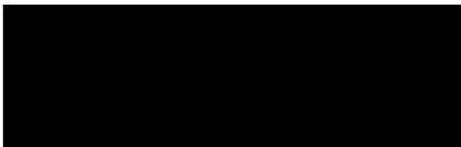


DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of  
Coast Guard Record of:



BCMR Docket  
No. 16-96

**FINAL DECISION**

Attorney-Advisor:

This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on October 30, 1995, by the filing of an application for relief with the BCMR.

This final decision, dated October 11, 1996, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**Applicant's Request for Relief**

The applicant, a former seaman (SN; pay grade E-3), was honorably discharged from the Coast Guard on October 14, 1995. He requested that his DD Form 214 (certificate of release or discharge from active duty) be corrected by changing section 17 (member was provided complete dental examination and all appropriate dental services and treatment within 90 Days prior to separation) from "Yes" to "No."

The applicant claimed that the dental practitioners at a Navy medical clinic recommended that he have 3 crowns placed on his teeth and that he have a cracked tooth repaired. He asserted that "[t]he clinic could not place [him] in for treatment before [he] got out [of the Coast Guard]." He did not submit any proof of this alleged recommendation for dental treatment.

The applicant submitted a page from his Coast Guard dental records that listed entries for June 28, 1995 and August 22, 1995. The June 28, 1995 entry indicated that he had experienced "sharp . . . nonlingering" pain during a three-week period. He was advised to apply a prescribed medication to the affected area at night after he had brushed his teeth. The August 22, 1995 entry indicated that one of the applicant's teeth was sensitive to cold. The applicant was prescribed Motrin and the same medication

discussed in the June 28, 1995 entry. The last portion of the August 22, 1995 entry read as follows: "Re eval #9 [tooth] - annual recall." The applicant did not submit any further corroboration of his claim.

### **Views of the Coast Guard**

On June 19, 1996, the Coast Guard recommended that the applicant's request for relief be denied. It asserted that the applicant had not demonstrated that it had committed either error or injustice with regard to his military record.

The Service noted that it could not locate the applicant's medical or dental records but that "[f]rom the partial records provided by applicant, it appears applicant did receive a complete dental examination within 90 days of RELAD [release from active duty]." The Coast Guard stated that the excerpt from the applicant's dental records does not "show a diagnosis, or recommendation for further treatment. . . . [T]he items contained in the dental records provided show only conditions which are not disqualifying for service, and the conditions would not have rendered the applicant incapable of performing his duties."

The Coast Guard stated that "[i]f applicant can provide documentation showing evidence of a diagnosis and/or recommended treatment we will be happy to provide a further review."

### **Applicant's Response to the Coast Guard's Views**

The applicant was provided a copy of the Coast Guard's views and informed that he could respond to them within 15 days. He did not submit a response.

## **FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions on the basis of the applicant's military record and submission, the Coast Guard's submission, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10, United States Code. The application was timely.
2. The applicant's dental and medical records could not be located, but the excerpt from the applicant's dental records that he submitted with his application does

not indicate that he needed any further dental treatment within 90 days prior to his discharge from the Coast Guard.

3. The applicant has failed to establish that, prior to his discharge from the Coast Guard, he needed the dental treatment to which he referred in his application. He has further failed to demonstrate that the Coast Guard committed either error or injustice with regard to the designation of "Yes" in section 17 (member was provided complete dental examination and all appropriate dental services and treatment within 90 days prior to separation) of his DD Form 214 (certificate of release or discharge from active duty).

4. Accordingly, the applicant's request for relief should be denied.

**ORDER**

The application for correction of the military record of  
, USCG, is denied.

