

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 March 2025

DOCKET NUMBER: AR20240007177

APPLICANT REQUESTS: correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 18 September 2020, to show her uncharacterized service as under honorable conditions (general) or honorable.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, for the period ending 18 September 2020
- Letter, Department of Veterans Affairs (VA), dated 26 January 2023

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 enlisted to start a career. She cannot go back in or hold other jobs. Her only option is to go to college. She was suicidal from struggling physically, mentally, and financially. Now that she is receiving some help, she has hope of finding a new career path. She almost lost faith because she is 24 years old and 100 percent (%) permanent and total. A change in her characterization of service would allow her to receive her educational benefits from the VA. The applicant notes post-traumatic stress disorder (PTSD) as a condition related to her request.

3. Prior to enlistment, the applicant underwent a medical examination on 30 September 2019. The relevant DD Form 2807-1 (Report of Medical History) and corresponding DD Form 2808 (Report of Medical Examination) show she reported being in good health and denied any significant health problems. The examining provider determined she was medically qualified for service.

4. The applicant enlisted in the Regular Army on 19 November 2019. She reported to Fort Leonard Wood, MO, for the completion of initial entry training. The highest rank she attained was private/E-1.

5. A DA Form 4707 (Entrance Physical Standards Board [EPSBD] Proceedings), dated 13 August 2020, shows the following:

a. During initial entry training, the applicant developed an abscess in her groin area requiring incision and drainage. She had recurring abscesses and was eventually seen by a dermatologist and gynecologist. She was diagnosed with hidradenitis suppurativa. The condition was identified in the first 6 months of active service.

b. The evaluating physicians recommended she be expeditiously separated from active duty. The condition was determined to have existed prior to service (EPTS).

c. The applicant disagreed with the findings and recommendation as she did not believe the condition EPTS. The unit commander and discharge authority both concurred with the finding and recommendation.

6. A memorandum from the applicant's immediate commander, dated 9 September 2020, recommended the applicant be cleared as non-compliant with the Soldier For Life-Transition Assistance Program as she failed to comply with the program requirements. He noted, at the time, she had serious behavioral health concerns and was not acting in good faith with her chain of command.

7. The applicant was formally counseled on 10 September 2020 of her commander's intent to initiate action to separate the applicant from service, under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), paragraph 5-11, for failure to meet procurement medical fitness standards. The commander further noted the applicant was diagnosed with an EPTS condition, which would significantly delay her return to training and hinder her performance in the military.

8. On 11 September 2020, the applicant was advised of her right to counsel with regard to her administrative separation. She waived her right to counsel and acknowledged doing so without coercion and after receiving a legal brief.

9. The applicant was discharged on 18 September 2020, under the provisions of Army Regulation 635-200 , paragraph 5-11, by reason of failed medical/physical/procurement standards. Her DD Form 214 shows her service was uncharacterized, with separation code JFW and reentry code 3. She completed 10 months of net active service. She was not awarded a military occupational specialty.

10. On 22 May 2024, the Army Discharge Review Board (ADRB) considered the applicant's request for a change to her uncharacterized service, separation program designator code, and reentry code. After careful consideration, the Board determined there were no mitigating factors for the Board to consider as the applicant was discharged for failing to meet medical procurement standards for enlistment. The

discharge was consistent with the procedural and substantive requirements of the regulation.

11. The applicant provides a letter from the VA, dated 26 January 2023, which shows the VA determined her period of service from 19 November 2019 to 18 September 2020 to be honorable.

12. In the processing of this request, on 30 July 2024, Army Review Boards Agency (ARBA) requested medical documentation from the applicant, to support her contention of PTSD. To date, no additional documentation has been received.

13. Soldiers are considered to be in an entry-level status when they are within their first 180 days of active-duty service. The evidence of record shows the applicant was in an entry-level status at the time of her separation. An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It simply means the Soldier was not in the Army long enough for his or her character of service to be rated as honorable or otherwise.

14. The Board should consider the applicant's argument and/or evidence in accordance with the published equity, injustice, or clemency determination guidance.

