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SECRETARY OF THE AIR FORCE**



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Personnel

**PHYSICAL EVALUATION FOR
RETENTION, RETIREMENT AND
SEPARATION**

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This instruction implements Air Force Policy Directive (AFPD) 36-32, Military Retirements and Separations. In collaboration with the Chief of the Air Force Reserve and the Director of the Air National Guard, the Deputy Chief of Staff for Manpower, Personnel and Services develops personnel policy for Physical Evaluation for Retention, Retirement and Separation.

This instruction prescribes guidance on retiring, discharging, or retaining service members who, because of a physical disability, are unfit to perform the duties required of them. It also provides for the required periodic physical examinations and final disposition of members on the Temporary Disability Retired List and provides disposition instructions for unfit members who remain on active duty in a limited assignment status. This publication applies to Regular Air Force, Air National Guard and Air Force Reserve members.

The authorities to waive wing/unit level requirements in this publication are identified with a Tier ("T-0, T-1, T-2, T-3") number following the compliance statement. See Air Force Instruction (AFI) 33-360, Publications and Forms Management, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestor's commander for non-tiered compliance item. Use Air Force (AF) Form 679, Air Force Publication Compliance Item Waiver Request/Approval when submitting for a request for waiver. (See AFI 33-360, paragraph 1.9 for more detailed guidance).

This instruction requires the collection and or maintenance of information protected by the Privacy Act of 1974 authorized by Title 10 United States Code (U.S.C.), Section 1169, Regular enlisted members; Limitations on Discharge; and Executive Order 9397 as amended. 10 U.S.C. § 9013, and the Secretary of the Air Force (SecAF) authorize the collection and maintenance of the prescribed records in this instruction. The applicable System of Records Notices F036 AF PC C, Military Personnel Records System and F036 AFPC E, Temporary Disability Retirement List (TDRL) Case Files are available at: <https://dpcl.d.defense.gov/Privacy/SORNs>. Refer to **Attachment 1** for glossary of references, abbreviations, acronyms, and terms. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, Management of Records, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records Information Management System.

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SUMMARY OF CHANGES

This interim change to AFI 36-3212 expounds on the Roles and Responsibilities of the Wing Commander to initiate an A-Team to support Airmen who are serving on temporary duty orders and/or for those who are assigned to an Airmen Medical Transition Unit (AMTU).

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Chapter 1

GENERAL PROVISIONS

1.1. Purpose and Basics of the Disability Evaluation System (DES). To maintain a fit and vital force, the SecAF may remove service members from duty who (1) can no longer perform the duties of their office, grade, rank or rating; (2) represent a decided or obvious medical risk, or (3) impose unreasonable requirements on the military. Service members, who meet one or more of these criteria, are referred to the DES for a fitness for duty assessment. The DES determines if the service member is fit to be returned to duty or unfit for continued military service. When deemed unfit, the Air Force (AF) transitions the member from service and, as appropriate, provides compensation when the member's military career ends due to a physical disability (refer to DoDI 1332.18, Appendix to Enclosure 3, paragraph 2).

1.1.1. The DES Roadmap is depicted in [Figure 1.1](#). Additional overview information may be found by doing a keyword search "Disability Evaluation System" on myPers. Note: [Chapter 1](#) provides an overview of the DES; [Chapters 2-8](#) provide guidance that support the Physical Evaluation Board (PEB) Informal and Formal Physical Evaluation Board process. Also, a list of acronyms are found in [Attachment 1](#).

Figure 1.1. Disability Evaluation System Roadmap.



(Note: See AFI 41-210, TRICARE Operations and Patient Administration Functions, for the Deployment Availability Working Group (DAWG), Initial Review-in-Lieu-of (IRILO), and MEB process and AFI 36-2023, The Secretary of the Air Force Personnel Council, for guidance.)

1.1.2. Service members referred for a fitness assessment proceed through the Integrated Disability Evaluation System (IDES) process unless approved for the Legacy Disability Evaluation System (LDES) process. Service members make their election for the LDES using the memo at Attachment 6. The IDDES, enacted by law in 2007, established a partnership between the Department of Defense and Department of Veterans Affairs (VA) to ensure timely case processing and seamless transition of service members approved for disability separation or retirement.

