

JUL 27 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03009

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

The narrative reason for separation, "Personality Disorder," be changed.

The Separation Program Designator (SPD) code "JFX," be changed.

The Reenlistment Eligibility (RE) code "2C" be changed.

APPLICANT CONTENDS THAT:

The reasons for his separation are unjust. The information on the "Attachment to AF Form 31" is what he wrote to his supervisors, commander and the Mental Health Department. This letter started an evaluation of himself to prove he was a bad influence on others and not a model airman, both of which are not true. His request for discharge was based solely on his not being able to adjust and live a normal life in the Air Force. Applicant states that his performance on the job did not suffer until he spoke about problems he was having and he was fearful something may happen on the basis of his lack of sleep. Applicant states that his sleeping problems went away the day he arrived home and he has not had a problem since. Applicant states that he has no desire for military life again as he knows it is not for everyone. To have a reason such as his for discharge is simply wrong and degrading.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

Applicant enlisted in the Regular Air Force on 1 March 1995 for a period of four (4) years.

While serving in the grade of airman first class, applicant was notified by his commander on 6 May 1996, that he (commander) was recommending applicant's discharge from the U. S. Air Force for Conditions that Interfere with Military Service according to AFI

36-3208, paragraph 5.11.1 (Mental Disorders). The commander stated that if his recommendation was approved, applicant's service will be characterized as honorable. The reasons for the action were: Applicant recently underwent a mental health evaluation at the commander's direction. His (commander) concern for applicant's well-being and the well-being of the squadron were key factors in his decision to request that evaluation. The mental health provider diagnosed applicant as having a Dysthymic Disorder (Provisional) and Personality Disorder (NOS) (prominent passive-aggressive and self-defeating traits). The provider stated that the disorders are such that applicant's long-term ability to function effectively in the military environment is impaired.

Applicant acknowledged receipt of the Letter of Notification on 6 May 1996 and stated he understood his rights. On 8 May 1996, applicant consulted military legal counsel and waived his right to submit statements on his behalf. On 9 May 1996, the Squadron Commander forwarded his recommendation to the Wing Commander, who concurred in the recommendation on 13 May 1996.

On 15 May 1996, the Chief, Psychology Services submitted an Addendum to the Mental Evaluation of applicant. **[The Chief made essentially the same diagnosis as previously stated. However, in his addendum, he indicated that]** "The disorders are so severe that the member's ability to function effectively in the military environment is significantly impaired."

On 17 May 1996, the Staff Judge Advocate reviewed the applicant's discharge file and found it legally sufficient to support his discharge under AFI 36-3208. He recommended applicant be honorably discharged without probation and rehabilitation.

On 21 May 1996, the Discharge Authority directed that applicant be separated with an honorable discharge. He considered the applicant for probation and rehabilitation under the provisions of AFI 36-3208, Chapter 7. However, he found that applicant was not a suitable candidate.

Applicant was honorably discharged on 24 May 1996 under the provisions of AFI 36-3208 (Personality Disorder) with an RE code of 2C. He served 1 year, 2 months, and 24 days of active duty.

AIR FORCE EVALUATION:

The Chief, Medical Consultant, AFBCMR, Medical Advisor SAF Personnel Council, states that available records reflect that applicant began having sleep disturbance within two months of coming on active duty relating to his inability to adjust to the military setting and regulations. It is clear from information in the records, and provided by the applicant, that he did not fit into the military life-style and suffered from insomnia

induced by his consuming desire to be released from his obligation. While no performance reports are recorded, he did receive a Letter of Evaluation which addressed his overall good performance and a concern only relating to his chronic fatigued state in relation to potential driving accidents-not that he had the potential to harm himself or others willingly. By the examining psychologist's own admission, the testing performed in helping arrive at the diagnosis was likely invalid based on the response patterns made by the applicant. Therefore, the diagnosis, itself, must come under suspicion as being flawed or invalid. It would seem more reasonable to have arrived at a diagnosis of Adjustment Disorder with Depressed Mood (DSM-IV Code 309.0) rather than Personality Disorder, NOS (DSM-IV Code 301.9) reflecting the applicant's inability to adjust to the military setting. Changing this diagnosis to more closely indicate the true nature of applicant's disorder is indicated. The Medical Consultant is of the opinion that the records should be changed as recommended.

A copy of the Air Force evaluation is attached at Exhibit C.

