

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00624
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His record be corrected to show a medical retirement due to "Post Traumatic Stress Disorder (PTSD) and Intervertebral Disc Syndrome (IVDS) with degenerative arthritis and sciatica" rather than "voluntary length of service."

APPLICANT CONTENDS THAT:

1. He began seeing a counselor at the Department of Veterans Affairs (DVA) six months prior to his retirement ceremony. After the first session, he was diagnosed with severe, chronic PTSD. As his sessions continued, he realized the symptoms he had been experiencing were indeed symptoms of PTSD. He chose to see a counselor at the DVA versus a military health provider out of fear it would impact his career and pending retirement.

2. He had back pain; however, he was not aware of the severity until completing an examination through the VA.

In support of his request, the applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty*; VA Form 10-5345, *Request for and Authorization to Release Medical Records or Health Information*; DVA Rating Decision memorandum, and various other documents associated with his request.

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

STATEMENT OF FACTS:

On 27 Aug 87, the applicant entered enlisted in the Regular Air.

On 1 Feb 10, the applicant was retired in the grade of master sergeant after serving 22 years, 5 months and 4 days of active service.

On 25 Jun 10, the applicant was granted service-connection for a list of medical conditions, to include Polycystic Kidney

Disease, PTSD and IVDS by the DVA and assigned a disability rating of 100 percent.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. It appears the applicant believes the Department of Veterans Affairs (DVA) decision to award him a 100 percent disability rating for his numerous service-connected conditions; specifically, Post-Traumatic Stress Disorder and Inter-vertebral Disc Syndrome (IVDS) with degenerative arthritis and sciatica, substantiates that his condition should have been rated by the Air Force. We took notice of the applicant's complete submission, in judging the merits of the case; however, we find no evidence which would lead us to believe his PTSD and IVDS rendered him unable to perform military duties commensurate with his grade and position. We note, the Air Force is required to rate an individual's disability at the time of evaluation. The fact that a person may have a medical condition does not mean that the condition is unfitting. To be unfitting the condition must be such that it alone precludes the member from fulfilling his military duties. It is the charge of the DVA to pick up where the Air Force must by law, leave off. It appears that the Air Force appropriately considered the applicant's conditions and whether or not they rendered him unfit to perform the duties of his office and grade at that time. Therefore, we conclude that the applicant has failed to sustain his burden of proof that he has been the victim of an error or injustice. In view of the above and in the absence of evidence to the contrary we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2012-00624 in Executive Session on 15 Jan 13, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00624 was considered:

Exhibit A. DD Form 149, dated 26 Feb 12, w/atchs.
Exhibit B. Available Records.

Panel Chair