

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD
Docket #: 2024-044

Discharge Issued

Character: Honorable

Narrative Reason: Personality Disorder

SPD/RE Code: JFX / RE4

Authority of Discharge: COMDTINST M1000.4 Article 1.B.15

Date of Separation: 2018-03-29

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / RE3G

New Authority: No Change

Discharge Review Board Discussion and Decision:

ISSUES: The applicant seeks an upgrade to their reentry code in order to reenlist in the Coast Guard. The applicant states that while they were pregnant, they were diagnosed with attention deficit hyperactivity disorder (ADHD) and prescribed medication to help them manage their symptoms. The applicant states that after their pregnancy, their symptoms subsided, and they were able to discontinue the use of medication. The applicant is claiming an inequity as new policy has been issued and ADHD is no longer a disqualifying condition for enlist in the Armed Forces.

DISCUSSION: The applicant was discharged for unsuitability due to a personality disorder after being diagnosed with attention deficit hyperactivity disorder (ADHD). The basis for the recommendation came from a mental health evaluation with a licensed psychiatrist. As ADHD was a disqualifying condition, administrative separation was commenced following the diagnosis. At the time of discharged, the applicant had no negative or disciplinary actions in their record.

The applicant was processed for discharge for unsuitability owing to a personality disorder in accordance with COMDTINST M1000.4 Article 1.B.15. They were advised of the intent to discharge in a memo and advised of their right to submit a statement on their behalf. The applicant declined and did not object to being discharged. The applicant ultimately received an Honorable discharge with a narrative reason of Personality Disorder, an SPD code of JFX, and a reentry code of RE4.

The Board finds the applicant's discharge was solely the result of a diagnosis of ADHD. Previously, ADHD was a disqualifying condition, which barred enlistment from the Armed Forces. As such, someone diagnosed with ADHD while in service would be separated and ineligible to reenlist, owing to the receipt of an RE4 reenlistment code. While the Board finds no error in the original discharge, the guidance set forth in DOD Instruction 6130.03 Volume 1, establishes that ADHD is no longer a disqualifying condition for enlistment. As such, the Board finds the applicant's RE4 is now inconsistent with Coast

Guard policy and procedure. The policies and procedures under which the applicant was discharged differ in material respect to the policies and procedures currently applicable on a service-wide basis. The current policies represent a substantial enhancement of the rights afforded to the applicant. The Board has substantial doubt that the applicant would have received the same reentry code if relevant current policies and procedures had been available to the applicant at the time of discharge. Individuals diagnosed with ADHD are now eligible to enlist granted a waiver is approved. The Board finds the applicant should be afforded the same ability. An SPD code of JFX (which is the SPD code received by the applicant) allows for the issuance of either an RE4 or an RE3-G for members discharged due to personality disorders. The Board finds that an RE3-G is the proper reenlistment code as ADHD is no longer a disqualifying condition for entry into the United States Armed Forces. As such, the applicant should be eligible to reenlist pending 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 no longer appropriate and should be changed. The applicant substantiated an inequity.

Propriety: Discharge was proper.

Equity: Discharge is no longer equitable based upon policy/legislative change.

Board Conclusion: The Board voted 4-0 for RELIEF

² 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.