The Military Personnel Management Specialist, Programs and Procedures Branch, HQ AFPC/DPPRS, states that the applicant's case has been reviewed for separation processing and there are no errors or irregularities causing an injustice to the applicant. The discharge complies with directives in effect at the time of his discharge. Applicant did not identify any specific errors in the discharge processing nor provide facts which warrant a change to his records. The BCMR Medical Consultant recommends a change to the narrative reason and SPD code. AFPC/DPPRS has no objection to the change of the narrative reason for separation and SPD code since the DOD Instructions makes no provision for a narrative reason of adjustment disorder.

A copy of the Air Force evaluation is attached at Exhibit D.

The Special Programs and BCMR Manager, HQ AFPC/DPPAES, states that the applicant received an honorable, involuntary separation. Therefore, RE Code "2C" is correct.

A copy of the Air Force evaluation is attached at Exhibit E.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant responded to the Air Force evaluations and states, in part, that he agrees with the recommendations of the Air Force but does not agree with leaving the RE code as is. The recommendations clearly state that he did not fit into the military lifestyle which he disagrees with. The main problem with his sleep was working night shift and not having adequate sleeping quarters. Applicant states that since the Air Force, he has looked into re-enlisting with other branches. However, the

RE code limits his eligibilit, with certain branches but not all of them. He feels he is entitled to a second chance to serve his country.

A copy of the applicant's response is attached at Exhibit G.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After reviewing the evidence of record, we believe there is some doubt as to the validity of the applicant's diagnosis of a personality disorder. It appears that applicant was unable to adjust and live a normal life in the Air Force and had problems not being able to sleep, which the applicant states disappeared when he was subsequently discharged and returned home. The BCMR Medical Consultant states that it would seem more reasonable to have arrived at a diagnosis of Adjustment Disorder with Depressed Mood rather than Personality Disorder, reflecting the applicant's inability to adjust to the military setting. Also, the examining psychologist admitted that the testing performed in helping arrive at the diagnosis of a personality disorder was likely invalid based on the response patterns made by the applicant. Therefore, we believe it would be unjust for the applicant to continue to bear the stigma of being diagnosed with a personality disorder. We believe, and agree with the BCMR Medical Consultant, that a more appropriate narrative reason for separation would be a discharge under Secretarial Authority. We also agree that the RE code should not be changed as it reflects an involuntary separation with an honorable discharge and was the correct code at the time of the applicant's-discharge. In view of the above, we recommend that the applicant's records be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that at the time of his honorable discharge on **24** May 1996, the narrative reason for his discharge was Secretarial Authority and the Separation Program Designator (SPD) code was KFF.

The following members of the Board considered this application in Executive Session on 11 June 1998, under the provisions of AFI 36-2603:

Mr. Thomas S. Markiewicz, Panel Chair
Mr. Robert W. Zook, Member
Ms. Olga M. Crerar, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 26 Sep 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, BCMR Medical Consultant, dated 20 Nov 97.
- Exhibit D. Letter, HQ AFPC/DPPRS, dated 16 Jan 98.
- Exhibit E. Letter, HQ AFPC/DPPAES, dated 16 Jan 98.
- Exhibit F. Letter, AFBCMR, dated 9 Feb 98.
- Exhibit G. Applicant's Letter, dated 11 Feb 98


THOMAS S. MARKIEWICZ
Panel Chair



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

JAN 16 1998

MEMORANDUM FOR AFBCMR

FROM HQ AFPC/DPPRS
550 C Street West Ste 11
Randolph AFB TX 7815014713

SUBJECT: Application for Correction of Military

The applicant, while serving in the grade of airman first class, was discharged from the Air Force 24 May 96 under the provisions of AFI 36-3208 (Personality Disorder) with an honorable discharge. He served 01 year 02 months 24 days total active service.

Requested Action. The applicant is requesting that his narrative reason for discharge be changed. In addition, he request a change his separation code and reentry code.

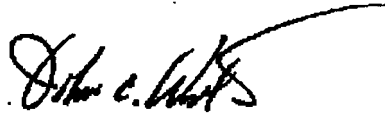
Basis for Request. Applicant claims that the reason for his discharge is unjust. That he did not have a personality disorder and his problem was an adjustment problem dealing with the military. The advisory from the BCMR Medical Consultant, 20 Nov 97 provides information concerning applicant's medical condition at the time of his separation. This advisory will address only the discharge processing in the case.

Facts. The applicant was notified by his commander on 06 May 96, that discharge action had been initiated against him for a mental disorder. The commander advised that the discharge action was bung taken because he had been recently evaluated by the clinic and the mental health provider diagnosed him as having an Dysthymic Disorder (Provisional) and Personality Disorder NOS (prominent passive-aggressive and self-defeating traits). The provider also stated that the disorders are such that his long-term ability to function effectively in the military environment is impaired. He was advised he had a right to consult counsel and the right to submit statements in his own behalf. Applicant consulted legal counsel and voluntarily waived his rights to submit a statement in his own behalf. The discharge case was reviewed by the base legal office and was found to be legally sufficient to support separation. The discharge authority reviewed the discharge case and approved the recommendation for discharge for mental disorder and directed the applicant be given an honorable discharge.

