



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

██████████
Docket No. 7741-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your 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 your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 22 April 2026. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, to include the 25 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo) and the 4 April 2024 guidance from the Under Secretary of Defense for Personnel and Readiness relating to the consideration of cases involving both liberal consideration discharge relief and fitness determinations (Vazirani Memo) (collectively the "Clarifying Guidance").

A review of your record shows that you enlisted in the U.S. Navy and commenced active duty on 14 January 2013. In September 2014, you were diagnosed with adjustment disorder and antisocial personality disorder (ICD Diagnostic Code F60.2) and prescribed the following occupational limitations: no sea duty, no operational duty, no deployment, and no weapons handling. The same month, you failed a Medical Assignment Screening and were recommended for administrative separation (ADSEP) by both a consultant medical provider and a physician military medical screener due to their assessment that you were "Unsuitab[le] for Operational Duty."

On 10 February 2015, your commanding officer (CO), consistent with the providers' recommendation described above, recommended your ADSEP by reason of "Convenience of the

Government – Physical or Mental Conditions.” On 8 December 2014, you were honorably discharged.

On 8 October 2025, you petitioned the Naval Discharge Review Board (NDRB) to change your narrative reason for separation from “Condition, Not a Disability” (CND). You did not specify what specific change you were seeking. Following its review, the NDRB did not change your narrative reason for separation, as it was determined to be appropriate under the applicable separation authority (MILPERSMAN 1910-120).

Post-service, the Department of Veterans Affairs (VA) rated you as 70% disabled due to service-connected post-traumatic stress disorder (PTSD), effective 4 September 2022.

In your application to this Board, you requested that your naval records be changed to reflect your disability separation or retirement, and a change from a “general honorable to medical discharge.” In your application, you contend that a Navy doctor at Naval Medical Center ██████████ misdiagnosed you with an adjustment disorder when you actually suffered from PTSD, which resulted from your actions to: (1) prevent a fellow sailor from committing suicide onboard ██████████; and (2) prevent a stabbing at ██████████ in 2014.

The Board notes that, in evaluating the official actions of public bodies and officers, it is bound to employ the presumption of regularity. Under that presumption, in the absence of substantial evidence to the contrary, the Board will presume that such public bodies and officers have properly discharged their official duties.

The Board carefully reviewed your application, supporting materials, and military record and ultimately concluded that you failed to meet your burden to prove, by a preponderance of the evidence, that the Navy’s actions at the time of your discharge were erroneous (i.e., that the actions materially departed from then-applicable processes or standards, or that judgments made in the course of those actions were irrational) or unjust (i.e., that the actions, though not erroneous, were unjust under the particular circumstances of the case, either at the time or in retrospect).

In reaching its decision, the Board fully considered the Clarifying Guidance and employed the analytical framework outlined in the Vazirani Memo. Under that framework, the Board first applies liberal consideration to contentions that a mental health condition potentially contributed to the circumstances resulting in discharge to determine whether any discharge relief is appropriate. After making that determination, the Board then separately assesses claims of unfitness for continued service due to a medical condition (including a mental health condition) as a discreet issue, without applying liberal consideration to the unfitness claim or carryover of any of the findings made when applying liberal consideration.

The Board wishes to clarify a point of apparent confusion in your application. In your application, you request a “[s]witch from a general honorable to medical discharge.” However, you appear to confuse characterization of service with reason for separation. The characterization of service (e.g., Honorable, General, Under Other than Honorable Conditions, etc.) refers to the quality of your service. The narrative reason for separation (e.g., Disability,

Completion of Obligated Service, Condition Not a Disability) refers to the reason why you were discharged.

In your case, you were honorably discharged. You cannot request a change or upgrade to your characterization of service, as an honorable discharge is the most favorable characterization of service. Thus, the first step of the Vazirani framework does not apply to your case.

The Board then turned to the second step of the Vazirani framework for its analysis of your request for disability separation or retirement (i.e., your request for a “medical discharge”). Here, the Board separately assessed your claim of medical unfitness for continued service due to your mental health condition as a discreet issue, without applying liberal consideration to the unfitness claim.

