

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

c. Petitioner enlisted in the Navy and began a period of active service on 1 April 1980.

d. On 2 November 1980, Petitioner reported for duty at the Naval Security Group Activity, [REDACTED]. On 3 February 1981, Petitioner was received for treatment at [REDACTED]. Petitioner was placed on medical hold on 9 March 1981.

e. Unfortunately, the documents pertinent to Petitioner's administrative separation are not in her official military personnel file (OMPF). Notwithstanding, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, presumed that they have properly discharged their official duties. Based on the information contained on Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214), she was separated on 17 April 1981 with a "General (Under Honorable Conditions) (GEN)" characterization of service, her narrative reason for separation is "Physical disability existing prior to entry on active-duty, established by a medical board, not entitled to severance pay," her reentry code is "RE-4," and her separation code is "KFN/845," which corresponds to physical disability existing prior to entry on active-duty, established by a medical board, not entitled to severance pay/GEN.

f. At the time of Petitioner's separation, her military behavior average was 3.3 and her overall trait average was 2.95.

g. Petitioner contends that serving in the military "made any mental condition [worse]," that she suffered mental health concerns after being a passenger in a fatal car accident, and that she had no misconduct. Petitioner did not provide any supporting documentation with her claim.

h. As part of the Board's review, the Board considered enclosure (4). The AO states in pertinent part:

Petitioner contends she incurred mental health concerns from a fatal motor vehicle accident in which she was riding during military service, which may have contributed to the circumstances of her separation.

In April 1981, the Petitioner was discharged under honorable conditions for a physical disability existing prior to entry on active duty. Her complete service medical record was not available.

There is no evidence that she was diagnosed with a mental health condition in military service, or that she exhibited any psychological symptoms or behavioral changes indicative of a diagnosable mental health condition. She has provided no medical evidence in support of her claims. Unfortunately, her personal statement is not sufficiently detailed to establish clinical symptoms in service or provide a nexus with the circumstances of her separation, particularly given available records that state that her separation was due to a pre-existing medical issue.

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The AO concluded, "it is my clinical opinion that there is insufficient evidence of a diagnosis of a mental health condition that may be attributed to military service. There is insufficient evidence to attribute the circumstances of her separation from service to a mental health condition."

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants relief in the interests of justice.

The Board found no error in Petitioner's separation for a pre-existing physical disability and concurred with the AO that there is insufficient evidence of a diagnosis of a mental health condition that may be attributed to military service and insufficient evidence to attribute the circumstances of her separation from service to a mental health condition.

However, after reviewing the record holistically and given the totality of the circumstances, including the absence of disciplinary proceedings and Petitioner's military behavior average of 3.3 and overall trait average of 2.95, both which exceeded the minimum scores needed for an Honorable characterization of service, the Board concluded Petitioner's discharge characterization should be changed to "Honorable."

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

RECOMMENDATION

That Petitioner be issued a new DD Form 214 indicating her character of service as "Honorable," separation authority as "BUPERSMAN 3850280/BUMEDINST 1910.2G" separation code as "KFN/805", narrative reason for separation as "physical disability existing prior to entry on active-duty, established by a medical board, not entitled to severance pay," and reenlistment code as "RE-4."

That Petitioner be issued an Honorable Discharge Certificate.

That no further changes be made to Petitioner's record.

That a copy of this report of proceedings 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.

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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.

11/8/2024

