

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 March 2025

DOCKET NUMBER: AR20240009304

APPLICANT REQUESTS: correction of her records to show she was discharged due to service-incurred medical disabilities.

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) summary of benefits letter

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 was discharged due to unexpectedly getting asthma and anemia during training. After being discharged, she was seen at the VA for these medical issues and was awarded service-connected disability compensation for them. She was also determined to be totally and permanently disabled due to these disabilities. She would like the reason for her discharge to show she was discharged for service-connected disabilities because she did not have these disabilities before joining.
3. The applicant enlisted in the Regular Army on 7 August 2017.
4. A DA Form 4107 (Entrance Physical Standards Board (EPSBD) Proceedings), dated 8 September 2017, shows that during the 4th week of basic combat training (BCT), the applicant had wheezing and shortness of breath at rest and with exertion. She was diagnosed with asthma and was also noted to be anemic. The evaluating physician indicated she was not able to complete BCT, that retention was not practical, and recommended her separation for failure to meet medical procurement standards in accordance with Army Regulation 40-501 (Standards of Medical Fitness).
5. On 25 September 2017, the applicant was informed of the medical findings. She acknowledged she understood that legal advice of an attorney employed by the Army

was available to her or that she could consult civilian counsel at her own expense. She also acknowledged she understood that she could request to be discharged without delay or to request retention on active duty. If retained, she could be involuntarily reclassified into another military occupational specialty based upon her medical condition. She concurred with the proceedings and requested to be discharged from the U.S. Army without delay.

6. On 25 September 2017, the separation authority approved the recommendation and directed her discharge from the Army.

7. The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) shows she was discharged on 4 October 2017 under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), paragraph 5-11, by reason of "failed medical/physical/procurement standards." The DD Form 214 also shows she was credited with 1 months and 28 days of active service.

8. The applicant provided a VA summary of benefits letter, dated 20 April 2024, showing she is receiving service-connected disability compensation for undisclosed conditions with a 100% percent disability rating. The letter also shows she is considered to be totally and permanently disabled due to her service-connected disabilities.

9. The Army rates only conditions determined to be physically unfitting at the time of discharge, which disqualify the Soldier from further military service. The Army disability rating is to compensate the individual for the loss of a military career. The VA does not have authority or responsibility for determining physical fitness for military service. The VA may compensate the individual for loss of civilian employability.

10. MEDICAL REVIEW:

a. The Army Review Boards Agency (ARBA) Medical Advisor was asked to review this case. Documentation reviewed included the applicant's ABCMR application and accompanying documentation, the military electronic medical record (EMR – AHLTA and/or MHS Genesis), the VA electronic medical record (JLV), the electronic Physical Evaluation Board (ePEB), the Medical Electronic Data Care History and Readiness Tracking (MEDCHART) application, and the Interactive Personnel Electronic Records Management System (iPERMS). The ARBA Medical Advisor made the following findings and recommendations:

b. The applicant is applying to the ABCMR requesting an upgrade of her uncharacterized discharge, and in essence, a referral to the Disability Evaluation System (DES). She states:

“I was discharged due to unexpectedly getting Asthma and Anemia during training. After being discharged I was seen at the VA for these medical issues and was awarded disability for them. I was also determined to be totally and permanently disabled due to these disabilities. So, I would like my characterization changed to show that I was discharged for a service-connected disability since I did not have these disabilities before joining.”

c. The Record of Proceedings outlines the applicant’s military service and the circumstances of the case. The applicant’s DD 214 shows she entered the regular Army on 7 August 2017 and received an uncharacterized discharged on 4 October 2017 under the separation authority provided by paragraph 5-11 of AR 635-200, Active Duty Enlisted Administrative Separations (19 December 2016): Separation of personnel who did not meet procurement medical fitness standards.

d. Paragraph 5-11a of AR 635-200:

“Soldiers who were not medically qualified under procurement medical fitness standards when accepted for enlistment or who became medically disqualified under these standards prior to entry on AD or ADT for initial entry training, may be separated. Such conditions must be discovered during the first 6 months of AD. Such findings will result in an entrance physical standards board. This board, which must be convened within the Soldier’s first 6 months of AD, takes the place of the notification procedure (para 2–2) required for separation under this chapter.”

e. The EMR shows the applicant was first seen for dyspnea (shortness of breath) on 5 September 2017. She was scheduled for a methacholine challenge test and pulmonary function tests to evaluate for asthma. Her methacholine challenge test was positive, consistent with asthma. She was subsequently referred to an entrance physical standards board (EPSBD) IAW paragraph 5-11a of AR 635-40 for her asthma.

f. These boards are convened IAW paragraph 7-12 of AR 40-400, Patient Administration. This process is for enlisted Soldiers who within their first 6 months of active service are found to have a preexisting condition which does not meet the enlistment standard in chapter 2 of AR 40-501, Standards of Medical Fitness, but does meet the chapter 3 retention standard of the same regulation. The fourth criterion for this process is that the preexisting condition was not permanently service aggravated.

g. From the Entrance Physical Standards Board (EPSBD) Proceedings (DA Form 4707) dated 8 September 2017:

“HISTORY OF EPTS [existed prior to service] CONDITION: SIT [student in training in the 4th week of BCT [basic combat training] and she has wheezing and shortness of breath at rest and with exertion. A methacholine challenge is c/w asthma. She was also noted to be anemic with a Hgb of 11.2 g/dL. She will not be able to complete BCT.

