

INDEX REPORTING WORKSHEET.

C - 98 - 00607

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DECISION

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DISCH -- DATE OF DISCH

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DISCHARGE AUTHORITY  
(LEFT JUSTIFY)

41 42 43 44 45

REASON FOR  
DISCHARGE

DENIED

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52  
REVIEW  
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RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00607

COUNSEL: NO

SEP 03 1998

HEARING DESIRED: NO

Applicant requests that the type of separation on his DD Form 214 be changed from entry level to disability. Applicant's submission is at Exhibit A.

The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. David W. Mulgrew, Mr. Jackson A. Hauslein, and Mr. Terry A. Yonkers considered this application on 27 August 1998, in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.



DAVID W. MULGREW  
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinions

19 May 1998  
98-00607

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  
[REDACTED]

This request is not filed in a timely manner, as 6 years have passed since the applicant's discharge. Applicant's entire case file has been reviewed and is forwarded with the following findings, conclusions and recommendations.

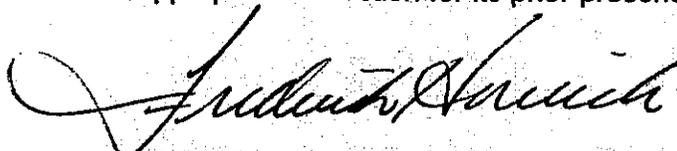
**REQUESTED ACTION:** The applicant was discharged from Technical School Training under the provisions of AFR 39-10 for an adjustment disorder which interfered with performance of his military training and duties after 3 months and 10 days on active duty. He now applies requesting the records be changed to show a medical disability discharge based on recent Department of Veterans Affairs (DVA) recommendations.

**FACTS:** The records indicate the applicant was evaluated in the mental health clinic at Chanute AFB, IL where he was attending technical school training. He had been referred for this evaluation after a phone call from his mother who stated her concern for his well-being. She also mentioned in this call that the applicant had a long history of emotional problems dating back to his childhood and had received psychiatric counseling as early as age 8. His evaluation showing the adjustment disorder at Chanute led to his administrative discharge as noted above when it was determined the condition was incompatible with continued military service.

**DISCUSSION:** The behavior exhibited by the applicant during his training at Chanute was properly evaluated and validly assessed. The fact that information was available indicating the applicant had mental health problems that predated his service could have led to a discharge for fraudulent or erroneous enlistment, but, instead, he was given an entry level separation with uncharacterized service because he had served less than 180 days of active duty. This action was appropriate for the circumstances, and no change in this decision is warranted. The applicant furnishes no evidence that his psychiatric problems now being evaluated by the DVA were secondary to his brief time in service. Indeed, the evidence points to his having preexisting problems that should have precluded his entry to the service had they been known at the time of enlistment. This case was properly evaluated by the evidence of record. There is no evidence of error or irregularity in the processing of this case. Action and disposition in this case are proper and reflect compliance with Air Force directives which implement the law.

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RECOMMENDATION: The Medical Consultant is of the opinion that no change in the records is warranted and the application should be denied. Information presented in this advisory should be provided to the DVA to use in their determination of service-connected mental health disease. Evidence would seem to point to a different conclusion... perhaps an aggravation of a preexisting condition with appropriate deduction for its prior presence.



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

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

16 Jun 98

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPD  
550 C Street West Ste 06  
Randolph AFB TX 78150-4708

SUBJECT: Correction of Military Records [REDACTED]

REQUESTED ACTION: Applicant requests that his administrative entry-level discharge (Uncharacterized) for an adjustment disorder be changed to a medical discharge.

FACTS: Member received an involuntary administrative discharge from the Air Force on 14 May 92, for an adjustment disorder which affected his ability to function effectively in a military environment, (not physical disability) under the provisions of AFR 39-10. Member completed three months and ten days of active service on his initial enlistment.

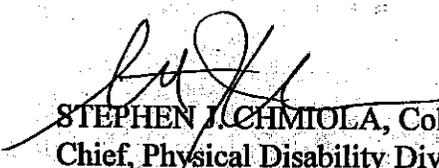
DISCUSSION: The purpose of the military disability system is to maintain a fit and vital force by separating members who are unable to perform the duties of their office, grade, rank or rating. Members who are separated or retired for reason of physical disability may be eligible, if otherwise qualified, for certain disability compensations. Eligibility for disability processing is established by a Medical Evaluation Board (MEB) when that board finds that the member may not be qualified for continued military service. The decision to conduct an MEB is made by the medical treatment facility providing care to the member.

We carefully reviewed the AFBCMR application and verify that the applicant was never referred to or considered by the Air Force Disability Evaluation System under the provisions of AFR 35-4. On 30 Apr 92, the member underwent a separation mental health evaluation at Chanute AFB Illinois. At this time, the patient was diagnosed for an "adjustment disorder with mixed emotional features" and the attending physician recommended that his case be handled through the administrative and disciplinary channels. During the evaluation it was noted that the presumption appears that the member's mental condition may have existed prior to his entry on active duty. Records reflect that on 4 May 92, the member's medical records were reviewed by the Chanute hospital's physical examination and standards section, and he was cleared for separation in accordance with Air Force directives. There is no evidence of any physical disability which would have justified an MEB or Physical Evaluation Board (PEB) prior to his discharge. It should be noted that adjustment disorders and personality disorders, while grounds for possible administrative discharge, neither require an MEB nor are considered a physical disability in accordance with military disability law and departmental policy.

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Following a thorough review of the applicant's case file, we found no errors or irregularities that would justify the changing of his military records to reflect he received a disability discharge at the time of his release from active duty. The medical aspects of this case are explained by the Medical Consultant; we agree with his advisory.

**RECOMMENDATION:** We recommend denial of the applicant's request. The applicant has not submitted any material or documentation to show that he was unfit due to a physical disability under the provisions of Title 10, USC at the time of his administrative entry-level discharge from active duty.

  
STEPHEN J. CHMIOLA, Colonel, USAF  
Chief, Physical Disability Division  
Directorate of Pers Prog Management

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