

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 September 2025

DOCKET NUMBER: AR20240009798

APPLICANT REQUESTS: in effect –

- Active duty bridging orders published for the period 20 December 2020 – 14 January 2021 and 15 April 2021 – 9 September 2021 for either Medical Retention Processing (MRP) end date extension or earlier Reserve Component Managed Care-Mobilization (RCMC-M) start date for orders gap relief
- Accrued leave earned during the missing period of service
- Correction of his NGB Form 23A (Army National Guard Current Annual Statement); and
- Correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending on 19 December 2020 to show continuous active duty service

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

- DD Form 149 (Application for Correction of Military Record)
- Orders Number 29-208-0010, 27 July 2019
- Orders Number 29-208-0010 (A1), 27 July 2019
- National Guard Bureau (NGB) Memorandum - Subject: Line of Duty (LOD) Determination [Applicant], 2 March 2020
- Orders Number 29-208-0010 (A2), 17 March 2020
- Orders Number 29-208-0010 (A3), 7 June 2020
- Orders Number 29-208-0010 (A4), 5 September 2020
- Orders Number MM-0260-00022, 16 September 2020
- Orders Number 29-208-0010 (A5), 5 October 2020
- NGB Memorandum - Subject: Line of Duty Determination [Applicant], 14 October 2020
- Orders Number MM-0260-00022A01, 24 November 2020
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 19 December 2020
- Orders Number NG-1015-00011, 15 January 2021
- NGB Memorandum - Subject: Line of Duty Determination [Applicant], 4 August 2021

- Orders Number NG-1251-00005, 8 September 2021
- Orders audit document showing orders type and number, name, issue dates, start and end dates, and number of days
- NGB Form 23A prepared on 3 November 2023, which shows mobilization dates, and a gap between the applicant's mobilization dates
- Orders Number 0006908306.00, 3 January 2024
- Joint Force Headquarters North Carolina National Guard (NCNG) Adjutant General (AG) Memorandum - Subject: Request to Expedite Army Board for Corrections of Military Records (ABCMR) in the Restoration of Medical Benefits, Pay and Allowances, 26 February 2024, wherein, the NCNG AG states:
 - Request to expedite ABCMR action in the restoration of medical benefits, pay and allowances for Service Members (SM) of the North Carolina Army National Guard (NCARNG) who mobilized with the 30th Armored Brigade Combat Team in support of Operation Enduring Freedom (OEF)
 - Upon release from active duty, several SMs experienced a break in service in their active-duty orders, which resulted in a lapse of medical care and suspension of pay and allowances
 - Regardless of the mechanism of failure, it is inappropriate for the SMs and their families to bear the brunt of inadequate planning and administrative short falls from either human or human resources systems errors
- Department of Defense Instruction (DODI) Number 1241.01 - Subject: Reserve Component (RC) Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements, 19 April 2016, states:
 - When an RC Service member is on active duty (AD) or full-time National Guard duty (FTNGD) for a period of more than 30 days and, at the scheduled end of that period, has an unresolved in-LOD condition that may render the member unfit for duty under the Disability Evaluation System (DES), but this has not yet been determined by the DES, the member:
 - Will, with his or her consent, be retained on AD or FTNGD until: (1) Outstanding in-LOD conditions are resolved; or (2) He or she is either found fit for duty, separated, or retired as a result of a DES finding

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:

a. He requests active duty orders from 20 December 2020 – 14 January 2021 and 15 April 2021 – 9 September 2021 for either Medical Retention Processing (MRP) end date extension or earlier Reserve Component Managed Care-Mobilization (RCMC-M) start date for orders gap relief.

b. Orders gaps represent breaks in medical coverage or coverage under Transitional Assistance Management Program (TAMP)-180 which never should have been triggered to start up less gaps in continuity of orders. Reference ABCMR (SAMR-RBA) case number AR20220011892 dated 9 May 2023, findings for similar case facts and disposition to support this request.

c. Respectfully, because it is what should have occurred. He was not paid, did not accrue leave or have accurately sponsored benefits from 20 December 2020 – 14 January 2021 and 15 April 2021 – 9 September 2020 due to order gap in between MRP and RCMC-M orders as a wounded warrior. The one released from active duty (REFRAD) DD Form 214 (Certificate of Release or Discharge from Active Duty) dated 7 May 2021 will need a DD Form 215 (Correction to DD Form 214) depending on relief granted.

d. He is missing 5.80 months (174 days) of what should have been continuous Title 10, U.S. Code (USC), section 12301(h) Active Duty recovery status in accordance with DoDI 1241.01, dated 19 April 2016. He is currently in the NCARNG serving as a traditional M-day Soldier. DODI Number 1241.01 dated 19 April 2016, "USD(P&R)" Subject: Reserve Component Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements AD. Defined in section 101(d)(1) of Reference (e). Reference (e) = Title 10, USC. FTNGD. Defined in Reference (p). Reference (p) = DoD Instruction 1215.06, "Uniform Reserve, Training, and Retirement Categories for the Reserve Components," 11 March 2014, as amended.

