RECORD OF PROCEEDINGS

PHYSICAL DISABILITY BOARD OF REVIEW

NAME: BRANCH OF SERVICE: air force

CASE NUMBER: PD0900214 COMPONENT: active

BOARD DATE: 20090625 SEPARATION DATE: 20060426

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SUMMARY OF CASE: This covered individual (CI) was an Air Force Staff Sergeant Aerospace Medical Service Craftsman medically separated in 2006 after seven years of active service. She was experienced shortness of breath with wheezing and was diagnosed with asthma in October 2005 when her symptoms had begun to limit her physical performance. With a diagnosis of asthma she was not worldwide deployable and was referred for a fitness evaluation. The Air Force Informal Physical Evaluation Board (PEB) found her unfit for continued service and she was separated with a 10% disability rating for 6602 Asthma using the Veterans Affairs Schedule for Ratings Disabilities (VASRD) and applicable Air Force and Department of Defense regulations. The 10% rating was based on the severity of her symptoms determined from her pulmonary functions tests both on and off medications. Using an evaluation done seven months after separation from the Air Force, the Veterans Administration (VA) rated this disability as 6602 Asthma at 30% based on use of daily inhalational bronchodilator and anti-inflammatory medication. The VA also rated 8599-8510 Thoracic outlet syndrome, 5237 Thoracolumbar strain, and 7508-7509 Nephrolithiasis all at 10% and 7799-7702 left axillary lymphadenopathy and facial acne both at 0% for a combined total of 60%. The CI contended that her rating from the Air Force should be the same as the rating from the VA.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BOARD FINDINGS: IAW DoDI 6040.44, the Board used the Veteran’s Affairs Schedule of Rating Disabilities (VASRD) as the most favorable basis for rating. After careful consideration of all available information, the Board concluded that the CI’s condition is appropriately rated at a 30% for 6602 Asthma. This rating is based on the CI’s requirement for daily inhalational bronchodilator and anti-inflammatory medication.

Although the CI did not contend that the other conditions rated by the VA should also be rated, the Board examined these conditions and did not find any to be unfitting at the time of separation.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RECOMMENDATION: The Board recommends that the CI’s prior determination be modified as follows and that the discharge with severance pay be recharacterized to reflect disability retirement, effective as of the date of her prior medical separation.

|  |  |  |
| --- | --- | --- |
| Unfitting Condition | VASRD Code | Rating |
| Asthma | 6602 | 30% |
| Combined | 30% |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following documentary evidence was considered:

Exhibit A. DD Form 294, dated 20090217, w/atchs.

Exhibit B. Service Treatment Record.

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

Office of the Assistant Secretary

PDBR PD-2009-00214

**DEPARTMENT OF THE AIR FORCE**

WASHINGTON, DC

MEMORANDUM FOR THE CHIEF OF STAFF

**AUG 27** 2009

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 XXXXXXXXXX, be corrected to show that:

a. The diagnosis in her finding of unfitness for asthma, VARSD code 6602 was rated at

30% rather than 10%.

b. On 25 April 2006, she elected spouse and children coverage under the Survivor

Benefit Plan (SBP) based on full retired pay.

c. She was not discharged on 26 April 2006 with entitlement to disability severance pay;

rather, on that date she was released from active duty and on 27 April 2006 her name was placed on

the Permanent Disability Retired List.

This document contains information which must be protected lAW AFl 33-332 and DoD

Regulation 5400.11j Privacy Act of 1974 as Amended Applies) and it is For

Official Use Only (FOUO)."