



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED] Docket No. 8978-25

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED],
USN, [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 to the Temporary Disability Retired List (TDRL) and/or placement on the Permanent Disability Retired List (PDRL), to include correction to his status in the Defense Enrollment Eligibility Reporting System (DEERS).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 19 November 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. A review of reference (b), reveals Petitioner was found unfit by a Physical Evaluation Board (PEB) due to CONVERSION DISORDER (unstable), Diagnostic Code (DC) 9440, with a 50% rating, not combat related (NCR), not incurred in a combat zone (NCZ). On or about 27 June 2015, Petitioner was released from active duty and transferred to the TDRL.

c. According to the PEB record, Petitioner was administratively removed from the TDRL in the August 2021 timeframe.

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d. Petitioner contends his disability is deemed "permanent and total" by the Department of Veterans Affairs (VA) and his dependent child requires medical insurance coverage. 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 had no record of an interim periodic examination or final TDRL adjudication. When a TDRL evaluation is missing, the PEB must render a retrospective adjudication based on medical evidence available during or proximate to the end of the TDRL period (circa 2020). The review noted the VA re-examined the condition as Major Depressive Disorder, DC 9434, in April 2024; however, the contemporaneous treatment records were considered more probative to the degree of impairment. The available record, which is deemed sufficient and consistent with reference (d), supports that Petitioner's condition remained unfitting and was materially unchanged at a rating of 50% at the conclusion of the TDRL period. The review concluded retroactive placement on the PDRL was warranted as follows: CONVERSION DISORDER (stable), DC 9440, rated at 50%, NCR, NCZ.

CONCLUSION

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

Based on the procedurally deficient removal of Petitioner from the TDRL without a final disposition and the review of Petitioner's reference (c) documents, the Board determined Petitioner should be retroactively placed on the PDRL three years from the date of his placement on the TDRL.

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 three years after placement on the TDRL, for the following condition:

CONVERSION DISORDER (stable), DC 9440, rated at 50%, NCR, NCZ.

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

That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, specifically within DEERS.

That a copy of this report of proceedings be filed in 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 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.

12/11/2025