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

- Having prior enlisted service in the U.S. Marine Corps; on 26 January 2018, the applicant enlisted in the NCARNG
- On 27 July 2019:
 - Orders Number 29-208-0010 ordered the applicant to active duty as a member of his Reserve Component unit for 400 days in support of Operation Enduring Freedom (Spartan Shield) with a report date on 12 August 2019
 - Orders Number 29-208-0010 (A1) amended Order Number 29-208-0010 by adding Accounting Code

- On 2 March 2020, the NGB, Chief, Personnel Division approved "In Line of Duty" the applicant's Right Knee Bursitis and Medial Collateral Ligament Sprain that occurred during OEF Spartan Shield on 16 December 2019
- On 17 March 2020, Orders Number 29-208-0010 (A2) amended Order Number 29-208-0010 by changing the Period of Active Duty to 430 days
- On 7 June 2020, Orders Number 29-208-0010 (A3) amended Order Number 29-208-0010 by changing the Period of Active Duty to 483 days
- On 5 September 2020, Orders Number 29-208-0010 (A4) amended Order Number 29-208-0010 by adding Accounting Code
- On 16 September 2020, Headquarters, U.S. Army Medical Command (MEDCOM), Fort Sam Houston, TX, published Orders Number MM-0260-00022, which retained the applicant on active duty for 60 days
- To participate in the Reserve Component Warriors in Transition Medical Retention Processing Program (MRPP) for completion of medical evaluation with a report date of 27 August 2020; the additional instructions state:
 - No break in service and the applicant will be entered into the Physical Disability Evaluation System process at the earliest determination or if the applicant is unable to return to full military duty within one year of diagnosis of medical condition before orders expire
 - Release from active duty is required upon completion of medical care; the installation transition center will prepare release order and DD Form 214 upon completion of active duty
- On 25 September 2020, Orders Number 269-0671 revoked Order Number 255-0670, pertaining to the release from active duty of the applicant
- On 5 October 2020, Orders Number 29-208-0010 (A5) amended Order Number 29-208-0010 changed the Period of active duty from 483 to 406 days
- On 14 October 2020, the NGB, Chief, Personnel Division approved the applicant's left shoulder strain and left army biceps strain that occurred during OEF (Spartan Shield) as "In Line of Duty"
- On 24 November 2020, Orders Number MM-0260-00022A01 amended Order Number MM-0260-00022 pertaining to Reserve Component Managed Care (RCMC) of the applicant, by changing the order to read:
 - Purpose Type: Extension
 - End Date: 19 December 2020
 - Tour Length: 90

- On 19 December 2020, the applicant was released from active duty and was transferred to his NCARNG unit; DD Form 214 shows he completed 1 year, 4 months, and 8 days net active service this period; item 18 (Remarks) shows he was retained on active duty for Reserve Component Warrior in Transition MRPP for completion of medical evaluation
- On 15 January 2021, Orders Number NG-1015-00011 ordered the applicant to active duty for 90 days to participate in RCMC-Mobilization for Managed Medical Care (Mobilization) with a report date on 15 January 2021; in pertinent part, the additional instructions state:
 - The applicant was on RCMC active duty orders to complete medical care and treatment
 - Release from active duty was required upon completion of medical care
 - State Military Personnel Management Office will prepare release orders and DD Form 214 upon completion of active duty
- On 4 August 2021, the NGB, Chief, Personnel Division approved the applicant's left knee lateral meniscus tear that occurred during OEF (Spartan Shield) as "In Line of Duty"
- On 8 September 2021, Orders Number NG-1251-00005 ordered the applicant to active duty for 112 days to participate in RCMC-Mobilization for Managed Medical Care (Mobilization) with a report date on 8 September 2021; in pertinent part, the additional instructions state:
 - The applicant was on RCMC active duty orders to complete medical care and treatment
 - Release from active duty was required upon completion of medical care
 - State Military Personnel Management Office will prepare release orders and DD Form 214 upon completion of active duty
- On 1 April 2023, the applicant extended for 1 year
- On 18 April 2024, Orders Number 29-4095-0009A01 amended Order Number 29-4095-00094 pertaining to ordering the applicant to active duty, by changing the order to read:
 - End Date: 7 May 2024
 - Tour Length: 17
- On 9 June 2024, the applicant extended for 6 years which changed his expiration term of service to 25 January 2031

- NGB Form 23A prepared on 5 April 2025 shows the applicant was mobilized from 12 August 2019 to 19 December 2020 and 15 January 2021 to 14 April 2021
- On 29 July 2025, Order Number 0023780060.00 promoted the applicant to the rank/grade of staff sergeant/E-6, effective 29 July 2025

