.

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

a. On 22 July 2009, the applicant was appointed as a Reserve commissioned officer and executed an oath of office.

b. DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officers)) shows the applicant attended [REDACTED] Medical College from 12 August 2009 through 10 May 2013 and was awarded a Medical Degree.

c. Orders Number A-01-399119, dated 8 April 2013, issued by the Department of the Army, U.S. Army Human Resources Command, amended by Orders Number A-01-39911901A01, dated 19 April 2013, issued by the same command, ordered her to active duty for her active duty commitment of 48 months.

d. The applicant was appointed as a Regular Army commissioned officer executed an oath of office on 23 May 2013.

e. Memorandum, Subject: Request for HPO IP, dated 3 April 2017, shows a request for HPO IP to begin on 1 January 2017 in the amount of \$8,000.00 a year to be prorated monthly in Area of Concentration (AOC) 60J (Obstetrician and Gynecologist). The request is endorsed by the applicant and approved by her senior commander.

f. [REDACTED] certificate shows from 1 July 2013 to 30 June 2017, the applicant completed Residency Training in Obstetrics and Gynecology.

g. Memorandum, Subject: Request for HPO IP, dated 20 October 2017, shows a request for HPO IP to begin on 1 October 2017 in the amount of 54,000.00 a year to be prorated monthly in AOC 60J. The request is endorsed by the applicant and approved by her senior commander.

h. [REDACTED] certificate shows from 1 July 2018 to 30 June 2022, the applicant completed her Fellowship Training in Gynecologic Oncology.

i. The applicant remains on active duty.

3. The applicant provides, Army Active Component Health Professions Officer Special and Incentive Pay Plan effective 1 January 2024 detailing how the pay plan enhances the ability, size, shape, and stabilize the force by using a monetary incentive to support the recruitment and retention of health care professionals with critical wartime specialties and valuable experience crucial to Army mission success today and readiness tomorrow. The plan discusses the which HPOs are eligible for IP and effective date of the IP agreement.

4. On 11 November 2024, in the processing of this case an advisory opinion was obtained from the Office of the Surgeon General, Chief Army Medical Department

Special Pay Branch, who opined in pertinent part, a review of supporting documentation, special pay and finance data confirms that the applicant is eligible to receive retractive payment with an effective date of 23 August 2022. This is the earliest effective after completion of qualifying training. The applicant is eligible to receive the \$59,000.00 Fellowship HPO IP for the 23 August 2022 – 30 September 2024 timeframe. The total eligible is \$123,227.77. The applicant currently receives the \$54,000.00/year. HPO IP, effective 23 August 2022 – 30 September 2024 = \$113,700.00. This amount must be deducted from the amount eligible. As such $\$123,227.77 - \$113,700.00 = \$10,527.77$ [sic] and the total amount eligible. Defense Finance and Accounting Service-Indianapolis will calculate the exact arrears payment, ensuring a fair and accurate distribution of funds.

5. On 13 November 2024, the applicant was provided a copy of the advisory opinion for comment. She has 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 requests retroactive Health Professions Officer Incentive Pay (HPO IP) with an effective date of 20220701. The evidence shows the applicant is eligible to receive the \$59,000 Fellowship HPO IP for the 20220823-20240930 timeframe. The total eligible is \$123,227.77. The Officer currently receives the \$54,000/yr. HPO IP, effective 20220823-20240930 = \$113,700.00. This amount must be deducted from the amount eligible. As such $\$123,227.77 - \$113,700.00 = \$10,527.77$ and the total amount eligible. DFAS-IN 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 Profession Officer (HPO)/Applicant submitted timely request for HPO Incentive Pay - Fellowship for the period 23 August 2022 to 30 September 2024
- showing the HPO's request was approved by the appropriate office and paying him any HPO IP at the appropriate rate, less any HPO IP received during the same period, as a result of this correction

12/19/2024

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.

REFERENCES:

Army Active Component Health Professions Officer Special and Incentive Pay Plan, Fiscal Year 2020 states to be eligible for HPO IP a member must:

- Execute an IP agreement and have at least one year retainability on Active Duty beginning on the effective date
- Have completed specialty training for which the IP is being paid
- If a Healthcare Provider (HCP), Active Component and Active Guard/Reserve HPOs must be currently credentialed, privileged, and practicing a minimum of 40-hours/year at a facility designated by the Army, in the specialty for which the specialty IP is being paid
- If a HCP must be credentialed, privileged, and practicing a minimum of 40 hours/year at a facility designated by the Army
- Must possess a current, valid, unrestricted license; NCCPA; LCSW or approved Army waiver
- Agreement effective date is no earlier than completion of qualifying training plus 3-months

Table 3 (Specialty HPO IP and HPO RB Rates) shows AOC 60J qualifies for HPO IP in the amount of \$54,000.00 per year prorated monthly.

//NOTHING FOLLOWS//