

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 April 2025

DOCKET NUMBER: AR20240009531

APPLICANT REQUESTS: retroactive Health Professions Officer Incentive Pay (HPO IP) for the period of 27 September 2019 through present.

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

- DD Form 149 (Application for Correction of Military Record)
- Headquarters, U.S. Army North (Fifth Army) Military Personnel Division Orders Number 182-706 the applicant was assigned to William Beaumont Army Medical Center, effective 25 October 2019, in Area of Concentration (AOC) 60F (Pulmonary Disease/Critical Care Officer)
- San Antonio Uniformed Services Health Education Consortium, 17 September 2019
- DA Form 67-10-2 (Field Grade Plate (O-4 through O5, CW3 through CW5) Officer Evaluation Report) for rating period of 27 September 2019 through 26 September 2020 shows the applicant was rated as a Pulmonary and Critical Care Medicine Physician
- Texas (TX) Medical Board Physician license
- Army Medical Department Special Pay Record Brief shows the applicant:
 - AOC of Internal Medicine and Pulmonary Disease/Critical Care Officer
 - Pending Incentive Special Pay of HPO IP for the period of 1 January through 31 December 2024 in the amount of \$46,000.00
- Army Active Component HPO Special and Incentive Pay Plan effective 1 January 2023 shows HPO IP for General Internal Medicine in the amount of \$43,000.00 and Pulmonary Medicine in the amount of \$46,000.00

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 graduated from the Fellowship in Pulmonary and Critical Care Medicine on 17 September 2019
- He served as a staff Pulmonary Medicine Physician since 27 September 2019
- He has received HPO IP for General Internal Medicine since 27 September 2019 despite being a Pulmonary Medicine Physician
- He requests to be paid the difference between HPO IP for General Internal Medicine in the amount of \$43,000.00 and Pulmonary Medicine in the amount of \$46,000.00 a difference of \$3,000.00

3. A review of the applicant's service record shows:

- On 24 June 2009, he executed his oath of office and was appointed as a Reserve commissioned officer
- On 24 June 2009, he was appointed and assigned to the U.S. Army Reserve Control Group (Officer Active Duty Obligor) by Orders Number C-11-920256 dated 5 November 2009
- On 8 March 2013, he was awarded 4-years total entry grade credit for his Medical Degree from Loma Linda University
- On 26 May 2013, he executed his oath of office and was appointed as a Regular Army Medical Corps officer and on the same day Loma Linda University awarded the applicant the Doctor of Medicine degree
- On 5 June 2013, he was appointed and ordered to active duty by Orders Number A-01-399264 dated 8 April 2013
- San Antonio Uniformed Service Health Education Consortium certificate shows the applicant completed an Internship in Internal Medicine during the period of 1 July 2013 through 30 June 2014
- On 23 September 2013, he was selected for the Graduate Medical Education in Internal Medicine for the period of 1 July 2014 through 30 June 2016
- On 21 July 2015, the Medical Board of California issued him a Physician's and Surgeon's license which expired on 31 August 2024
- San Antonio Uniformed Services Health Education Consortium certificate shows the applicant completed Residency in Internal Medicine during the period of 1 July 2013 through 30 June 2016
- On 12 December 2018, the American Board of Internal Medicine certified him in Pulmonary Disease
- San Antonio Uniformed Services Health Education Consortium certificate shows the applicant completed a Fellowship in Pulmonary and Critical Care Medicine during the period of 18 September 2016 through 17 September 2019
- On 8 January 2020, the American Board of Internal Medicine certified the applicant in Critical Care Medicine

- TX Medical Board Physician license shows the applicant is authorized for office based anesthesia which expired on 28 February 2025

4. On 4 April 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 effective 27 September 2019. The advisory official stated reviewing the supporting documentation, policy, special pay and financial data, it has been determined that the applicant was eligible to receive the HPO IP effective 28 December 2019. Per the 2019 HPO Pay Plan, the earliest effective date is the latter date of qualifying training plus 3-month or the date of privileging. The applicant is eligible for the HPO IP effective 28 December 2019 through 31 December 2023. The applicant is eligible to receive a total of \$184,383.33 at \$46,000.00 per year. The applicant received a total of \$172,358.33 at \$43,000.00 per year. As such, the total amount remaining that he is eligible to receive is \$12,025.00 (the difference between the total amount eligible and received). The Defense Finance and Accounting Service will determine the exact amount for any arrear's payment.

5. On 18 April 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment.

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 documentation, the findings outlined in the OTSG advisory opinion and the lack of any rebuttal of those findings submitted by the applicant, the Board concluded there was sufficient evidence to pay the applicant HPO IP effective 28 December 2019 through 31 December 2023.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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 Army records of the individual concerned be corrected by paying the applicant HPO IP for the period 28 December 2019 through 31 December 2023. The applicant was eligible to receive a total of \$184,383.33 at \$46,000.00 per year. The applicant received a total of \$172,358.33 at \$43,000.00 per year. As such, the total amount remaining that he is eligible to receive is \$12,025.00 (the difference between the total amount eligible and received).
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 upgrading the applicant's characterization of service.

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. 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//