



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

[REDACTED]
Docket No. 8684-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Petitioner's Case File
(c) MILPERSMAN 1910-122

Encl: (1) DD Form 149

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 his naval record be corrected by granting a "medical evaluation board to see if he qualifies for medical retirement."

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 5 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 relevant portions of the 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, finds as follows:

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

b. Petitioner entered active duty in the United States Navy on 27 January 2003. On 15 March 2005, Petitioner self-referred for a mental health evaluation at [REDACTED], reference (c). During his second NMCP psychiatric admission, the treatment team determined Petitioner was diagnosed with the following: Axis I – (V) Occupational Problem; Axis II - Personality Disorder Not Otherwise Specified With Borderline Traits; Axis III – None; Axis IV – Routine stressors of military service; financial stressors; Axis V – GAF of 45(admission; GAF of 65 (discharge). Upon evaluation and review of Petitioner's case, qualified medical personnel "strongly recommended an expeditious administrative separation from the military on the basis of a personality disorder of such severity as to render the member incapable of serving adequately in military service as per MILPERSMAN 1910-122." The narrative summary stated Petitioner had history of several prior suicide attempts, four of them from when he was in high school. The Commanding Officer, [REDACTED] notified

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Petitioner of administrative separation for the convenience of the government due to personality disorder. Petitioner was advised of his rights thereto and waived all rights with the exception of his right to obtain copies of documents relevant to his separation. Petitioner was also advised the least favorable characterization of service possible was General (Under Honorable Conditions). Petitioner did not object to the separation processing.

c. Petitioner was discharged on 21 March 2005; his Certificate of Release or Discharge from Active Duty (DD Form 214) states an Honorable characterization of service and "Personality Disorder" as the narrative reason for separation.

d. Petitioner filed a claim with the Board requesting a "medical evaluation board to see if he qualifies for medical retirement," arguing he was diagnosed with a mental health condition before discharge and was later diagnosed by the Department of Veterans Affairs (VA) with Major Depression.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting partial relief. The Board found Petitioner's DD Form 214 contains a diagnosis in the narrative reason for separation section and there is potential stigma for public disclosure of the diagnosis in the document. The Board determined that Petitioner's narrative separation reason on his DD Form 214 warranted a change to Secretarial Authority with a corresponding Separation Program Designator (SPD) code.

Despite the Board's recommendation to grant partial relief, the Board concluded the preponderance of the evidence did not support a medical board review. At the outset, the Board acknowledged that it substantially concurred with the contemporaneous findings and recommendation of the qualified medical professionals who evaluated and diagnosed Petitioner in 2005. The Board found the recommendation to administratively separate Petitioner to be reasonable and based on substantial evidence in the record. While the Board carefully considered petitioner's contentions and evidence, on balance, it was not persuaded by the arguments he made, and noted they did not sufficiently rebut the findings of the medical personnel in 2005. The Board determined Petitioner was correctly administratively separated from service, under reference (c) as he had a condition that interfered with his performance of duty but did not warrant referral to the Physical Evaluation Board.

RECOMMENDATION

In view of the above, the Board recommends the following corrective action:

Issue Petitioner a new DD Form 214 and change Petitioner's narrative reason for separation to Secretarial Authority and change Petitioner's SPD to the corresponding code.

That a copy of this report of proceedings be filed in Petitioner's naval record.

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

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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.

1/31/2025