Discussion. This case has been reviewed for separation processing and there are no errors or irregularities causing an injustice to the applicant. The discharge complies with directives in effect at the time of his discharge. The records indicate member's military service was reviewed and appropriate action was taken.

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Recommendation. Applicant did not identify any specific errors in the discharge processing nor provide facts which warrant a change in his reason for separation or his separation code. However, the BCMR Medical Consultant recommends a change to his narrative reason for separation to "Secretarial Authority" and SPD code change to "KFF" and provided the rationale for the recommended change. We have no objection to the change of the narrative reason for separation and SPD code as recommended since the DOD Instructions makes no provision for a narrative reason of adjustment disorder. He has filed a timely request.



JOHN C. WOOTEN, GS-9
Military Personnel Mgmt Spec
Programs and Procedures Branch
Dir of Personnel Program Management

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Memorandum for the AFBCMR

From: **BCMR Medical Consultant**
1535 Command Drive, EE Wing, 3rd floor
Andrews AFB MD 20762-7002

Subject: Application for Correction of Military Records

Applicant's entire case file has been reviewed and is forwarded with the following findings, conclusions and recommendations.

REQUESTED ACTION: The applicant was discharged under the provisions of **AFI 36-3208** for conditions that **interfere** with military duties, mental disorder, **after** 1 year, 2 months, 24 days on **active duty**. He now **applies requesting the records be changed to show a different reason for discharge and to change his reentry code and separation codes.**

FACTS: Records available for review show that the applicant **began** having sleep disturbance within 2 months of **coming on active duty relating to his inability** to adjust to the **military setting** and regulations. During a brief **period of leave** at home before being assigned to Guam he did **not experience these** symptoms, but once in his initial duty assignment the **problems resumed** and prompted him to **seek an administrative discharge**. Wording of his **written request to his commander seeking his discharge raised concern about his and his unit's safety, and he was referred for mental health evaluation. This evaluation and testing led to a diagnosis of personality disorder, not otherwise specified, with passive-aggressive and self-defeating traits. This, then, was used as the basis for his subsequent discharge.**

DISCUSSION: It is clear **from** information in the **records** and **provided** by the applicant that he did not fit into the military **life-style and suffered from insomnia** induced by his consuming **desire** to be released from his **obligation. While no performance reports are recorded, he did receive a Letter of Evaluation which addressed his overall good performance and a concern only relating to his chronic fatigued state in relation to potential driving accidents. This, basically, was the applicant's concern also: that he would cause an accident due to his sleeping problems, not that he had the potential to harm himself or others willingly. By the examining psychologist's own admission, the testing performed in helping arrive at the diagnosis was likely invalid based on the response patterns made by the applicant. Therefore, the diagnosis, itself, must come under suspicion as being flawed or invalid. It would seem more reasonable to have arrived at a diagnosis of Adjustment Disorder with Depressed Mood (DSM-IV Code 309.0) rather than Personality Disorder, NOS (DSM-IV Code 301.9) reflecting the applicant's inability to adjust to the military setting. Changing this diagnosis to more closely indicate the true nature of applicant's disorder is indicated.**

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RECOMMENDATION: The Medical Consultant is of the opinion that the records should be changed to indicate in Item 28 of the DD Form 214 'Secretarial Authority' as no mechanism exists currently to reflect this diagnosis of adjustment disorder. The separation code should be changed to WF but the reentry code should remain as is.

11 SIGNED 11

FREDERICK W. HORNICK, Col., USAF, MC, FS
Chief Medical Consultant, AFBCMR
Medical Advisor SAF Personnel Council



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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS


16 JAN 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPAES
550 C Street West Ste 10
Randolph AFB TX 781504712

SUBJECT: Application for Correction of Record [REDACTED]

A review of applicant's case file was conducted. The applicant received an honorable, involuntary separation. Therefore, Reenlistment Eligibility (RE) Code "2C" is correct.


KATHLEEN R. LOPEZ, MSgt, USAF
Special Programs and BCMR Manager
Dir of Personnel Program Management

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DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary


JUL 27 1998

AFBCMR 97-03009

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that at the time of his honorable discharge on 24 May 1996, the narrative reason for his discharge was Secretarial Authority and the Separation Program Designator (SPD) code was KFF.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency