

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 February 2025

DOCKET NUMBER: AR20240005205

APPLICANT REQUESTS: payment of his Health Professions Loan Repayment Program (HPLRP) in the amount of \$80,000.00.

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

- DD Form 149 (Application for Correction of Military Record)
- U. S. Army Recruiting Command (USAREC) Form 601-37.24
- USAREC Form 601-37.48
- DA Form 71 (Oath of Office – Military Personnel)
- Statement of Commissioning Army Medical Department (AMEDD) Officer U. S. Army Reserve (USAR)
- Incentive Enrollment Data Sheet
- Incentive Screenshot
- DA Form 5016 (Retirement Accounting Statement)

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 requests the payment of his HPLRP in the amount of \$80,000.00 minus taxes. He was awarded HPLRP when he signed his initial contract to join the USAR to repay his federal student loans. He received the first payment; however, he is missing the payments for Fiscal Years (FY) 2020 and 2021. He believes there was an error in the processing system which did not allow for his last two years of payments. The error is unjust as he fulfilled his years of obligation as required for receipt of the HPLRP.
3. A review of the applicant's service record shows:
 - a. On 31 March 2019, the applicant was awarded a degree in Doctor of Medicine from Ross University School of Medicine, West Indies.

b. On 25 April 2019, the applicant enrolled in the STRAP program effective 1 July 2019 for a projected completion date of 30 June 2022 as an Internal Medicine Residency Program at the Regional Medical Center Bayonet Point.

c. USAREC Form 601-37.23 (Incentive Enrollment Data Sheet) dated 29 April 2019, shows the applicant enrolled in the Specialized Training Assistance Program (STRAP) with a degree in Internal Medicine Residency Program which began on 1 June 2019 with a projected graduation date of 30 June 2022.

d. USAREC Form 601-37.48 (USAR and Army National Guard (ARNG) Incentives Declaration Statement) dated 31 May 2019 which shows the applicant wished to received STRAP and HPLRP. It also stated he understood the none of the USAR or ARNG incentives may be received concurrently. This statement was not applicable to the STRAP stipend or HPLRP dual incentive program.

e. On 25 September 2019, the applicant executed his oath of office and was appointed a Reserve commissioned officer in the rank of captain (CPT) in the U. S. Army Medical Corps.

f. Statement of Commissioning AMEDD Officer USAR states the service agreement was used as the contract between the United States Army and individual selected to enter Reserve under the HPLRP, STRAP, also referred to as The Program(s). Program(s) may offer a specified financial and/or educational incentive in return for Reserve obligation. In connection with his Reserve commission as an Internist he would receive the following incentives: HPLRP and STRAP. He understood that none of the USAR or ARNG incentives may be received concurrently. This statement is not applicable to the STRAP (stipend) or HPLRP dual incentive program. He also understood that any service obligation(s) he may incur by receipt of these incentives may not be served concurrently. He would initiate a request for repayment on eligible loans on each anniversary date. He understood when participating in the STRAP, he must participate satisfactorily in a SELRES status for eligibility to receive the HPLR incentive. He also understood that he must extend his STRAP obligation when continuing to receive the HPLR incentive after completion of his specialized training or he may suspend his HPLR agreement and begin serving my STRAP obligation. Upon completion of his STRAP obligation, he may resume his HPLR contract provided he met all other HPLR terms, conditions, and requirements.

g. DA Form 5074-R (Record of Award of Entry Grade Credit (Medical and Dental Officer) dated 8 October 2019 shows the applicant received 4-years constructive credit for his completion of the Doctor of Medicine degree from the Ross University School of Medicine, West Indies during the period of 9 May 2015 through 31 March 2019 for an entry grade of CPT.

h. On 14 November 2019, Orders Number C-11-914308, issued by the U. S. Army Human Resources Command (AHRC), the applicant was assigned to the USAR Troop Program Unit effective 25 September 2019.

i. On 9 February 2023, Orders Number T-02-300952, issued by the U.S. ARHC, the applicant was ordered to active duty to attend AMEDD Direct Commission course effective 12 March 2023.

j. On 19 December 2023, Orders Number T-12-331153, issued by the U. S. AHRC, the applicant was ordered to active duty to attend Reserve Component (RC) Basic Officer Leader Course (BOLC) effective 5 February 2024.

k. On 7 February 2024, Orders Number 7214274, issued by the Department of the Army, the applicant was assigned to the 187th Medical Battalion as a student effective 6 February 2024.

l. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant achieved course standards for the RC-BOLC during the period of 6 February through 1 March 2024.