The Board considered that in order to be found unfit through the Disability Evaluation System (DES), and thus to qualify for military disability benefits, a service member must be unable to reasonably perform the duties of their office, grade, rank or rating as a result of a qualifying disability that was incurred or aggravated during active military service. In evaluating whether a member can reasonably perform their duties, an evaluating Physical Evaluation Board (PEB) must consider deployability, common military tasks, physical fitness, and special qualifications. Alternatively, a member may be found unfit if: (1) their disability represents a decided medical risk to the health of the member or to the welfare or safety of other members; (2) the member’s disability imposes unreasonable requirements on the military to maintain or protect the member; or (3) the member possesses two or more conditions that have the overall effect of causing unfitness even though each condition, standing alone, is not separately unfitting. Some conditions, such as acute adjustment disorders, reflect excessive emotional and behavioral responses to non-traumatic stressors of the military environment, in general, or to a specific assignment. They are thus often considered not permanently disabling, as they typically improve with time after an individual leaves the military environment.

In its review of the entirety of the available record, the Board found that you provided insufficient evidence to overcome the presumption of regularity and to prove, by a preponderance of the evidence, that the Navy erred when it separated you due to CND, instead of referring you to the DES for an evaluation of fitness and potential disability separation or retirement. In reaching this decision, the Board noted that your case file does not contain, and you did not provide, any medical or mental health-related records at all (apart from the failed Medical Assignment Screen that led to your ADSEP). That single medical screening (and your CO’s ADSEP recommendation that cites it) shows that two mental health providers both determined that your mental health condition (though of such character as to render you unsuitable for operational duty) did not amount to a disability, and ADSEP was appropriate in your case. Because the contemporaneous medical evidence in support of your claim for retirement due to a service-connected mental health disability is so limited, and two Navy providers’ contemporaneous professional assessments (i.e., that your condition constituted a CND) contradict your current claim, the Board concluded that you failed to meet your burden to show that your ADSEP due to CND was erroneous.

The Board also considered that, no later than 18 June 2024, the VA rated you as 70% disabled due to service-connected PTSD, effective 4 September 2022. However, in your application to

this Board, you did not include any records (medical or otherwise) that the VA reviewed in making its determination. Thus, in the absence of the above-mentioned substantiating records, the Board gave more weight to the in-service assessments of two Navy-affiliated mental health care providers that your condition was CND, as opposed to the VA's post-service assessment that your condition amounted to a service-connected disability. The Board also considered that VA disability ratings have a different purpose from IDES fitness determinations. VA disability ratings reflect occupational impairment caused by all service-connected medical conditions, including medical conditions and degrees of impairment that have only a limited impact on an individual's ability to perform their assigned military duties (e.g., well-controlled chronic illnesses, minor joint pain, less severe mental health conditions). The Board further noted that VA ratings reflect the veteran's medical condition: (1) at the time of examination; or (2) at an identifiable point in the past, where medical records permit the VA to make a retroactive disability determination. In your case, the evidence you presented to the Board is that the VA rated your PTSD as of 4 September 2022. But that VA rating, on its face, reflects your condition more than seven years after your discharge. Therefore, while the VA has assigned you a 70% disability rating due to PTSD, this rating alone is not conclusive evidence that you were unfit for duty at the time of your discharge.

Finally, regarding your petition to the NDRB to change your narrative reason for separation from "Condition, Not a Disability," the Board concurred in the NDRB's decision. As discussed above, the record reflects that you were ADSEPped due to a mental health condition that your evaluating medical providers assessed not to constitute a disability. Under MILPERSMAN 1910-120 and the circumstances of your case, "Condition, Not a Disability" is the appropriate narrative reason for separation.

In sum, following its review of the evidence, the Board found that you failed to meet your burden to prove, by a preponderance of the evidence, that the Navy's actions at the time of your discharge were erroneous. Then, having found the Navy's action in this case not to be erroneous, the Board turned its attention to whether those actions were unjust, despite being appropriate under then-applicable standards and procedures. The Board found that you failed to show, by a preponderance of the evidence, that the unique circumstances of your case were such that a formally correct action nevertheless resulted in injustice.

The Board therefore concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in

mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5/5/2026

