

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 9 September 2025

DOCKET NUMBER: AR20240011451

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his uncharacterized discharge as a medical discharge and an appearance before the Board via video or telephone.

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 1 April 2019
- Department of Veterans Affairs (VA) Rating Decision, dated 30 November 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 he was discharged for medical reasons. He needs his discharge changed from uncharacterized to a medical discharge. He is trying to get a home loan from the VA. However, they do not honor an uncharacterized discharge. He notes post-traumatic stress disorder (PTSD) as a condition related to his request.

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

a. In preparation for his enlistment, he underwent a medical examination. His DD Form 2807-1 (Report of Medical History) shows he did not report a history of behavioral health issues.

b. He enlisted in the U.S. Army Reserve on 13 August 2018.

c. He was ordered to initial active duty for training (IADT), with a report date of 30 October 2018.

d. He underwent a command directed mental health evaluation on 22 February 2019. The evaluating provider noted diagnoses of Persistent Depressive Disorder and Adjustment Disorder with mixed anxiety and depressed mood. The provider further stated it was unclear if the applicant would be able to tolerate Army life. The physical and academic demands of his Civil Affairs military occupational specialty (MOS) appeared to be beyond him. With ongoing treatment and a less arduous MOS, he could be a successful Soldier.

e. He was formally counseled by members of his command team on four occasions between 4 March and 13 March 2019 regarding his behavioral health diagnoses, duty performance, and possible reclassification or separation from service under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), Chapter 11.

f. In an undated self-authored statement, he requested to be separated from service due to his symptoms of depression, panic attacks, and loss of motivation. He no longer wanted to be part of the Civil Affairs team and would appreciate being sent home.

g. On 25 March 2019, his commander notified him of his intent to separate him under the provisions of Army Regulation 635-200, Chapter 11, by reason of entry level performance and conduct.

h. He was advised by consulting counsel of the basis for the contemplated action to separate him and its effects; of the rights available to him; and the effects of any action taken by him to waive his rights. He declined the opportunity to speak with an attorney and elected not to submit a statement in his own behalf.

i. His chain of command formally recommended approval of the separation action prior to his expiration term of service.

j. On 29 March 2019, the separation authority approved the recommended separation action and directed the issuance of an uncharacterized entry level separation.

k. Accordingly, he was discharged on 1 April 2019, by reason of entry level performance and conduct. His service was uncharacterized. He completed 5 months and 20 days of net active service.

4. He provides a VA Rating Decision, dated 30 November 2023, which shows he has a combined disability rating of 80 percent (%) for Chronic Fatigue Syndrome associated with PTSD with Major Depressive Disorder, PTSD with Major Depressive Disorder, and Erectile Dysfunction associated with Major Depressive Disorder.

5. MEDICAL REVIEW:

a. The applicant is applying to the ABCMR requesting an honorable medical discharge in lieu of his uncharacterized administrative separation. He contends his experience of PTSD is related to his 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 U.S. Army Reserve on 13 August 2018; 2) The applicant was ordered to initial active duty for training with a report date of 30 October 2018; 3) The applicant was formally counseled on four occasions between 04-13 March 2019 regarding his behavioral health diagnoses, duty performance, and possible reclassification or separation from service under the provisions of Chapter 11- by reason of entry level performance and conduct; 4) The applicant was discharged on 01 April 2019, by reason of entry level performance and conduct. His service was uncharacterized. He completed 5 months and 20 days of net active service.

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

c. The applicant asserts he warrants an honorable medical discharge in lieu of his uncharacterized administrative separation, and he contends PTSD is related to his request. The applicant first engaged with behavioral health services on 22 February 2019 due to his Command requesting a Command Directed Behavioral Health Evaluation to determine the applicant's suitability for his current MOS and overall stability. The applicant was reported to be "homesick" and appeared depressed. Despite the applicant previously denying a history of behavioral health concerns during his enlistment medical exam, he reported having an extensive history of behavioral health treatment prior to his active service, which included outpatient and inpatient behavioral health therapy and being prescribed psychiatric medication. Currently, the applicant reported feeling overwhelmed by the expectations and standards of military training, particularly in regard to his MOS, and he missed his girlfriend. He was diagnosed with Persistent Depressive Disorder and Adjustment Disorder with anxious and depressive features, and the applicant was recommended for further individual therapy and to be reclassified to a different MOS. Lastly, he was placed on a temporary 90-day psychiatric profile. However, the applicant was determined to meet the medical retention standards IAW AR 40-501 from a behavioral health perspective. On 05 March 2019, the applicant began outpatient individual therapy. He described feeling depressed and homesick since returning from block leave with occasional passive suicidal ideation without plan or intent. He also reported increased anxiety related to his ability to complete military training tasks and insomnia. The applicant also noted he was discussing with his Command the possibility of being administratively separated with a Chapter 11 due to