4. The applicant provides:

a. Incentive screenshot shows the loan repayment for FY 20 was shown as the principle amount of \$40,000.00 with the payment group case number of H19092500080 FY2020 that was in progress. The loan repayment for FY 21 was shown as the principle amount of \$0.00 with the payment group case number of H19092500080 FY2021 that was in progress. A lifetime maximum allowable amount of \$250,000.00 with \$40,000.00 paid for a remaining amount of \$210,000.00.

b. DA Form 5016 date 10 April 2024 shows the applicant had qualifying years from 25 September 2019 until 24 September 2023.

5. On 13 February 2025, in the processing of this case, Headquarters, U. S. Army Reserve Command provided an advisory opinion regarding the applicant's request for payment of his HPLRP. The advisory official stated a review his records confirmed that the applicant was eligible for only two payments, in 2020 and 2021. Health Profession Officers are not eligible to continue receiving HPLR once they begin their STRAP obligation. To maintain eligibility for loan repayments, a request for an HPLR extension should have been submitted at least 90-days before the start of the STRAP obligation. The loan repayments begin 1-year after signing the HPLR agreement. The applicant signed his STRAP and HPLR contract on 25 September 2019. He became eligible for his first HPLR loan repayment on 24 September 2020. However, he did not submit his loan repayment application until 28 July 2021, and the repayment was issued on 16

September 2021. His obligation phase began on 1 July 2022, which ended his eligibility for loan repayments. He applied for his second and final loan repayment on 21 May 2024, and the lender received the payment on 24 October 2024.

6. On 25 February 2025, the Army Review Boards Agency Case Management Division provided the applicant the advisory opinion for review and comment. The applicant 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 not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition, military records, and the advisory opinion from U.S. Army Reserve Command, the Board concurred with the advising official finding the applicant was eligible for only two Health Professions Loan Repayment Program (HPLRP) payments in 2020 and 2021. Program policy clearly states that Health Profession Officers may not receive HPLRP payments once their STRAP obligation begins, unless an extension is requested at least 90 days prior. The Board noted, the applicant signed both agreements on 25 September 2019, became eligible for repayment on 24 September 2020, but submitted his first application late, on 28 July 2021. Evidence shows the applicant's STRAP obligation began on 1 July 2022, ending his HPLRP eligibility. He applied for his second and final repayment on 21 May 2024, which was paid on 24 October 2024. Based on this, the Board found no error or injustice in the administration of the program. Therefore, relief for the requested \$80,000.00 payment is denied.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	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.

X //SIGNED//

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:

1. Title 10, USC, 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 (AR) 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.
3. AR 621-202 (Army Educational Incentives and Entitlements), in effect at the time, prescribes policies, responsibilities, and procedures for the administration of veterans' education programs and education incentives authorized by law.
 - a. Paragraph 3-4 (Student loan deferment), enrollment in the LRP does not exempt a Soldier from the obligation to repay the loan. The Soldier remains responsible to secure a deferment from the lender. The letter by itself does not secure deferment. The lender must acknowledge and approve all requests for deferments.

b. Paragraph 3-5 (Loans in default), the Army will not repay loans or portions of loans that are in default. It will not repay delinquent payments, their interest and associated charges. The Army will not make payments to Soldiers and will not reimburse Soldiers for payments made by them or any other individual.

c. Chapter 8 (Selected Reserve HPLRP) states this chapter provides policy and guidance for the administration of the HPLRP. Under Title 10, USC, section 16302, the program is designed to repay designated loans secured by eligible health professions officers serving in Selected Reserve with wartime critical medical skill shortages.

