



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 10232-23
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[REDACTED]/[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 7220.17
(c) FY22 and FY23 MC Special Pay Guidance

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by BUMED, 1 Feb 24
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to establish retroactive entitlement to Health Professional Officer Board Certified Pay (BCP) effective 7 July 2022.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 May 2024 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), the effective date of BCP is the date of commencement of active duty, or the date the officer becomes board certified in the specialty, whichever is later. Reference (c) specified the 1-year rate (prorated monthly) for BCP is \$6,000.

b. On 14 December 2001, Petitioner entered the U.S. Marine Corps and honorably discharged on 28 February 2010.

c. On 25 July 2011, Petitioner signed a NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Officer to the [REDACTED].

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d. On 16 May 2015, Petitioner detached [REDACTED], accepted an active duty commission in the U.S. Navy and reported to [REDACTED] for duty on 8 June 2015.

e. On 7 July 2016, Petitioner issued Medicine and Surgery License from the [REDACTED] Department of Health Professionals (No. [REDACTED]) with an expiration date of 31 May 2026.

f. On 16 July 2016, Petitioner detached [REDACTED] and reported to [REDACTED] for duty.

g. On 26 June 2017, Petitioner detached [REDACTED] and reported to [REDACTED] for duty.

h. On 1 July 2021, Petitioner detached [REDACTED] and reported to [REDACTED] for duty.

i. On 7 July 2022, Petitioner issued board certification (Certificate No. [REDACTED]) from the American Board of Otolaryngology – Head and Neck Surgery.

j. On 23 September 2022, Petitioner submitted a request for BCP to Bureau of Medicine and Surgery via Commanding Officer, [REDACTED], [REDACTED]; no action was taken.

k. On 26 January 2024, Petitioner's BCP was processed with an effective date of 1 October 2023.

l. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. In accordance with references (b) and (c), Petitioner met the eligibility criteria for BCP. However, because of administrative oversight, Petitioner's BCP package was not appropriately processed, therefore the Board determined under this circumstance, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner submitted BCP package in a timely manner, and it was approved by cognizant authority.

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This change will entitle Petitioner to BCP with an annual rate of \$6,000 from 7 July 2022 to 30 September 2023.

Note: Defense Finance and Accounting Service will conduct an audit of Petitioner's pay records to determine retroactive special pay entitlement.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

6/13/2024

