



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

[REDACTED]
Docket No. 7182-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, [REDACTED]

Ref: (a) 10 U.S.C. § 1552
(b) Official Military Personnel File (OMPF)

Encl: (1) DD Form 149 w/enclosures
(2) Certificate of Release or Discharge from Active Duty (DD Form 214), 20 Mar 96
(3) Advisory Opinion by Ph.D., Licensed Clinical Psychologist, 15 Oct 2024

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 his record be amended to recognize Borderline Personality Disorder as a service-related condition. He further requested correction of his discharge status to medical discharge under honorable conditions.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 December 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 of the evidence of record pertaining to Petitioner's allegations of error or injustice, finds 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. Although Petitioner's application was not filed in a timely manner, the Board, in the interest of justice, waived the statute of limitations and considered the case on its merits.

b. A review of reference (b), Petitioner's OMPF, reveals Petitioner enlisted in the Navy and entered active duty on 16 February 1995. His OMPF is incomplete in that it does not contain his administrative separation processing documentation. However, his DD Form 214 indicates he was discharged on 20 March 1996 with an honorable characterization of service by reason of convenience of the government due to personality disorder. Enclosure (2).

c. Petitioner contends his Borderline Personality Disorder diagnosis should have been considered a service-related condition because it significantly impacted his ability to fulfil his duties. Further, he contends the conditions of military service exacerbated or contributed to his development of Borderline Personality Disorder. Petitioner contends correction to his record is

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required in order to ensure a fair and accurate representation of his service and to accurately reflect the impact Borderline Personality Disorder had on his military service. Additionally, he contends the inability to seek post-service treatment for his disorder prolonged the challenges he faced and significantly delayed his path to recovery, a delay which “underscores the enduring impact of [Borderline Personality Disorder] on [his] life...and the need for a retrospective understanding of its service-related nature.” Petitioner contends he has persevered and worked tirelessly to rebuild his life post-separation but, although he is proud of his accomplishments, he “cannot overlook the fact that [his] struggles could have been mitigated with the support of the Navy.” Lastly, he contends his requested relief would not only cause him to receive the recognition he deserves but would allow him to gain access to the benefits and support services available to veterans. Enclosure (1).

d. In order to assist the Board in reaching a decision, a licensed clinical psychologist provided the Advisory Opinion (AO) at enclosure (3), explaining Petitioner was appropriately referred for psychological evaluation during his enlistment and diagnosed with Personality Disorder “based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluation performed by the mental health clinician.” The AO further stated a personality disorder diagnosis is “pre-existing to military service by definition, and indicates lifelong characterological traits unsuitable for military service, since they are not typically amenable to treatment within the operational requirements of Naval Service.” The AO determined Petitioner’s records were not sufficiently detailed enough to demonstrate error in the diagnosis and concluded additional records would aid in rendering an alternate opinion. The AO was provided to Petitioner for review and comment on 16 October 2024, and when Petitioner did not provide a rebuttal response within the allotted time, his request for relief at enclosure (1) was considered by the Board.

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board concluded Petitioner’s request warrants partial relief. Specifically, the Board observed Petitioner’s DD Form 214 at enclosure (2) describes his narrative reason for separation as “Personality Disorder.” In keeping with the letter and spirit of current guidance, the Board determined it would be an injustice to label one’s discharge as being for a diagnosed character and behavior and/or adjustment disorder. Describing Petitioner’s service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded Petitioner’s discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

Notwithstanding the recommended corrective action below, the Board determined Petitioner had no basis for medical discharge or retirement and denied his request. In reaching its decision, the Board observed that in order to qualify for military disability benefits through the Disability Evaluation System with a finding of unfitness, a service member must be unable to perform the duties of his/her office, grade, rank or rating as a result of a qualifying disability condition. Alternatively, a member may be found unfit if his/her disability represents a decided medical risk to the health or the member or to the welfare or safety of other members; the member’s disability

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imposes unreasonable requirements on the military to maintain or protect the member; or the member possesses two or more disability conditions which have an overall effect of causing unfitness even though, standing alone, are not separately unfitting.

In reviewing Petitioner's record, the Board concluded the preponderance of the evidence does not support a finding that he met any of the criteria for unfitness at the time of his discharge. The Board found Petitioner failed to provide sufficient evidence to demonstrate he had an unfitting condition at the time he was discharged from active duty with a personality disorder. In particular, the Board presumed the basis for his discharge from active duty due to personality disorder was supported by rational medical evidence. Accordingly, based on the foregoing, the Board denied Petitioner's requested relief.

RECOMMENDATION

In view of the above, the Board recommends the following corrective action be taken on Petitioner's naval record:

Petitioner shall be issued a new DD Form 214 for the period 16 February 1995 ending 20 March 1996, indicating his narrative reason for separation was "Secretarial Authority," the SPD code assigned was "JFF," and the separation authority was "MILPERSMAN 1910-164."

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

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.

1/17/2025