PHYSICAL FINDINGS: ... Lungs: Respiration rhythm and depth was normal. Exaggerated use of accessory muscles for inspiration was not observed. Clear to auscultation. No wheezing was heard. No rhonchi were heard. No rales/crackles were heard

LAB AND X-RAY RESULTS: A methacholine is c/w asthma. Hgb [hemoglobin] 11.2 g/dL

DIAGNOSIS: 1. Asthma 2. Anemia, unspecified

RECOMMENDATIONS: It is recommended that this Soldier be separated from the US Army for failure to meet medical procurement standards IAW AR 40-501, Chapter 2-23d and 2-4a.

h. Paragraphs 2-23d and 2-4a of AR 40-501 (14 June 2017):

2-23d: “Asthma, including reactive airway disease, exercise-induced bronchospasm or asthmatic bronchitis, reliably diagnosed and symptomatic after the 13th birthday, does not meet the standard. Reliable diagnostic criteria may include any of the following elements: substantiated history of cough, wheeze, chest tightness, and/or dyspnea that persists or recurs over a prolonged period of time, generally more than 12 months.”

2-4a: “Anemia. Current hereditary or acquired anemia, which has not been corrected with therapy before appointment or induction, does not meet the standard. For the purposes of this regulation, anemia is defined as hemoglobin of less than 13.5 for males and less than 12 for females.”

i. The board determined her conditions had existed prior to service, had not been permanently aggravated by her brief service, and failed the enlistment standards in chapter 2 of AR 40-501. The applicant concurred with the Board’s findings and recommendation on 14 November 2014 by initialing the elections box “I concur with these proceedings and request to be discharged from the US Army without delay.”

j. An uncharacterized discharge is given to individuals who separate prior to completing 180 days of military service, or when the discharge action was initiated prior to 180 days of service. This type of discharge does not attempt to characterize service as good or bad. Through no fault of her own, she simply had medical conditions which were, unfortunately, not within enlistment standards.

k. It is the opinion of the ARBA medical advisor that neither an upgrade of her discharge nor a referral of her case to the DES is warranted.

BOARD DISCUSSION:

1. 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. The governing regulation provides that a separation will be described as an entry-level separation, with service uncharacterized, if the separation action is initiated while a Soldier is in entry-level status. Upon review of the applicant's petition, available military records and the medical review, the Board concurred with the advising opinion of the ARBA medical advisor that neither an upgrade of her discharge nor a referral of her case to the DES is warranted.

2. The Board determined there is insufficient evidence of in-service mitigating factors to change the applicant's characterization of service. Evidence shows that during basic combat training the applicant was diagnosed with asthma and anemia, conditions that rendered her unable to meet medical procurement standards. The Entrance Physical Standards Board determined that retention was not practical and recommended separation under Army Regulation 40-501. The Board acknowledged that the Department of Veterans Affairs later awarded the applicant service-connected disability compensation and determined her to be totally and permanently disabled, VA determinations do not alter the basis for separation under Army regulations. The Board found the applicant was properly discharged for failure to meet enlistment medical standards, not for service-incurred disabilities, and her records accurately reflect the circumstances of her separation. Therefore, the Board found no error or injustice and denied relief.

3. An uncharacterized discharge is not derogatory; it is recorded when a Soldier has not completed more than 180 days of creditable continuous active duty prior to initiation of separation. It merely means the Soldier has not served on active duty long enough for his or her character of service to be rated as honorable or otherwise.

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.

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, 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 635-200 (Active Duty Enlisted Administrative Separations) sets forth the basic authority for the separation of enlisted personnel. Paragraph 5-11 states Soldiers who were not medically qualified under procurement medical fitness standards when accepted for enlistment or who became medically disqualified under these

standards prior to entry on active duty or active duty training for initial entry training, may be separated. Such conditions must be discovered during the first 6 months of active duty. Such findings will result in an Entrance Physical Standards Board. This board must be convened within the Soldier's first 6 months of active duty. Medical proceedings, regardless of the date completed, must establish that a medical condition was identified by an appropriate military medical authority within 6 months of the Soldier's initial entrance on active duty for Regular Army Soldiers or during initial active duty training for Army National Guard and U.S. Army Reserve that:

a. Would have permanently or temporarily disqualified the Soldier for entry into the military service or entry on active duty or active duty training for initial entry training had it been detected at that time.

b. Does not disqualify the Soldier for retention in the military service per Army Regulation 40-501 (Standards of Medical Fitness, chapter 3.

3. Title 38, U.S. Code, Sections 1110 and 1131, permit the VA to award compensation for disabilities which were incurred in or aggravated by active military service. However, an award of a VA rating does not establish an error or injustice on the part of the Army.

4. Title 38, Code of Federal Regulations, Part IV is the VA Schedule for Rating Disabilities. The VA awards disability ratings to veterans for service-connected conditions, including those conditions detected after discharge. As a result, the VA, operating under different policies, may award a disability rating where the Army did not find the member to be unfit to perform his duties. Unlike the Army, the VA can evaluate a veteran throughout his or her lifetime, adjusting the percentage of disability based upon that agency's examinations and findings.

5. Section 1556 of Title 10, United States Code, 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.

//NOTHING FOLLOWS//