RECORD OF PROCEEDINGS

PHYSICAL DISABILITY BOARD OF REVIEW

NAME: BRANCH OF SERVICE: AIR FORCE

CASE NUMBER: PD0900097 COMPONENT: ACTIVE

BOARD DATE: 20090617 SEPARATION DATE: 20050201

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SUMMARY OF CASE: This covered individual (CI) was an Air Force SSgt Health Services Management Craftsman medically separated in 2005 after eight years of active service and five years in the reserves. She was diagnosed with fibromyalgia in 2002 and over time her symptoms gradually increased in intensity and frequency. These symptoms include widespread pain with trigger points, fatigue, sleep disturbance, depression, and anxiety. Her condition had progressed to the point of preventing her from reasonably performing the duties of her office, grade, rank, and rating. The Air Force Physical Evaluation Board (PEB) found her unfit for continued service and she was separated with a 20% disability rating for 5025 Fibromyalgia using the Veterans Affairs Schedule for Ratings Disabilities (VASRD) and applicable Air Force regulations. Using an evaluation done three months after separation from the Air Force, the Veterans Administration (VA) rated her disability at a combined 90%. This included 40% for 5025 Fibromyalgia, 50% for 6847 Sleep apnea, 30% for 9400 Generalized anxiety disorder, 20% for 5299-5257 right knee strain and meniscal tear, 10% for 5299-5284 right foot bunionectomy, 10% for 7805-8515 residuals ganglion cyst and 0% each for 5019 Right shoulder subacromial bursitis, 5020-5276 Left plantar fasciitis, and 5020-5276 Right plantar fasciitis. The CI contends the Air Force did not consider all of her conditions and intentionally kept her rating at a level that precluded retirement.

BOARD FINDINGS: IAW DoDI 6040.44, provisions of DoD or Military Department regulations or guidelines relied upon by the PEB will not be considered by the Board to the extent they were inconsistent with the VASRD in effect at the time of the adjudication. After careful consideration of all available information, the Board concluded that the CI’s condition is appropriately rated at 40% under VASRD 5025 Fibromyalgia. This rating is based on the presence of symptoms of widespread musculoskeletal pain and tender points with associated fatigue, sleep disturbance, depression, and anxiety that were constant, or nearly so, and refractory to therapy. The CI did have some relief of her symptoms with therapy but her daily pain level was never rated at less than 3 out of 10, averaged 5 out of 10, and sometimes was 8 out of 10.

The Board examined all the other conditions that were rated by the VA and did not find any to be separately unfitting.

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RECOMMENDATION: The Board recommends that the CI’s prior determination be modified as follows, effective as of the date of his prior medical separation.

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| Unfitting Condition | VASRD Code | Rating |
| Fibromyalgia | 5025 | 40% |
| Combined | 40% |

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The following documentary evidence was considered:

Exhibit A. DD Form 294, dated 20090202, w/atchs.

Exhibit B. Service Treatment Record.

Exhibit C. Department of Veteran's Affairs Treatment Record.

PDBR PD-2009-00097

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Physical Disability Board of Review and under the authority of Section 1554, Title 10, United States Code (122 Stat. 466) and 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 XXXXX be corrected to show that:

a.  The diagnosis in her finding of unfitness for fibromyalgia, VASRD code 5025, was rated at 40% rather than 10%.

b.  On 1 February 2005, she elected children-only coverage under the Survivor Benefit Plan (SBP) based on full retired pay and her spouse concurred with her election.

c.  She was not discharged on 2 February 2005 with entitlement to disability severance pay; rather, on that date she was released from active duty and on 3 February 2005 her name was placed on the Permanent Disability Retired List.

JOE G. LINEBERGER

Director

Air Force Review Boards Agency