15. MEDICAL REVIEW:

a. The applicant is applying to the ABCMR requesting to change her uncharacterized discharge to under honorable conditions or honorable. She contends that her experience of PTSD is related to her request. The specific facts and circumstances of the case can be found in the ABCMR Record of Proceedings (ROP). Pertinent to this advisory are the following: 1) The applicant enlisted in the Regular Army on 19 November 2019; 2) On 13 August 2020, as a result of an Entrance Physical Standards Board Proceedings, the applicant was diagnosed with a physical condition that existed prior to service (EPTS), and she was recommended to be separated from service. The applicant disagreed with the findings and recommendation. The applicant's commander concurred with the Board's findings and recommendation; 3) On 18 September 2020, the applicant was discharged by Chapter 5-11 for failed medical/physical procurement standards. Her service was determined to be uncharacterized. She completed 10 months of active service; 4) On 22 May 2024, the ADRB reviewed and denied the applicant's request for a change to her uncharacterized service and other corresponding changes to her DD214.

b. The Army Review Board Agency (ARBA) Medical Advisor reviewed the supporting documents and the applicant's available military and medical service records. The VA's Joint Legacy Viewer (JLV) and hardcopy VA documentation provided by the applicant

were also examined. Lack of citation or discussion in this section should not be interpreted as lack of consideration.

c. The applicant underwent an entry medical examination on 30 September 2019 where she denied any past or present medical or mental health problems, and she was found to meet enlistment standards. Following the results of her Board Proceedings and recommendation for separation for a physical condition (Hidradenitis suppurativa), the applicant was psychiatrically hospitalized from 15 to 21 August 2020 with the diagnosis of suicidal ideations. Upon her discharge from inpatient treatment, she continued to be followed by mental health providers until her administrative discharge and connection with VA medical care.

d. A review of JLV provided evidence the applicant is currently 100% service-connected for generalized anxiety disorder. She was connected with VA medical and mental health services following her administrative discharge beginning in October 2020. Her initial VA mental health treatment was intensive outpatient treatment for alcohol and cannabis use disorders beginning on 17 August 2022. Since that time, the applicant appeared to be consistently treated through the VA for medical and mental health concerns. This included treatment for substance use disorders, suicidal ideations, depression, and anxiety through psychiatry and outpatient and inpatient individual therapy. In addition, during these encounters the applicant also noted a previous history of depression, anxiety, suicidal ideation, ADHD, and psychiatric hospitalizations prior to military service. However, there is insufficient evidence the applicant has been diagnosed with service-connected PTSD at this time.

e. The ARBA Medical Advisor was consulted to review the case to address the medical aspects of the case and stated the following:

(1) The applicant was in active service from 20191119 to 20200918 (10 months). She was discharged under provisions of AR 635-200, para 5-11 for failure to meet medical/physical/procurement standards. Her service was designated as 'Uncharacterized'. Her case was previously reviewed by ADRB. In her current ABCMR application, she requests a change in designation of her service from 'Uncharacterized' to 'Under Honorable Conditions' or 'Honorable'.

(2) The 30Sep2019 enlistment history and physical exam did not reveal any conditions. The applicant was first seen for a right groin abscess on 27Feb2020, three months after entry into service. During the visit, her chief complaint was "vaginal irritation for 10 days". The applicant did not report injury and the provider did not note signs of trauma to the area. The lesion in question had the appearance of an infected

hair follicle. During follow-up on 04Mar2020, after the incision and drainage, the applicant reportedly stated that she had a history of these in the past. Of note, the provider did not note prior scarring during the exam. The condition was ultimately confirmed by dermatology to be Hidradenitis Suppurativa. While in service, the recurrent lesions would sometimes spontaneously drain and resolve and then return; and sometimes they would turn into abscesses. Treatment in service included different oral/topical antibiotics, other topical preparations, and incision and drainage. In addition, she underwent surgical excision of the area and biopsy on 27Jul2020 by gynecology services after which, she was seen for recurrence on the right in 13Aug2020 (non-surgical side).