d. Paragraph 8-3 states, repayment of loans is made on the basis of each year of satisfactory service performed by a health professional as a qualified commissioned officer in the Selected Reserve. For each year of satisfactory service as a Selected Reserve member, the Government will repay designated loans for an officer that:

- is participating satisfactorily as a Selected Reserve member
- initiates DA Form 5536 (Agreement HPLRP)

e. Paragraph 8-4 states, to apply for participation in the HPLRP, the eligible officer must have qualifying loans at the time of signing the DA Form 5536. Selected Reserve unit members will process through their AMEDD recruiter. The anniversary date for repayment of the loan is based on the date the officer completes the agreement. Each year of satisfactory Selected Reserve service performed under the terms of the agreement will qualify the Service member for repayment of eligible loans.

4. Title 10 USC, section 16302 (Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages), a loan made, insured, or guaranteed through a recognized financial or educational institution if that loan was used to finance education regarding a basic professional qualifying degree or graduate education in a health profession that the Secretary of Defense determines to be critically needed in order to meet identified wartime combat medical skill shortages. The Secretary concerned may repay loans described in subsection (a) only in the case of a person who: performs satisfactory service as an officer in the Selected Reserve of an armed force; and possesses professional qualifications or is enrolled in a program of education leading to professional qualifications, in a health profession that the Secretary of Defense has determined to be needed critically in order to meet identified wartime combat medical skill shortages. The amount of any repayment of a loan made on behalf of any person shall be determined on the basis of each complete year of service and performed by the person after the date on which the loan was made.

5. U.S. Army Recruiting Command Regulation 601-37 (Army Medical Recruiting Program), eligibility criteria governing the appointment of persons into the Army Medical

Department (AMEDD), with or without prior service (PS), into the Regular Army (RA) and the Army Reserve (AR) and provide the policies and procedures to process applicants for direct appointments and student programs. Paragraph 9-3 (AR AMEDD Corps Programs and Options), STRAP, HPLRP and Special Pay The policies, provisions, and application guidelines of the STRAP, Special Pay and HPLR are contained in the Selected Reserve Incentive Program (SRIP) memo published by OCAR bi-annually. STRAP and HPLR requirements and processing are located in AR 135-7. HPLRP; Find guidance for the administration of the HPLRP in AR 135-7. Special Pay (1) General. The special pay option is for years of SELRES affiliation. Identify the number of years on the initial contract submitted with the appointment packet. Special pay processes at the beginning of each year of affiliation. The special pay is available for certain critical AOCs based on the needs of the AR. The amounts and critical AOCs will change each FY. The critical AOCs and amounts update at the beginning of each FY.

6. AR 135-7 (Army National Guard and Army Reserve Incentive Program) in effect at the time, prescribes policies and procedures for the administration of the Army National Guard (ARNG) and the United States Army Reserve (USAR) incentive programs. Chapter 7 (Health Professionals Loan Repayment (HPLR)), provides policy and guidance for the administration of the HPLR Program. Established under section 2172, Title 10, USC, the program is designed to repay designated loans secured by eligible commissioned officers of the Medical Corps (MC) and Army Nurse Corps (AN) assigned to the Selected Reserve.

7. U.S. Army Reserve (USAR) Health Professions Special and Incentive (HPS&I) Pay Plan Policy, Reserve Component Health Professions Loan Repayment Program (RC HPLRP), applicant's may contract for both the RC HPLRP and Consolidated Special Pay (CSP) Program bonuses at the time of accession, provided the applicant meets eligibility requirements and the individual's AOC is in the current USAR CWSL. Soldiers will receive the incentives consecutively in the order selected using the appropriate Incentive Declaration Statement form. Upon signing of the form, Soldiers may not deviate from the selection order. Service members cannot overlap obligation periods or receive concurrent payments. If the HPO does not contract for both incentives at the time of accession, the officer may contract for a CSP Program bonus or the RC HPLRP in the future provided the AOC is in the USAR HPS&I Pay Plan CWSL when the new contract is established.

//NOTHING FOLLOWS//