

Docket No. 10392-24 Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO

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- Ref: (a) Title 10 U.S.C. § 1552(b) FY21 through FY24 Navy AC MC Special Pay Guidance
- Encl: (1) DD Form 149 w/attachments
 (2) Advisory Opinion by BUMED, 3 Dec 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 his naval record be corrected to establish entitlement the Health Professions Officer Residency Incentive Pay (IP) vice Internship IP for the period of 30 September 2021 through 30 June 2024.

2. The Board, consisting of **Constant and Constant and Constant and Period**, and **Constant and Period**

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, he 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), eligibility for Residency IP begins 3 months after completing Internship, must be licensed, and attending Initial Residency. The 1-year rate (prorated monthly) for Initial Residency was \$8,000.

b. On 18 May 2014, Petitioner awarded a Bachelor of Science from the University of

c. On 21 May 2016, Petitioner awarded a Master of Science in Biomedical Sciences from Medical School.

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d. On 27 July 2016, Petitioner accepted a Reserve commission under the Armed Forces Health Professional Scholarship Program.

e. On 16 May 2020, Petitioner awarded a Doctor of Medicine from Eastern School in **Eastern**.

f. On 19 May 2020, Petitioner accepted an active duty commission and entered active duty on 1 June 2020.

g. On 26 June 2020, Petitioner issued an Intern and Residents License (**1999**) from the **1999** of Health Professions with an expiration of 30 June 2022.

h. On 16 August 2020, Petitioner's Internship IP started.

i. On 22 September 2021, Petitioner issued a Medical License (#0101273283) from the Virginia Department of Health Professions with an expiration of 31 March 2026.

j. On 30 June 2024, Petitioner's Internship IP stopped.

k. On 1 July 2024, Petitioner's General Medical Officer (GMO) IP started.

1. On 17 September 2024, Commander, Navy Medicine Readiness and Training Command, certified that Petitioner completed Internship Training from 1 July 2020 to 30 June 2021 and Residency Training from 1 July 2021 through 30 June 2024.

m. On 30 September 2024, Petitioner's GMO IP stopped, and Emergency Medicine IP started on 1 October 2024.

n. 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 partial 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 error warranting the following corrective action. The Board concluded that Petitioner met the eligibility criteria for Residency IP for the period of 30 September 2021 through 30 June 2024 in accordance with reference (b). However, because of administrative oversight, Petitioner's special pay package was not appropriately processed. Although the proper administrative requirements were not completed, the Board determined under this circumstance, relief is warranted.

RECOMMENDATION

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

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Petitioner submitted request for Residency IP, in a timely manner, and it was approved by cognizant authority.

This change will entitle Petitioner to Residency IP at an annual rate of \$8,000 for the period of 30 September 2021 through 30 June 2024.

Note: Petitioner is only eligible for the difference in pay for Internship IP and Residency IP from 30 September 2021 through 30 June 2024. Defense Finance and Accounting Service will conduct an audit of Petitioner's pay record 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 titled 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.

