

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 April 2025

DOCKET NUMBER: AR20240009676

APPLICANT REQUESTS: amendment of her uncharacterized discharge to under honorable conditions (General).

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) Letter dated 8 April 2024 (available for the Boards review) shows the applicant's character of service is determined honorable for period 18 April 2001 to 4 May 2001.
- Standard Form (SF) 88 Report of Medical Examination dated 26 March 2001 (available for the Boards review) shows the applicant's enlistment examination chronic pelvic pain.
- Standard Form (SF) 93 Report of Medical History dated 26 March 2001 (available for the Boards review) shows the applicant's enlistment examination present good health
- Clinical Record dated 26 March 2001 (available for the Boards review) shows an approved medical waiver.
- DD Form 1966 Statement of Understanding USAREC Addendum dated 5 April 2001 shows a medical exception to policy
- Fort Jackson Sick Slip dated 25 April 2001 (available for the Boards review) shows the reason for visit was endometriosis pelvic pain
- DD Form 2648 (Preparation Counseling Checklist) dated 4 May 2001 shows the applicant's preparation counseling
- DD Form 214 (Certificate of Release or Discharge from Active Duty) period ending 4 May 2001

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 her character of service was recently changed from medical to honorable. Now she is requesting it be changed to under honorable conditions (General). Due to being discharged because of medical issues stated in the medical forms. She would like to be able to receive benefits and health benefits.

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

- a. She enlisted in the Regular Army on 18 April 2001
- b. The applicant underwent medical examination for enlistment. A summary of defects and diagnoses list endometrial cysts and chronic pelvic pain on 26 March 2001. Subsequently, a clinical record shows a medical waiver was reviewed and approved.
- c. On 4 May 2001, she was discharged. Her service was uncharacterized. She completed 17 days net active service. Her DD Form 214 (Certificate of Release or Discharge from Active Duty) shows in:
 - Item 26 (Separation Code): JFW
 - Item 27 (Reentry Code): 3
 - Item 28 (Narrative Reason for Separation): Failure to Meet Procurement Medical Fitness Standards

4. 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/or 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.

c. The Record of Proceedings details the applicant's military service and the circumstances of the case. The applicant's DD 214 for the period of service under consideration shows she entered the regular Army on 18 April 2001 and was discharged on 4 May 2001 under provisions provided by paragraph 5-11 of AR 635-200,

Active Duty Enlisted Administrative Separations (26 June 1996): 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. There are no entries in AHLTA and there are no encounters in JLV.

f. Documentation is limited. Her pre-entrance Report of Medical Examination shows she had undergone pelvic surgery for chronic pelvic pain and endometriosis. She appears to have received a medical waiver to enter the Army for this condition.

g. In April 2001, she presented with knee and hip pain as well as chronic pelvic pain.

h. It is assumed the applicant was referred to an entry physical standards board (EPSBD) for chronic pelvic pain IAW paragraph 5-11 of AR 635-200.

i. EPSBD’s 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.

j. This first page of her EPSBD Proceedings (4707) was not available for review. The second page (page 10 of the supporting documents) shows that on 26 April, the EPSBD determined the condition had existed prior to service (EPTS), failed the enlistment standard of AR 40-501, had not been permanently aggravated by his military service, and was not compatible with continued service.

k. On 1 May 2001, the applicant concurred with the Board’s findings by both marking and initialing the election “I concur with these proceedings and request to be discharged from the US Army without delay.”

l. An uncharacterized discharge is given to individuals on active duty 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 a medical condition which was, unfortunately, not within enlistment standards.

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

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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board concurred with the medical advisory official who found that neither a discharge upgrade nor a referral of her case to the DES is warranted. Therefore, the Board determined there was no error or injustice and denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	XX	XX	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 (Personnel Separations – Enlisted Personnel), in effect at the time, sets forth the basic authority for the separation of enlisted personnel.

a. Honorable Discharge states an honorable discharge is a separation with honor. 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.

b. General Discharge states a general discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a member whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

c. Chapter 5-11 of the regulation 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 (AD) or active-duty training (ADT) for initial entry training may be separated. Medical proceedings, regardless of the date completed, must establish that a medical condition was identified by appropriate military medical authority within 6 months of the Soldier's initial entrance on AD for RA, or during ADT for initial entry training. Unless the reason for separation requires a specific characterization, a Soldier being separated for the convenience of the Government will be awarded a character of service of honorable, under honorable conditions, or an uncharacterized description of service if in entry-level status.

3. 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 Army Board for Correction of Military Records applicants (and/or their counsel) prior to adjudication.

//NOTHING FOLLOWS//