1.1.2.1. The LDES process is an exception to the IDDES policy. A service member may request processing through LDES, or a commander may direct a service member, to

include Initial Entry Recruits, with potentially unfitting physical disabilities into the LDES when processing through the IDES would have detrimental impact on the member or the AF. LDES requests require approval by the AF Military Treatment Facility (MTF) Commander or designee (O-6 or GS-15 equivalent or higher) and service members shall be advised of and offered the opportunity to enroll in the VA Benefits Delivery at Discharge or apply for other appropriate VA disability compensation programs. **(T-0).**

1.1.2.1.1. Service members electing to process through LDES must acknowledge in writing that he or she had the opportunity to consult with legal counsel regarding the procedural differences between the LDES and the IDES. **(T-0).**

1.1.2.1.2. Service members who have entered into the LDES per their request cannot be moved into the IDES.

1.1.2.1.3. ARC members with a condition that is not in the line of duty (non-compensable) will be processed for a non-duty related fitness determination through the DES. (T-0). (See Chapter 4, Section 4E).

1.1.3. Service members can expect to receive one of the following outcomes from the DES: return to duty, discharge with severance pay, temporary disability retired list, permanent medical retirement, or discharge without benefits (see [paragraph 3.17](#)).

1.2. Roles and Responsibilities.

1.2.1. The SecAF prescribes instructions and guidance to carry out provisions of 10 U.S.C., Chapter 61 and applicable DoD directives regarding disability. Use these instructions to decide fitness for continued military duty; ensure assignment of an appropriate disability compensation rating for service members found to be unfit for duty; determine suitability for reappointment, enlistment or reenry on active duty; and adjudicate entitlement to disability retirement or severance pay.

1.2.2. The Secretary of the Air Force Personnel Council (SAFPC) acts on behalf of the SecAF in accordance with delegated authorities (Addendum B) Re-delegation of Authority for Individual Personnel Actions, of Headquarters Air Force (HAF) Mission Directive 1-24, Assistant Secretary of the Air Force, Manpower and Reserve Affairs (SAF/MR) to retire or separate any member for physical disability. SAFPC provides final appellate review of DES cases. SAFPC also adjudicates certain dual action cases (all officers and enlisted member who will have 16 or more years of active service as of the date of their discharge is effective) when a member is simultaneously subject to disability separation/retirement and adverse administrative separation (see [paragraph 1.5](#)). Where there is a conflict between HAF Mission Directive 1-24 and this instruction, HAF Mission Directive 1-24 takes priority. AFI 36-2023 prescribes the structure, functions and authorities of SAFPC.

1.2.3. Air Force Physical Disability Division (AFPC/DPFD) processes disability cases, establishes the Informal and Formal PEBs and manages the TDRL program. The division, acting under authority delegated from SAFPC, determines the final disposition, in most cases, for service members deemed unfit for duty by the PEB (reference [paragraph 5.2](#)).

1.2.3.1. AF Physical Disability Operations Branch (AFPC/DPFDD) provides administrative support to the PEBs and processes all disability cases on RegAF and ARC members.

1.2.3.2. AF Physical Disability Transition Branch (AFPC/DPFDC) processes cases for service members on the TDRL.

1.2.4. Air Force Medical Retention Standards Office (AFPC/DP2NP) may direct referral of RegAF service members into the DES pursuant to [paragraph 1.3](#).

1.2.5. Air Force Reserve Command Surgeon's office (AFRC/SGO) may direct referral of Air Force Reserve (AFR) service members into the DES pursuant to [paragraphs 1.3](#) and [1.4](#) of this instruction.

1.2.6. National Guard Bureau (NGB) Command Surgeon's office (NGB/SGPS) may direct referral of Air National Guard (ANG) service members into the DES pursuant to [paragraph 1.3](#) and [1.4](#) of this instruction.

1.2.7. The Wing Commander will initiate an A-Team to support Airmen who are serving on temporary duty orders and/or are assigned to an Airmen Medical Transition Unit (AMTU). **(T-3)**.

