



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD  
ARLINGTON, VA 22204

█  
Docket No. 1861-25  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER █, █,  
USN, XXX-XX-█

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

Encl: (1) DD Form 149 w/attachments  
(2) Physician Advisor, BCNR, 13 January 2026

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to reflect that she received a permanent disability retirement with at least a 30% disability rating with back pay or, in the alternative, she be placed into the Disability Evaluation System (DES) for review.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 21 January 2026 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 references, enclosures, relevant portions of naval records, and applicable statutes, regulations and policies, to include the enclosure (2); an advisory opinion (AO) prepared by a medical professional.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found 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. A review of Petitioner's Official Military Personnel File (OMPF) reveals that she enlisted in the Navy and commenced active duty on 10 October 2006. As described in the AO, during her service, Petitioner received medical care for a variety of condition. On 12 November 2008, Petitioner's command prepared a non-medical assessment (NMA), which was favorable for her ability to remain in the Navy. On 23 October 2008, Petitioner was reviewed by a Medical Evaluation Board (MEB), which diagnosed her with Diarrhea, most likely post-Cholecystectomy. It noted her past medical history was notable for Anxiety, Depression, Obsessive-Compulsive Disorder, and Bipolar Disorder. It further stated that she was evaluated by Psychiatry and found to be fit for duty from a psychiatric standpoint. On 8 December 2008,

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an Informal Physical Evaluation Board (IPEB) found Petitioner to be unfit due to Diarrhea, most likely Post-Cholecystectomy, and assigned a 10% disability rating. On 23 December 2008, Petitioner completed her election of options, and accepted the findings of the IPEB. On 9 January 2009, the President, PEB, informed the Chief of Naval Personnel that Petitioner was found unfit and should be discharged with severance. On 23 March 2009, Petitioner was discharged due to disability with severance in accordance with the findings of the IPEB. Petitioner has provided documentation that, post-service, she received a variety of ratings from the Department of Veterans Affairs (VA), and these VA records were reviewed by the preparer of the AO.

c. In support of her request, Petitioner asserted that the medical and lay evidence demonstrates that her conditions and their resulting symptoms and treatments rendered her unfit for duty and that her conditions warranted a permanent medical retirement.

d. In order to assist it in considering Petitioner's application, the Board sought the enclosure (2) (AO), which was considered favorable to Petitioner's request. In reaching its favorable opinion, the AO set forth and analyzed Petitioner's medical conditions while she was on active duty, namely, (1) Diarrhea, (2) Primary Hypercoagulable State Factor V Condition, and (3) Bipolar Disorder, as follows:

- (1) With respect to Petitioner's Diarrhea condition, the AO explained that her condition of Diarrhea, Most Likely Post-Cholecystectomy, was correctly identified as duty limiting and referred to the PEB who found it unfitting for continued service as it prevented her from reasonably performing her required military duties and awarded her a 10% disability evaluation. The AO, however, concurred with Petitioner's contention that she should have been awarded a higher disability of evaluation of 30%. The AO explained criteria for 10% disability characterizes the frequency as 1-2 watery bowel movements per day, while the criteria for 30% requires three or more watery bowel movements per day. Petitioner's personal statements and clinical notes reflect she had 4 to 5 bowel movements a day of loose stools, which supports the 30% evaluation.
- (2) With respect to Petitioner's Primary Hypercoagulable State Factor V Condition, the AO explained that, after considered review of the available objective clinical and non-clinical evidence, there exists sufficient evidence that at the time of her medical separation, Petitioner's condition warranted consideration of referral to a MEB and the PEB for adjudication of fitness for continued service and medical retirement. According to the AO, after Petitioner's MEB and referral to the PEB for her Diarrhea condition, but before her discharge from military service, she experienced emergent hospitalization and treatment for multiple Pulmonary Emboli to both sides of her lungs, and during her evaluation, it was discovered she suffered from a chronic hypercoagulable state due to a Factor V Leiden Mutation (a common genetic mutation that makes your blood more prone to clotting increasing the risk for occurrences such as Pulmonary Embolism or Deep Vein Thrombosis). Further, according to the AO, had Petitioner not been pending medical separation from the Navy, this condition alone would have likely necessitated a MEB due to its duty limiting nature, as well as referral to the PEB

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for adjudication of fitness for continued service. Finally, according to the AO, had Petitioner been reviewed by the PEB, she would have likely been found unfit with a disability rating of 30% due to this condition.

