

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBERS: BC-2012-00500
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His separation date be changed from 18 September 2011 to 30 September 2011.

APPLICANT CONTENDS THAT:

After leaving the United States Air Force Academy (USAFA), he officially requested he be considered for an Administrative Turnback. He was diagnosed with a medical condition which required surgery. A pre-authorization for the surgery was granted and the surgeon scheduled the procedure for 28 September 2011. His official notification was not mailed to him until 5 October 2011, which was after the surgery took place. The doctor's office handled the pre-authorization process and they were not informed at any time that the pre-authorization was invalid. The separation was not signed until 28 September 2011, which was the day of his surgery.

In support of his appeal, the applicant provides copies of his separation order, certified postmark envelope, and his request for Administrative Turnback.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant completed his Department of Defense Medical Examination Review Board (DODMERB) physical on 13 October 2010. He was in-processed into the USAFA on 23 June 2011 after receiving a medical waiver for a single episode of syncope (fainting) which his civilian doctor attributed to dehydration. He was subsequently seen in the Cadet Clinic seven times for issues relating to fatigue or shortness of breath. The applicant submitted a voluntary resignation on 3 July 2011.

On 8 July the applicant had an Echocardiogram done which documented a probably atrial septal defect (hole in the heart). On 12 July 2011, the applicant requested an Administrative

Turnback based on a "temporary medical condition that affected his ability to complete basic training." His request for Administrative Turnback was denied for medical reasons on 18 September 2011. His discharge orders were made effective 18 September 2011, and signed on 28 September 2011. He had surgery to fix the hole in his heart on 28 September 2011.

The remaining relevant facts, extracted from the applicant's military service record, are contained in the evaluation by the Air Force office of primary responsibility at Exhibit B.

AIR FORCE EVALUATION:

10 AMDS/CC recommends denial. CC states the applicant's request to change his separation date from 18 September 2011 to 30 September 2011 would allow his heart surgery to be paid for by the Air Force. However, his heart condition is congenital (existed at birth). Subsequent medical evaluations indicate he had symptoms for at least five years before applying to the USAFA. He did not report the magnitude or the duration of these symptoms on his DODMERB medical exam as he was required to do. His ten days of Basic Condition Training (BCT) did not exacerbate his condition.

The complete JA evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Much of the reasoning cited in the Air Force advisory opinion seems to be important information in denying the pre-authorization request for his surgical procedure; however, the pre-authorization for his surgery was granted. Had the preauthorization for surgery been denied, or if he was notified of the decision prior to his surgery, his parent's insurance could have been used to cover the costs. In fact, all of his neurological testing was paid for by his parent's insurance and not billed to Tricare. They were using his parent's insurance until instructed by the Cadet Clinic that all care should be processed through Tricare.

The diagnosis of arterial septal was not diagnosed during surgery and seems to be a misdiagnosis by the Tricare cardiologist. Therefore, talk of a hole in his heart being a preexisting condition does not apply, as it does not exist. His disenrollment notification, dated 22 September 2011, came with a DD Form 785, *Record of Disenrollment from Officer Candidate - Type Training*, attached indicating a disenrollment date of 18 September 2011. The envelope was post-marked 5 October 2011, but the package did not contain any notification or instruction to inform him that the preauthorization for surgery was withdrawn or that any medical

approvals were withdrawn with the decision to deny his Administrative Turnback request.

The combination of his medical condition and the emotional strain of BCT did create an intensified environment he had not experienced before; however, after speaking with his doctors back home, he felt that if he could work through his medical condition, he could handle the emotional strain and had a desire to return to the USAFA.

The applicant's complete rebuttal, with attachments, is at Exhibit D.

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 an injustice. We find no evidence that the Air Force erred in this case; however, the fact the applicant had a pre-authorization for surgery which was scheduled for 28 September 2011, and was not notified of his 18 September 2011 discharge effective date until 5 October 2011, we believe an injustice has occurred. We note his discharge order was not signed until 28 September 2011, the day of his surgery; however, the applicant and his physicians were unaware of the separation effective date. The back-dated effective date inadvertently caused the applicant to be responsible for the cost of his surgery. Therefore, based on the aforementioned, we believe in order to provide the applicant fair and equitable relief, his records should 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 he was not released from active duty on 18 September 2011, but was continued on active duty until 30 September 2011.

The following members of the Board considered AFBCMR Docket Number BC-2012-00500 in Executive Session on 21 August 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

All members voted to correct the records, as recommended. The following documentary evidence for AFBCMR Docket Number BC-2012-00500 was considered:

- Exhibit A. DD Form 149, dated 10 Feb 12, w/atchs.
- Exhibit B. Letter, 10 AMDS/CC, dated 6 Mar 12.
- Exhibit C. Letter, SAF/MRBR, dated 27 Mar 12.
- Exhibit D. Letter, Applicant, dated 14 Apr 12, w/atchs.

Panel Chair