1.2.7.1. To ensure effective delivery of support and oversight, A-Team members will be identified in writing (by both name and position) and can include: Medical Support Squadron Commander (or other Airmen Medical Transition Unit Commander as determined by the MTF Commander), First Sergeant, Family Liaison Officer, Patient Liaison, Case Manager, Physical Evaluation Board Liaison Officer (PEBLO), and representatives from Base Support Agencies including, but not limited to, Comptroller Squadron, Military Personnel Flight, Airman & Family Service Flight, Wing Judge Advocate Office, and Logistics Readiness Squadron. A-team position roles must be identified at all AF installations hosting an MTF that could receive Airmen Medical Transition Unit patients, regardless of size. **(T-3)**.

1.2.7.2. The Wing Commander will develop a monthly review process to receive updates from the A-Team on individual cases of Airmen assigned to an AMTU to ensure all Airmen are receiving appropriate support and care. **(T-3)**.

1.2.8. Commanders shall provide a non-medical assessment of the service member's ability to perform their current job and duties expected of their service member's current office, grade, rank, or rating using the AF Form 1185, Commander's Impact Statement for Medical Evaluation Board. The AF Form 1185 becomes an official part of the MEB case file. **(T-3)**. Directors of civilian-led units, as referenced in AFI 38-101, Air Force Organization, paragraph 2 and AFI 51-509, Appointment To and Assumption of Command, are authorized to provide the non-medical assessment and sign the AF Form 1185.

1.3. Criteria for Referral. The MTF, ANG Medical Unit or AFR Medical Unit (for ARC members) refers the service member for disability evaluation, after review by the appropriate office (AFPC/DP2NP for RegAF members, AFRC/SGO for Reserve members, or NGB/SGPS for Guard members), when the service member has:

1.3.1. One or more medical conditions that may, individually or collectively, or through combined effect, prevent the service member from reasonably performing the duties of his or her office, grade, rank, or rating; or

1.3.2. A medical condition that represents an obvious medical risk to the health of the service member or to the health or safety of other members; or

1.3.3. A medical condition that imposes unreasonable requirements on the military to maintain or protect the service member. **NOTE:** Service members who meet the criteria listed in this paragraph for disability evaluation are referred into the DES regardless of eligibility for disability compensation. Additional referral procedures are defined in AFI 41-210.

1.4. Eligibility for Disability Evaluation. The mere presence of a physical defect or condition does not qualify a member for disability retirement or discharge. The physical defect or conditions must render the member unfit for duty. DoDI 1332.18, Appendix 1 to Enclosure 3, paragraphs 3 and 4, details the eligibility criteria for DES referral. (Also, see [paragraph 1.5.2.](#)).

1.5. Dual Action Case Processing. A case in which an Airman is concurrently processed for both disability evaluation and non-disability administrative separation under AFI 36-3208, Administrative Separation of Airmen or AFI 36-3207, Separating Commissioned Officers. Both processes run independently and final disposition is withheld for decision by SAFPC or the GCMCA as appropriate. Administrative action continues if the service member is determined fit and returned to duty.

1.5.1. Non-disability administrative separations include Second Lieutenants being processed for “not qualified for promotion” and those who apply for non-disability retirement or discharge in lieu of court-martial. If SAFPC does not accept the retirement or discharge in lieu of court-martial action, the court-martial will proceed.

1.5.2. Service members may be referred into the DES who would otherwise be ineligible for referral under [paragraph 1.4](#) when the medical condition or disability evaluation is warranted as a matter of equity or good conscience.

1.6. Processing Special Cases.

1.6.1. Unauthorized Absence. Suspend processing a disability case when a service member becomes absent without leave, in deserter status, or in the hands of civil authorities (confinement), and do not resume until the service member returns to military control. Respectively, AFPC/DP2NP (RegAF), AFRC/SGO (AFR), or NGB/SGPS (ANG), determines if the service member is eligible for continued disability processing.

1.6.1.1. A service member who incurs an unfitting defect or condition during a period of unauthorized absence is ineligible for DES referral in accordance with 10 U.S.C. § 1207.

1.6.1.2. The exact period of unauthorized absence is verified using pertinent medical records, court martial orders, duty status reports, line of duty reports, or other pertinent documents.

