

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 February 2025

DOCKET NUMBER: AR20240005916

APPLICANT REQUESTS: retroactive Health Professions Officer Incentive Pay (HPO IP) for the period of 1 July 2018 through present.

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

- DD Form 149 (Application for Correction of Military Record)
- U. S. Army Adjutant General Fort Detrick Army Element, Walter Reed National Military Medical Center Orders Number 078-12
- Uniformed Service University of Health Science Degree of Doctor of Medicine
- State of Oregon (OR) Medical Board

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 she requests retroactive Health Professions Officer Incentive Pay (HPO IP) for the period of 1 July 2018 through present. She is a General Surgery Resident on active duty at the Oregon Health and Science University and is about to complete her 6-year program and she never received HPO IP for all the years she had been in residency. When she previously inquired about HPO IP, she was told that she was not eligible but has since found that information was incorrect.
3. A review of the applicant's service record shows:
 - a. With prior U. S. Army Reserve (USAR) enlisted service, on 16 May 2014, she executed her oath of office and was appointed a Reserve commissioned officer in the rank of second lieutenant (2LT).
 - b. On 25 June 2014, Orders Number A-06-406077, issued by the U. S. Army Human Resources Command (AHRC), the applicant was ordered to active duty to fulfill her active duty requirement in a voluntary indefinite status effective 28 July 2014.

c. On 28 July 2014, the applicant executed her oath of office and was appointed a Regular Army Medical Service Corps officer in the rank of 2LT.

d. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant achieve course standards for the Army Medical Department Basic Officer Leaders Course during the period of 15 March through 5 May 2017.

e. DA Form 1059 shows the applicant achieved course standards for her first year of Medical School during the period of 25 August 2014 through 23 August 2015.

f. DA Form 1059 shows the applicant achieved course standards for her second year of Medical School during the period of 24 August 2015 through 28 August 2016.

g. DA Form 1059 shows the applicant achieved course standards for her third year of Medical School during the period of 29 August 2016 through 18 August 2017.

h. On 11 January 2018, the applicant was awarded 4-years credit for her completion of her Doctor of Medicine from the Uniformed Services University of the Health Sciences. Her constructive entry grade of 4-years qualified her the rank of captain.

i. DA Form 1059 shows the applicant achieved course standards for her fourth year of Medical School during the period of 08 August 2017 through 19 May 2018.

j. DA Form 1059-1 (Civilian Institution Academic Evaluation Report) attended her General Surgery Residency during the period of 1 July 2018 through 30 June 2023 at the Oregon Health and Science University, Portland, OR.

k. On 7 May 2024, the applicant requested her HPO IP for her area of concentration in General Surgery in the amount of \$8,000.00 per year to be prorated monthly. She agreed to begin her continuous active duty to begin on 1 October 2023. The request was approved on 14 May 2024 by [REDACTED] S-R- the 187th Medical Battalion Commander.

4. The applicant provides:

a. U. S. Adjutant General Fort Detrick Army Element, Walter Reed National Military Medical Center Orders Number 078-12 shows the applicant was assigned to the 187th Student Detachment, Brooke Army Medical Center, Fort Sam Houston, TX effective 11 June 2018.

b. Uniformed Service University of Health Sciences degree of Doctor of Medicine which shows the applicant completed the requirement for her specialty on 19 May 2018.

c. State of OR Medical Board license verification shows on 1 July 2018 the applicant obtained her Medical Doctor postgraduate license which was renewed each year for an expiration of 31 July 2024.

5. On 11 February 2025, in the processing of this case, the Office of the Surgeon General provided an advisory opinion regarding the applicant’s request for retroactive HPO IP. The advisory official stated after a review of the applicant’s supporting documents, policy, and financial data, it was determined she was ineligible to receive the requested incentive for the specified date. However, she is eligible for HPO IP beginning on 20 August 2018. This entitlement grants her a payment of \$136.66 for the period of 20 August 2018 through 30 September 2019. Additionally, she is qualified for a Residency HPO IP payment in the amount of \$29,999.94. In total she is eligible to received \$30,136.60. The Defense Finance and Accounting Service will determine the exact amount of any arrears payment.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant’s contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documents, the findings and recommendations outlined in the OTSG advisory opinion and the lack of any rebuttal submitted by the applicant of those findings and recommendations, the Board concluded the applicant was ineligible to receive the requested incentive for the specified date. However, the applicant was eligible for HPO IP beginning on 20 August 2018. This entitlement grants her a payment of \$136.66 for the period of 20 August 2018 through 30 September 2019. Additionally, she is qualified for a Residency HPO IP payment in the amount of \$29,999.94. In total she is eligible to received \$30,136.60. The Defense Finance and Accounting Service will determine the exact amount of any arrears payment.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by paying the applicant HPO IP beginning on 20 August 2018. The entitlement should be paid at a rate of \$136.66 for the period of 20 August 2018 through 30 September 2019. Additionally, the applicant should be paid for a Residency HPO IP payment in the amount of \$29,999.94. In total she is eligible to received \$30,136.60. The Defense Finance and Accounting Service will determine the exact amount of any arrears payment.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any more HPO IP or other incentives not mentioned above.

//SIGNED//

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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, 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. Title 37 United States Code (USC), section 335 (Special bonus and incentive pay authorities for officers in health professions), (b) Health Professions Incentive Pay, the Secretary concerned may pay incentive pay under this section to an officer in a Regular or Reserve Component (RC) of a uniformed service who: is entitled to basic pay and is serving on active duty or in an active status in a designated health profession specialty or skill. (Maximum Amount and Method of Payment), the Secretary concerned shall determine the amounts of a bonus or incentive pay to be paid under this section, except that—health professions incentive pay under subsection (b) may be paid monthly and

may not exceed, in any 12-month period: \$200,000.00 for medical officers and dental officers; and \$50,000.00 for officers in other health professions.

3. Department of Defense Instruction 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs)), enclosure 3, paragraph d. Incentive Pay (IP), To be eligible for IP, an HPO must: (a) Be in a regular or RC of a Military Service and be entitled to basic pay under section 204 of Reference (c) or compensation under section 206 of Reference (c). (b) Be serving on Active Duty or in an active status in a designated health profession specialty or skill. Annual payment amounts for IP contracts will be listed in the Health Professions Specialty and Incentive pay plan and paid in equal monthly payments. (b) IP When Not Participating in an RB Agreement. Subject to acceptance by the Secretary concerned, an HPO who is eligible for and not in an existing RB 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 HPS&I pay plan. IP agreements must be for at least 1 year and cannot be prorated. If, during the IP agreement, the HPO becomes eligible for a higher IP, the HPO may terminate and renegotiate at that higher rate, obligating for at least a year from the date of renegotiation. (d) Effective Date. The effective date of IP will be calculated from the completion of the qualifying training plus 3-months.

//NOTHING FOLLOWS//