his inability complete his military training and lack of motivation to improve. He was diagnosed with an Adjustment Disorder with anxiety and depressed mood and was found to meet medical retention standards. He was seen for two additional walk-in appointments in mid-March 2019 reporting symptoms of distress related to remaining in the Army and his current MOS. On 19 March 2019, the applicant's previous diagnosis of Persistent Depressive Disorder was removed due to the applicant noting his previous depressive symptoms resolved when he left his childhood home at 18 years old. The applicant was seen for one final walk-in session on 01 April 2019 due to his frustration related to a corrective measure provided by his Drill Instructors to the group as a result of another Soldier's infraction, which he felt was unfair. There is insufficient evidence the applicant met full criteria for a mental health condition determined to not meet military medical retention standards, attended six months of consistent mental health treatment, required two inpatient psychiatric admissions, or was ever placed on a permanent psychiatric profile.

d. A review of JLV provided evidence the applicant began to engage with the VA in 2021 for completion of a Compensation and Pension (C&P) evaluation for PTSD. The applicant reported his traumatic event during active service was learning another Soldier had died at one point during his initial training. This is not consistent with the DSM criteria for a potentially traumatic event; however, the applicant was diagnosed with service-connected PTSD. The applicant underwent another C&P exam for PTSD in 2024, and his disability rating for PTSD was increased (currently 70%SC).

e. Based on the available information, it is the opinion of the Agency Medical Advisor that there is insufficient evidence to support the applicant had a condition or experience that mitigates his discharge.

f. Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? No, the applicant asserts he warrants an honorable medical discharge, and PTSD is related to his request. However, there is sufficient evidence the applicant was identified, evaluated, and appropriately dispositioned for experiencing difficulty adjusting to the military training. There was insufficient evidence the applicant was experiencing a mitigating mental condition during his active service beyond difficulty adjusting to his military training. In addition, there is insufficient evidence the applicant met full criteria for a mental health condition determined to not meet military medical retention standards, attended six months of consistent mental health treatment, required two inpatient psychiatric admissions, or was ever placed on a permanent psychiatric profile. Therefore, there is insufficient evidence the applicant should be referred to IDES for a medical discharge. Later in 2021, the applicant was diagnosed with service-connected PTSD by the VA. However, there is insufficient evidence to support adjusting the applicant's discharge as a result of this diagnosis. Yet, the applicant contends he was

experiencing a mental health condition or an experience warranting a medical discharge, and per Liberal Consideration the contention is sufficient for the board's consideration.

(2) Did the condition exist or experience occur during military service? N/A

(3) Does the condition or experience actually excuse or mitigate the discharge? N/A

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 request, supporting documents, evidence in the records, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement and record of service, the frequency and nature of the applicant's misconduct, the reason for separation and the medical advisory opinion. The Board concurred with the medical opinion and found the applicant was separated for an inability to adapt to military life. The Board found no error or injustice in the separation proceedings under the regulation and subsequent characterization of service assigned at separation. The Board determined relief was not warranted and denied relief.

2. Based upon the misconduct leading to the applicant's separation and the following recommendation found in the medical review related to the liberal consideration:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? No, the applicant asserts he warrants an honorable medical discharge, and PTSD is related to his request. However, there is sufficient evidence the applicant was identified, evaluated, and appropriately dispositioned for experiencing difficulty adjusting to the military training. There was insufficient evidence the applicant was experiencing a mitigating mental condition during his active service beyond difficulty adjusting to his military training. In addition, there is insufficient evidence the applicant met full criteria for a mental health condition determined to not meet military medical retention standards, attended six months of consistent mental health treatment, required two inpatient psychiatric admissions, or was ever placed on a permanent psychiatric profile. Therefore, there is insufficient evidence the applicant should be referred to IDES for a medical discharge. Later in 2021, the applicant was diagnosed with service-connected PTSD by the VA. However, there is insufficient evidence to support adjusting the applicant's discharge as a result of this diagnosis. Yet, the applicant contends he was experiencing a mental health condition or an experience warranting a medical

discharge, and per Liberal Consideration the contention is sufficient for the board's consideration.