1.6.2. Civilian Criminal Court Action. When civilian criminal court action is pending and the service member is present for duty, the PEBLO continues processing the case. If the commander initiates administrative action against the member, the PEBLO informs AFPC/DPFDD (see [paragraph 1.5.](#)). Administrative action continues in any disability case that results in a fit determination.

1.7. Disability Evaluation System Referral for Airmen Pending Involuntary Administrative Discharge

1.7.1. Referring Airmen pending involuntary administrative discharge to the Disability Evaluation System. Airmen who meet established medical criteria for referral into the

Disability Evaluation System and who are also pending an involuntary administrative discharge under provisions that authorize a characterization of service of under other than honorable conditions will be referred into the Disability Evaluation System if any of the following apply:

1.7.1.1. Referral is warranted as a matter of equity or good conscience. **(T-1)**. Commanders or medical providers may recommend referral in this instance.

1.7.1.1.1. There is a clearly evident connection between an Airman's medical diagnosis and the Airman's conduct. **(T-1)**. This is a factual determination made by the Air Force Medical Retention Standards Office (AFPC/DP2NP) (RegAF) or ARC/SG (Reserve Component) that it is more likely than not that there is some causal connection between the Airman's medical diagnosis and the Airman's conduct.

1.7.1.1.2. The Airman has been diagnosed with Post-Traumatic Stress Disorder and/or Traumatic Brain Injury **(T-1)**. [Note: IAW AFI 36-3208, paragraph 1.30, (enlisted members) and AFI 36-3206, paragraph 4.18.7 (commissioned officers), Airmen who have been diagnosed by a physician, clinical psychologist, psychiatrist, licensed clinical social worker, or psychiatric advanced practice registered nurse as experiencing PTSD or TBI, or reasonably alleges the influence of PTSD or TBI based on deployed service to a contingency operation or based on a sexual assault that occurred during the previous 24 months will receive a medical examination to evaluate a diagnosis of PTSD or TBI. **(T-0)**. This medical examination shall assess whether the effects of PTSD or TBI constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of service of the member as other than honorable. **(T-0)**.]

1.7.1.1.2.1. This examination does not automatically entitle the Airman to be referred into the Disability Evaluation System; nor is an Airman entitled to be referred into the DES on the basis of a reasonable allegation of PTSD or TBI.

1.7.1.2. Dual Action authorities.

1.7.1.2.1. Enlisted members who will have less than 16-years of service as of the date their discharge is effective.

1.7.1.2.1.1. The DES referral decision authority and the "dual action" decision authority is the commander who exercises general court-martial convening authority (GCMCA). If the GCMCA is not a general officer, the decision authority is the first general officer in the chain of command. AFPC/DP2NP and the ARC/SGs will make recommendations to the GCMCA on the initial DES referral decision. **(T-1)**.

1.7.1.2.1.2. The GCMCA will notify AFPC/DP2NP and ARC/SG whether the case will be processed as an administrative separation or whether it will be processed through DES channels. **(T-1)**.

1.7.1.2.2. The DES referral decision for enlisted members with at least 16 years or more service and for officers will continue to be AFPC/DP2NP and the ARC/SGs, and the dual action decision will continue to be the Secretary of the Air Force's Personnel Council (SAFPC) or higher authority. **(T-1)**.

1.7.1.3. Clearly evident connection referral.

1.7.1.3.1. Airmen who meet established medical criteria for referral into the Disability Evaluation System and who are also pending an involuntary administrative will be referred into the Disability Evaluation System if: (1) there is a clear and evident connection between an Airman's medical diagnosis and the Airman's conduct; (2) the Airman has a medical diagnosis of Post-Traumatic Stress Disorder or Traumatic Brain Injury (and the Airman is not pending administrative separation in lieu of court-martial action); or (3) referral is warranted as a matter of equity or good conscience. If none of the above are present, the Airman will continue with the involuntary administrative action.

1.7.1.3.2. If an Airman is undergoing DES processing prior to or concurrent with administrative separation action, and the primary reason for referral is not PTSD and/or TBI, the Air Force Physical Disability Division (AFPC/DPFD) will send the case to AFPC/DP2NP or ARC/SG. AFPC/DP2NP or ARC/SG will review the case and make a recommendation as to whether there is a clearly evident connection as described in 1.7.1.1.2, above. The member's commander, in conjunction with the legal office where the discharge action was initiated, will obtain the AFPC/DP2NP recommendation.

