

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2020-021

**Discharge Issued**

**Character:** Honorable

**Narrative Reason:** Adjustment Disorder

**SPD/RE Code:** JFY / RE4

**Authority of Discharge:** COMDTINST M1000.4 ART 1.B.15.b(3)

**Date of Separation:** 2019-03-04

**DRB Decision**

**Character:** No Change

**Narrative Reason:** No Change

**SPD/RE Code:** No Change / RE3

**New Authority:** No Change

**Discharge Review Board Discussion and Decision:**

**DISCUSSION:**

The former FN was released from the United States Coast Guard after completing a service term of 1 year, 5 months, and 13 days.

This discharge was carried out due to being diagnosed with Adjustment Disorder by a medical professional. However, the former member disputes this diagnosis, claiming that their issues were a result of sea sickness rather than an Adjustment Disorder. They are now seeking to improve their RE code to be eligible for enlistment in the National Guard. The former member underwent Non-Judicial Punishment (NJP) proceedings for violating Article 92 (Failure to obey an order or regulation) and Article 86 (Absence without leave). This violation occurred when their approved leave expired on, and they didn't return to their unit until around 1300 2 days after leave had expired. Consequently, they were given 30 days of arrest in quarters, 30 days of extra duty, and reduced to E2.

During their time at their unit, the former member suffered severe sea sickness, leading to symptoms like nausea, vomiting, headaches, tightness in the throat, and disrupted sleep due to the constant nausea and vomiting. These symptoms hindered their ability to carry out their duties, impacting both physical and mental function. This included irritability, difficulty concentrating, and a depressed mood caused by the lack of sleep and ongoing nausea. The former member noted that these symptoms vanished upon returning to land-based duty.

A medical professional diagnosed the former member with Adjustment Disorder, specifically with Disturbance of Mood and Conduct. Consequently, the former member was discharged due to being deemed unsuitable for service because of this disorder. Three days before their discharge, another medical professional suggested that a more accurate diagnosis for the former member's condition would be Adjustment Disorder, not otherwise specified, as the initial diagnosis is typically associated with violent behavior or threats of violence. Furthermore, this medical professional noted that the disorder appeared to be in full remission.

The applicant elected to appear virtually before the board and provide their testimony to the events related to their discharge. The board asked the following questions:

Board: You mentioned you are trying to join the Army. Are you still in the process of joining?

Applicant: Yes

Board: If you're not able to obtain an RE-1 have you discussed with the recruiter the ability to have a waiver for the RE code?

Applicant: Yes, there was discussion with the recruiter that there are waivers available for RE3.

Board: You said that your reason for unsuitability was due to sea sickness on the cutter. Do you suffer from motion sickness?

Applicant: No. I'm only sick on the cutter. Not small boats or helicopters. As soon as I am back on land, I am back to feeling normal.

Board: With regards to sea sickness, did you attempt to obtain a prescription for seasickness medicine?

Applicant: No there was limited medical resources available. I attempted the bands, and other remedies which were unsuccessful.

Board: You received NJP. Please describe the incident

Applicant: I misunderstood the dates of my leave and the scheduling of my flight. There were additional flight delays contributing to the problem. The CS3 called me to tell me I was missing mess cook duty. At that point I realized I was overdue from leave and immediately called my supervisor.

The Board discussed the former member's testimony and service record. The NJP received by the former member is the only documented instance of misconduct in their record. The applicant's employee evaluations were average, and multiple character references were included with the application to emphasize that the former member aligns personal values with Coast Guard Core Values.

The Board further discussed the applicant's assertion that seasickness constituted the primary factor leading to their discharge. Notably, two distinct behavioral evaluations were conducted, both indicating the presence of an adjustment disorder. However, the second assessment indicated that the applicant's symptoms were in full remission since being placed on shore duty. This assessment further substantiated the applicant's claims that sea sickness was the main factor in their hindered ability to carry out their assigned duties.

In accordance with ALCOAST 252/09, the addition of SPD code JFY allows for the issuance of RE codes, specifically RE-3G or RE-4, to members diagnosed with adjustment disorders. The Board firmly believes the root cause of the former member's performance difficulties were attributed to their severe seasickness rather than misconduct or an inability to adapt to the military lifestyle. The board reached a consensus that a RE-3G code, rather than barring the former member from seeking enlistment in other services, would be a more appropriate designation.

The Board finds no error in propriety regarding fact, law, procedure, or discretion. In the course of the discharge review, the Board determined that relief is warranted based on the above evidence presented to the DRB, in conjunction with the applicant's capability to serve. The Board finds that the totality of the circumstances gives credence to the applicant's ability to serve, albeit in a capacity that does not contribute to their severe sea sickness. The applicant was separated on grounds of Unsuitability due to Adjustment Disorder, pursuant to 1.B.15.b.(3). Based on the applicant's military record and other evidence presented to the Board, the Board finds the former member's conduct did not fairly justify an RE4 reenlistment code, and that an RE3 would be more appropriate.

An RE3-G reentry code signifies that the applicant has a condition (not physical disability) interfering with performance of duty. The applicant is eligible for reenlistment if the gaining service approves a waiver.

**RECOMMENDATION:** The Board members thoroughly reviewed the applicant's record of service and all available documentation. The Board deemed that the applicant's reentry code is not appropriate and should be changed. The applicant has substantiated an inequity.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.