(3) A 13Aug2020 Entrance Physical Standards Board (EPSBD) Proceedings for Hidradenitis Suppurativa/Recurrent Abscess found that she had been diagnosed within her first 180 days of initial active service with a condition which failed procurement standards of DoDI 6130.03.5.21 (Skin and Soft Tissue Conditions) and DoDI 6130.03.5.30 (Miscellaneous Conditions). In addition, it was found that the HS condition existed prior to service (EPTS). The EPSBD recommended expeditious separation from active duty in accordance AR 635-200, paragraph 5-11.

(4) The HS condition did not meet physical standards for enlistment, appointment, and induction of AR 40-501 chapter 2-28 (Skin and Cellular Tissues): Current or history of furunculosis or carbuncle, if extensive, recurrent, or chronic does not meet the standard. Regarding whether the HS condition warranted a MEB, the following facts were noted: On 08Jul2020, written correspondence by the MEB (General Leonard Wood ACH) indicated a MEB was not warranted at the time. After this point, she underwent surgical excision and biopsy by gynecology who warned recurrence was possible and suggested general surgical consultation should this happen. The condition did recur post-surgery, first on the nonsurgical side (13Aug2020) and finally on the surgical side (09Sep2020). The applicant was separated prior to any further consultations. Per AR 40-501 chapter 3, Hidradenitis suppurative and/or folliculitis decalvans (dissecting cellulitis of the scalp) is a cause for referral for a MEB if unresponsive to treatment and interferes with the satisfactory performance of duty. Between flares, the applicant reported little to no pain. The acute abscesses were moderately to severely painful and interfered with performance. During the 10 months in service, she had 4-5 abscesses (with accompanying profiles for limited duty during treatment) and at least 3 emergency department visits. And finally, on multiple occasions, the applicant presented requesting profile initiation/changes (upgrading) and/or for a MEB. In the ARBA Medical Reviewer's opinion, given that the condition persisted/recurred after surgical excision by gynecology, and the applicant was requesting a MEB, the HS condition warranted review by the MEB at that point. In reality, this sequence of events occurred after the EPSBD may their determinations and already recommended separation. It is not clear (to the undersigned) that a MEB for an

EPTS condition without permanent service aggravation would benefit the applicant as opposed to the current EPSBD.

(5) Summary/Opinion

HS is a chronic inflammatory skin condition which takes months to years to develop. And based on the presentation so soon after entrance on active orders, more likely than not, the condition existed prior to service. The first abscess was noted in February 2020; however, she presented on 17Jan2020 with vaginal itching and pain (without abnormal discharge), for which an etiology could not be found. The HS condition was considered to have existed prior to service (EPTS). There was no evidence that the HS condition was permanently worsened by her military service beyond natural progression. The applicant was discharged for a condition which did not meet medical physical procurement standards for enlistment. The medical condition was diagnosed within her first 180 days of initial active service. The applicant did not complete her first full term in services, nor did she complete AIT. In the ARBA Medical Reviewer's opinion, the chapter 5-11 separation was appropriate. The characterization of service was not impacted by the medical condition.

f. Based on the available information, it is the opinion of the Agency Behavioral Health Advisor that there is insufficient evidence the applicant was experiencing PTSD or any mental health diagnosis warranting a change to her uncharacterized discharge status that resulted from her medical diagnosis of Hidradenitis suppurativa and that her discharge was both proper and equitable.

g. Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the misconduct? Yes, the applicant asserts PTSD is related to her request to change her uncharacterized discharge. There is sufficient evidence the applicant was identified as experiencing mental health conditions prior to, during, and after her active service. She has been diagnosed with service-connected generalized anxiety disorder, but there is insufficient evidence the applicant has been diagnosed with PTSD.

(2) Did the condition exist or experience occur during military service? Yes, the applicant reported and was treated for suicidal behavior during active military service. Following her discharge, she was diagnosed with service-connected generalized anxiety disorder. However, there is insufficient evidence the applicant was diagnosed with PTSD while on active service or was diagnosed with service-connected PTSD by the VA.

