SAF/MRBD (PDBR)

3351 Celmers Lane

JBA NAF Washington, MD 20762-6435

MEMORANDUM FOR THE DIRECTOR, AIR FORCE REVIEW BOARDS AGENCY

SUBJECT: Physical Disability Board of Review Recommendation on XXXXXXXXXXXXX

Case Number PD-2019-00349

In accordance with Title 10 § 1554a and in compliance with DoDI 6040.44, the Physical Disability Board of Review (PDBR) adjudicated the disability rating accompanying the medical separation of the covered individual from the United States Air Force. After carefully reviewing the application and medical separation case file, the PDBR recommended no re-characterization of the separation or modification of the disability rating previously assigned. I recommend you accept this proposed decision.

The covered individual was an active duty E3, Security Forces Journeyman, medically separated from the Temporary Disability Retired List (TDRL) for “chronic low back pain” with a disability rating of 10%, coded 5241 (spinal fusion). The VA rated the back condition 10%, coded 5237 (lumbosacral strain), based on the Compensation & Pension examination, citing forward flexion of the thoracolumbar spine greater than 60 degrees but not greater than 85 degrees. The panel agreed that a 10% rating, but no higher, was justified for limitation of flexion (greater than 60 degrees but not greater than 85 degrees), as reported on the MEB and VA examinations proximate to separation. There was no muscle spasm or guarding severe enough to result in an abnormal gait or spinal contour, thus the next higher 20% rating was not justified on this basis. There was no documentation of intervertebral disc syndrome with incapacitating episodes which would provide for a higher rating under that formula. After due deliberation, considering all the evidence and mindful of VASRD §4.3 (reasonable doubt), the panel concluded there was insufficient cause to recommend a change in the PEB adjudication for the back condition.

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Dear XXXXXXXXXXX:

Reference your application submitted under the provisions of DoDI 6040.44 (Section 1554, 10 USC), PDBR Case Number PD-2019-00349.

After careful consideration of your application and treatment records, the Physical Disability Board of Review determined that the rating assigned at the time of final disposition of your disability evaluation system processing was appropriate. Accordingly, the Board recommended no rating modification or re-characterization of your separation.

I have carefully reviewed the evidence of record and the recommendation of the Board. I concur with that finding and their conclusion that modification of your disability rating or characterization of your separation is not warranted. Accordingly, I accept the recommendation that your application be denied.