(2) Did the condition exist or experience occur during military service? N/A

(3) Does the condition or experience actually excuse or mitigate the discharge? N/A

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

3. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

| <u>Mbr 1</u> | <u>Mbr 2</u> | <u>Mbr 3</u> | |
|--------------|--------------|--------------|----------------------|
| : | : | : | 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 (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. Title 10, USC, Section 1203, provides for the physical disability separation of a member who has less than 20 years of service and a disability rating at less than 30 percent.

3. Title 38, USC, Sections 1110 and 1131, permit the Department of Veterans Affairs (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.

a. 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.

b. The VA does not have authority or responsibility for determining physical fitness for military service. The VA awards disability ratings to veterans for service-connected conditions, including those conditions detected after discharge, to compensate the individual for loss of civilian employability. 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.

4. 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 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, and reviews to Army Board for Correction of Military Records applicants prior to adjudication.

5. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The regulation provides that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

6. Army Regulation 40-501 (Standards of Medical Fitness) governs medical fitness standards for enlistment, induction, appointment (including officer procurement programs), retention, and separation (including retirement). Once a determination of physical unfitness is made, the physical evaluation board (PEB) rates all disabilities using the Veterans Affairs Schedule for Rating Disabilities (VASRD).

a. Chapter 2, provides physical standards for enlistment, appointment, and induction with the purpose to ensure members medically qualified are medically capable

of completing required to training, adapt to a military environment without geographical limitations, perform duties without aggravation of existing physical defects or medical conditions.

b. The standards in Chapter 2 are applicable to individuals who enlist in the Regular Army - for medical conditions or physical defects pre-dating original enlistment, standards are applicable for enlistee's first 6 months of active duty. It states that enlisted Soldiers identified within the first 6 months of active duty with a condition that existed prior to service that does not meet the physical standards may be separated following an evaluation by an Entrance Physical Standards Board, under the provisions of Army Regulation 635-200, Chapter 5; for Reserve Component members, these standards are applicable during the enlistee's first period of active duty for training (ADT).

7. Army Regulation 635-40 (Physical Evaluation for Retention, Retirement, or Separation), establishes the Physical Disability Evaluation System (PDES) and sets forth policies, responsibilities, and procedures that apply in determining whether a Soldier is unfit because of physical disability to reasonably perform the duties of his or her office, grade, rank, or rating. It provides for a medical evaluation board that is convened to document a Soldier's medical status and duty limitations insofar as duty is affected by the Soldier's status. A decision is made as to the Soldier's medical qualifications for retention based on the criteria in AR 40-501 (Standards of Medical Fitness), Chapter 3. Disability compensation is not an entitlement acquired by reason of service-incurred illness or injury; rather, it is provided to Soldiers whose service is interrupted and who can no longer continue to reasonably perform because of a physical disability incurred or aggravated in service.

a. The mere presence of impairment does not of itself justify a finding of unfitness because of physical disability. In each case, it is necessary to compare the nature and degree of physical disability present with the requirements of the duties the member reasonably may be expected to perform because of his or her office, rank, grade, or rating. The Army must find that a service member is physically unfit to reasonably perform his or her duties and assign an appropriate disability rating before he or she can be medically retired or separated.

b. When a member is being processed for separation for reasons other than physical disability (e.g., retirement, resignation, reduction in force, relief from active duty, administrative separation, discharge, etc.), his or her continued performance of duty (until he or she is referred to the PDES for evaluation for separation for reasons indicated above) creates a presumption that the member is fit for duty. Except for a member who was previously found unfit and retained in a limited assignment duty status in accordance with chapter 6 of this regulation, such a member should not be referred to the PDES unless his or her physical defects raise substantial doubt that he or she is fit to continue to perform the duties of his or her office, grade, rank, or rating.

c. When a member is being processed for separation for reasons other than physical disability, the presumption of fitness may be overcome if the evidence establishes that the member, in fact, was physically unable to adequately perform the duties of his or her office, grade, rank, or rating even though he or she was improperly retained in that office, grade, rank, or rating for a period of time and/or acute, grave illness or injury or other deterioration of physical condition that occurred immediately prior to or coincidentally with the member's separation for reasons other than physical disability rendered him or her unfit for further duty.

8. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) sets policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons.

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. 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. Chapter 11 provides for the separation of personnel because of unsatisfactory performance or conduct (or both) while in an entry-level status. When separation of a Soldier in an entry-level status is warranted by unsatisfactory performance or minor disciplinary infractions (or both) as evidenced by inability, lack of reasonable effort, or failure to adapt to the military environment, he or she will normally be separated per this chapter. Service will be uncharacterized for entry-level separation under the provisions of this chapter.

9. 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. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to 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.

10. 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.

//NOTHING FOLLOWS//