4. On 6 May 2025, the NGB, Chief, Special Actions Branch provided an advisory opinion for the applicant's request(s) and recommended approval. The NGB official stated:

a. The applicant was mobilized with the 30th Armored Combat Brigade Team in support of OEF on 12 August 2019. He sustained an In Line of Duty (LOD) injury while deployed. The applicant was placed on Title 10, USC, section 12301(h) orders due to the LOD on 21 September 2020 through 19 November 2020 and later amended to 19 December 2020. The applicant's military records (DD Form 214) show that he was released from active duty on 19 December 2020. The applicant was later placed again on Title 10, USC, section 12301(h) orders due to the LOD on 15 January 2021 through 14 April 2021. The applicant was then placed on regular drilling orders from 15 April 2021 through 7 September 2021 but never attended drill due to his medical issues. He is requesting bridging orders from 20 December 2020 through 14 January 2021 and 15 April 2021 through 9 September 2021 so that he can continue to receive medical care for his in line of duty injury and additional military benefits.

b. The NCARNG states that in accordance with Department of Defense Instruction (DoDI) 5124.05 and title 10 U.S. Code 12301(h) the applicant should have been retained on medical orders until he was return to duty eligible or completed the Integrated Disability Evaluation System (IDES) process. The NCARNG cites that impacted Soldiers that were injured in the line of duty while deployed in support of OEF, to receive care for those injuries they were retained on active duty under the provisions of title 10 U.S. Code 12301(h). Due to administrative shortfalls, processing delays, gaps in regulatory guidance and processing, impacted Soldiers were not retained on such duty until reaching the medical decision point or returned to duty. Packet approval through the NGB was cumbersome.

c. It is the recommendation of this office that the applicant's request be approved. The applicant should be on continuous title 10 orders from 21 September 2019 to 14 January 2021 and from 15 April 2021 through 9 September 2021 so there are no gaps while the applicant is receiving medical care in accordance with DoDI 5124.05 and title 10 USC section 12301(h). His Army National Guard Annual Statement (NGB Form 23A), and DD Form 214 should be updated, and any accrued leave unearned during the missing period of service should be returned to the applicant.

d. The NCARNG reviewed the applicant's claim and agrees with the applicant and concurs with this advisory opinion.

5. On 7 May 2025, the applicant was provided a copy of the NGB advisory opinion to allow for comments or rebuttal. He did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board concurred with the NGB advisory official who opined that the applicant claim has merit. The Board determined that he was ordered to AD on 12 August 2019. However, the applicant should have authorized orders for Medical Retention Processing (MRP) end date extension or earlier Reserve Component Managed Care-Mobilization (RCMC-M). As a result of the amendment, the Board determined that he was also authorized to any entitlements and allowances as a result of this correction. The Board determined his request warranted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:XXX	:XXX	:XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined that the evidence presented was sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army and Army National Guard records of the individual concerned be corrected by:

- amending Orders Number MM-0260-00022, Headquarters U.S. Army Medical Command, dated 16 September 2020, to show 21 September 2020 through 9 September 2021
- amending Order NG-1015-00011, National Guard Bureau, dated 15 January 2021, to show 20 December 2021 through 7 September 2021
- entitlement to back pay and allowances as a result of this correction
- correction of his NGB Form 23A with applicable time
- amendment of his DD Form 214, for the period ending 19 December 2020 to show in:
 - item 12b: 28 December 2021
 - item 12c: 2 years, 4 months, and 17 days

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 (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 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 10, USC, section 12301(h) – Reserve components generally, states, when authorized by the Secretary of Defense, the Secretary of a military department may, with the consent of the member, order a member of a reserve component to active duty — to receive authorized medical care; to be medically evaluated for disability or other purposes; or to complete a required Department of Defense health care study, which may include an associated medical evaluation of the member.

3. Army Regulation (AR) 635-8 (Separation Processing) provides that the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of REFRAD, retirement, or discharge. When separation is ordered, the separation approval documents must be present for transition processing to occur. Source documents, as listed below, must be present in a Soldier's record in order to complete the DD Form 214. Source documents will consist of:

- Service Member's Record Brief
- Separation approval documents
- Separation order
- Any other document authorized for filing in the Army Military Human Resources Record

DD Form 214, Item 12b (Separation Date This Period) will contain the Soldier's transition date. This date may not be the contractual date if the Soldier was separated early, voluntarily extends, is extended to make up lost time, or is retained on active duty for the convenience of the Government.

4. AR 600-8-105 (Military Orders) provides that orders are published to order individuals onto active duty or change the status of military personnel on active duty. Only the organization that published the original order may amend, rescind, or revoke the order. When there is no evidence of fraud or obvious error, and the Soldier received actual or constructive delivery, orders discharging a Soldier from the service will not be revoked after the effective date of discharge unless the revocation is a written confirmation of verbal orders issued before the effective date of discharge. An order may be corrected by the organization that published the original order to show the true state of affairs existing at the time the original order was published. Orders may only be changed to reflect facts that existed when the original order was published.

5. AR 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.

//NOTHING FOLLOWS//