



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

Docket No. 10780-24
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) 10 U.S.C. § 1552
(b) Official Military Personnel File (OMPF)
(c) Interval Department of Veterans' Affairs Medical Records
(d) 10. U.S.C Chapter 61

Encl: (1) DD Form 149 w/enclosures

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 reinstatement on the Temporary Disability Retired List (TDRL).
2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 20 February 2025 and, pursuant to its regulations, determined 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 found it in the interest of justice to waive the statute of limitations and consider the case on its merits.
 - b. Petitioner entered active duty with the Navy on 26 October 2005. He was later found unfit by a Physical Evaluation Board (PEB), on 19 April 2013, due to Somatoform Disorder, Conversion Disorder, and Post-Traumatic Stress Disorder (PTSD) (which existed prior to service (EPTS) Aggravation) (Unstable), Diagnostic Code (DC) 9411, with a 50% rating. On 28 June 2013, Petitioner was transferred to the TDRL.
 - c. According to Petitioner's PEB record, he was administratively removed from the TDRL on 20 May 2019.
 - d. Petitioner contends he did not receive requests for reevaluation during the five years following his initial placement on the TDRL. Additionally, he contends he was told he had been

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“made permanently and totally disabled” and did not receive correspondence regarding his disability after this determination. Lastly, Petitioner expressed the hardship caused by the administrative removal and loss of healthcare coverage for himself and his family. See enclosure (1).

e. 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 review of the medical records indicates Petitioner received an interval, increased rating of 100% for PTSD (DC 9411) effective 25 August 2014. The records further indicate Petitioner remains unable to perform the duties of his office, grade, rank, or rating.

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board concluded Petitioner is entitled to relief.

Based on the review of Petitioner’s reference (c) documents, the Board determined Petitioner’s interval rating by the VA is considered sufficient, consistent with reference (d) requirements, and should be applied with placement on the Permanent Disability Retired List (PDRL) as follows:

SOMATOFORM DISORDER; CONVERSION DISORDER; PTSD (stable) at 100%,
DC 9411. Not combat related (NCR), not incurred in a combat zone (NCZ).

RECOMMENDATION

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

That Petitioner be placed on the PDRL, effective 25 August 2014, for the following conditions:

SOMATOFORM DISORDER; CONVERSION DISORDER; PTSD (stable) at 100%,
DC 9411. NCR, NCZ.

The Defense Finance and Accounting Service shall audit Petitioner’s pay account to determine amounts due, if any.

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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

3/10/2025

