



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

██████████
Docket No. 4188-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████, USN,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Official Military Personnel File
(c) Interval Department of Veterans' Affairs Medical Records

Encl: (1) DD Form 149 w/attachments

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that she be placed on the permanent disability retired list (PDRL).

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 22 August 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 naval records, 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 as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. A review of Petitioner's reference (b) Official Military Personnel File (OMPF) reveals that the Petitioner enlisted in the Navy and commenced active duty on 14 August 2012. On 28 May 2020, Petitioner was placed on the Temporary Disability Retired List (TDRL) due to post-traumatic stress disorder (PTSD), chronic, unstable, at 70%, not combat related (NCR) and not incurred in a combat zone (NCZ). In August 2023, she was administratively removed from the TDRL without having had a final periodic physical examination.

c. In her petition, Petitioner requests to be placed on the PDRL. In support of her request, provided a letter from the Department of Veterans' Affairs (VA) reflecting that she has a service connected disability rating of 100%, although the letter she provided does not explain the nature or time frame of such rating.

d. In connection with reviewing Petitioner's request, the Board facilitated a review of reference (c) in order to discern the status of the condition for which Petitioner was placed on the TDRL. A result of the review of applicable VA medical records yielded that, at the time of her

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administrative removal from the TDRL, she remained unable to perform the duties of her office, grade, rank, or rating, and that her interval rating by the VA is considered sufficient and consistent 10 U.S.C. Ch. 61 requirements and should be applied with placement on the Permanent Disability Retired List (PDRL) as follows:

POST TRAUMATIC STRESS DISORDER, CHRONIC (STABLE) at 70%,
DC 9411. Not combat related (NCR), not incurred in a combat zone (NCZ).

CONCLUSION

In its review of the entirety of Petitioner's materials as described above, and in particular its review of applicable VA medical records, the Board concluded that the Petitioner is entitled to relief in the form of placement on the PDRL as described in the recommendation below.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

That Petitioner be placed on the PDRL effective the date that she was removed from the TDRL for the following conditions:

POST TRAUMATIC STRESS DISORDER, CHRONIC (STABLE) at 70%,
DC 9411. Not combat related (NCR), not incurred in a combat zone (NCZ).

DFAS shall audit the Petitioner's pay account for payment of back pay to the date of Petitioner's removal from the TDRL and any lawful monies owed.

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 Regulation, 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

9/11/2024