(3) Does the condition or experience actually excuse or mitigate the misconduct? No, there is insufficient evidence that the medical diagnosis for which the applicant was discharged was in any way impacted by her diagnosed mental health conditions. There

is also insufficient evidence beyond self-report that the applicant was ever diagnosed with service-connected PTSD. There is sufficient evidence the applicant was appropriately identified early in her military training as not meeting military procurement standards for a physical condition, and she was appropriately assessed and discharged accordingly. However, the applicant contends a mental health condition is related to her request for a change to her uncharacterized a discharge, and per Liberal Consideration, this is sufficient for the Board's consideration.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, to include the DoD guidance on liberal consideration when reviewing discharge upgrade requests, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation and the following findings and recommendations outlined in the medical review:

(1) Did the applicant have a condition or experience that may excuse or mitigate the misconduct? Yes.

(2) Did the condition exist or experience occur during military service? Yes.

(3) Does the condition or experience actually excuse or mitigate the misconduct? No.

the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's characterization of service.

An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It merely means the Soldier has not been in the Army long enough for his or her character of service to be rated as honorable or otherwise. As a result, there is no basis for granting the applicant's request.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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.

//SIGNED//

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:

1. Title 10, U.S. Code (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 Army Board for Correction of Military Records (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. Section 1556 of Title 10, USC, requires the Secretary of the Army to ensure that an applicant seeking corrective action by the Army Review Boards Agency (ARBA) be provided with a copy of any correspondence and communications (including summaries of verbal communications) to or from the Agency with anyone outside the Agency that directly pertains to or has material effect on the applicant's case, except as authorized by statute. ARBA medical advisory opinions and reviews are authored by ARBA civilian and military medical and behavioral health professionals and are therefore internal agency work product. Accordingly, ARBA does not routinely provide copies of ARBA

Medical Office recommendations, opinions (including advisory opinions), and reviews to ABCMR applicants (and/or their counsel) prior to adjudication.

3. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) sets forth the basic authority for the separation of enlisted personnel.

a. Chapter 3 provides that a separation will be described as entry level with uncharacterized service if the Soldier has less than 180 days of continuous active duty service at the time separation action is initiated.

b. An honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

c. A general discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

d. Paragraph 3-9, in effect at the time of the applicant's separation, provided that a separation would be described as entry level with uncharacterized service if processing were initiated while a Soldier was in an entry-level status, except when:

(1) a discharge under other than honorable conditions was authorized, due to the reason for separation and was warranted by the circumstances of the case; or

(2) the Secretary of the Army, on a case-by-case basis, determined a characterization of service as honorable was clearly warranted by the presence of unusual circumstances involving personal conduct and performance of duty. This characterization was authorized when the Soldier was separated by reason of selected changes in service obligation, for convenience of the government, and under Secretarial plenary authority.

e. Paragraph 5-11 provides that Soldiers who are not medically qualified under procurement medical fitness standards when accepted for enlistment or who become medically disqualified under these standards prior to entrance on active duty, active duty for training, or initial entry training will be separated. A medical proceeding, regardless of the date completed, must establish that a medical condition was identified by appropriate medical authority within 6 months of the Soldier's initial entrance on active duty, that the condition would have permanently or temporarily disqualified the Soldier for entry into military service had it been detected at that time, and the medical condition did not disqualify the Soldier from retention in the service. The character of

service for Soldiers separated under this provision would normally be honorable but would be uncharacterized if the Soldier were in an entry-level status.

4. On 25 August 2017, the Office of the Undersecretary of Defense for Personnel and Readiness issued clarifying guidance for the Secretary of Defense Directive to Discharge Review Boards (DRB) and Boards for Correction of Military/Naval Records (BCM/NR) when considering requests by Veterans for modification of their discharges due in whole or in part to: mental health conditions, including post-traumatic stress disorder; traumatic brain injury; sexual assault; or sexual harassment. Standards for review should rightly consider the unique nature of these cases and afford each veteran a reasonable opportunity for relief even if the sexual assault or sexual harassment was unreported, or the mental health condition was not diagnosed until years later. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

5. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. BCM/NRs may grant clemency regardless of the type of court-martial. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

a. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, BCM/NRs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

b. Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

//NOTHING FOLLOWS//