- (3) With respect to Petitioner's Bipolar Disorder, the AO explained that Petitioner had been diagnosed with this condition as early as 2007. However, according to the AO, despite recommendations that Petitioner be administratively separated for a mental health disorder that existed prior to enlistment (EPTE), her command chose to allow her to complete her initial training and go onto her A School training. Further, available clinical records showed she successfully continued through her training and onto operational assignments and there was no indication her treating providers considered her unfit for service due to mental health treatment or conditions. In addition, Petitioner's performance evaluations did not evidence impaired occupational functioning as after her psychiatric hospitalization and outpatient treatment at her initial training command, she successfully completed "A" school training, as well as her first tour aboard ship (cut short only due to transfer ashore for her DES processing due to a medical condition). The AO concluded that had Petitioner been reviewed by the PEB for her mental health condition, she likely would have been found fit for that condition.

e. Based on the foregoing analysis, the AO explained that, "[a]fter considered review of the available objective clinical and non-clinical evidence, in my medical opinion, there exists sufficient evidence that at the time of her medical separation, Petitioner suffered from an additional unfitting condition that rendered her unable to carry out the responsibilities of her rank, rate, and assigned duties." Finally, AO recommended that the PEB consider Petitioner for placement on the Permanent Disability Retired List (PDRL) due to the following:

1. Residuals of Pulmonary Embolism due to Primary Hypercoagulable State Factor V Leiden Mutation, VA Code 6817, rated at 30%, permanent and stable, non-combat related (NCR), noncombat zone (NCZ).
2. Diarrhea (Most Likely Post-Cholecystectomy), VA Code 7318, rated at 30%, permanent and stable, non-combat related (NCR), non-combat zone (NCZ).

This results in a combined rating of 50%.

## CONCLUSION

In its review of the entirety of the available documentation, the Board determined that there was an error in Petitioner's naval record with respect to the medical conditions and ratings while she was the DES. In reaching its decision, the Board acknowledged that the AO provided a technical medical analysis concerning three specific medical conditions that were implicated in Petitioner's review and ultimate medical separation from service. The Board found the AO's fulsome analysis of Petitioner's conditions to be rational and to be supported by substantial evidence in the record. In determining the appropriate relief, the Board observed that the AO set forth a rational opinion on the conditions for which Petitioner would likely be found unfit were

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she to be reviewed by the PEB. Thus, the Board determined that the AO's recommendation was sufficient for it to grant the following relief.

#### RECOMMENDATION

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

That Petitioner be placed on the PDRL effective the date she was discharge from active duty (23 March 2009) for the following conditions:

1. Residuals of Pulmonary Embolism due to Primary Hypercoagulable State Factor V Leiden Mutation, VA Code 6817, rated at 30%, permanent and stable, non-combat related (NCR), noncombat zone (NCZ).
2. Diarrhea (Most Likely Post-Cholecystectomy), VA Code 7318, rated at 30%, permanent and stable, non-combat related (NCR), non-combat zone (NCZ).

This results in a combined rating of 50%.

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting Narrative Reason for Separation: Disability, Permanent (NCR/NCZ), Separation Program Designator: As Appropriate; Reentry Code: RE-3P.

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

That a copy of this decision be placed in Petitioner's OMPF.

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.

2/2/2026

[REDACTED]

Executive Director

Signed by: [REDACTED]