1.7.1.3.3. If, based on the Separation History and Physical Examination, a potentially unfitting physical or mental health condition is identified:

1.7.1.3.3.1. For RegAF Airmen, the MTF personnel will refer the case to the Deployment Availability Working Group (DAWG). The DAWG will review the case, apply Code 37 and refer the case to AFPC/DP2NP.

1.7.1.3.3.1.1. For enlisted members who will have less than 16 years of service as of the date their discharge is effective: the member's commander, in conjunction with the legal office where the discharge action was initiated, obtains the AFPC/DP2NP recommendation.

1.7.1.3.3.1.2. For officers and enlisted members who will have more than 16 years of service as of the date their discharge is effective: AFPC/DP2NP's recommendation is provided to SAFPC.

1.7.1.3.3.2. For ARC members, medical personnel will apply Code 37 and refer the case to the ARC/SG for review.

1.7.1.3.3.2.1. For enlisted members who will have less than 16-years of service as of the date their discharge is effective: the Airman's commander, in conjunction with the servicing legal office where the discharge action was initiated, collects the ARC/SG recommendation.

1.7.1.3.3.2.2. For officers and enlisted members who will have more than 16 years of service as of the date their discharge is effective, ARC/SG's recommendation is provided to SAFPC.

1.7.1.3.4. If, based on the Separation History and Physical Examination, no potentially unfitting physical or mental health condition is identified, no Code 37 is applied and the case will proceed as an administrative separation only. **(T-1)**.

1.7.1.4. Dual action processing.

1.7.1.4.1. For enlisted members who will have less than 16-years of service as of the date their discharge is effective, the following procedures apply:

1.7.1.4.1.1. The servicing legal office will forward the complete administrative and disability packages to the GCMCA for review and action through the GCMCA's servicing legal office.

1.7.1.4.1.2. If the conclusion of the DES referral is a Fit-for-Duty finding and Return-to-Duty disposition, the GCMCA may approve the administrative separation.

1.7.1.4.1.3. If the conclusion of the DES referral is an Unfit-For-Duty finding, with a corresponding medical separation or retirement disposition recommendation, the servicing legal office will obtain the final disposition recommendation, and forward it to the GCMCA. The GCMCA may then approve the medical separation or retirement disposition or approve the administrative separation.

1.7.1.4.1.4. The enlisted Airman and/or his or her commander may request an expedited "dual action" decision to determine whether the Airman will be administratively separated or medically separated prior to the final DES disposition. If the request is approved, the Airman may be administratively separated or medically separated. If the request is disapproved, the Airman will continue to be processed through the DES. **(T-1)**. Once the case has processed through the DES, the GCMCA will make the final "dual action" decision as described. **(T-1)**.

1.7.1.4.2. For officers and enlisted members who have more than 16 years of service as of the date their discharge is effective, the following procedures apply:

1.7.1.4.2.1. Both the administrative and the disability processes run independently, and final disposition is withheld for decision by Secretary of the Air Force Personnel Council (SAFPC). SAFPC adjudicates dual action cases through the Air Force Personnel Board when a member is simultaneously subject to disability separation/retirement and adverse administrative separation.

1.7.1.4.2.1.1. Non-disability administrative separations include second lieutenants being processed for "not qualified for promotion" and those who apply for non-disability retirement or discharge in lieu of court-martial.

1.7.1.4.2.1.2. When administrative discharge processing is complete, the separation authority or show cause authority sends the administrative case file to the MAJCOM. The MAJCOM/CD makes comments and recommendations, and sends the administrative case file to SAFPC through Legal Transit.

1.7.1.4.2.1.3. For Airman pending court-martial, if SAFPC does not accept the retirement or discharge in lieu of court-martial action, the court-martial will proceed.

1.7.1.4.2.2. Administrative action continues if the service member is determined

fit and returned to duty.

1.8. Delay of DES Processing. MTFs should not delay disability processing for non-emergent surgery. After a service member is referred into the DES, the PEBLO notifies AFPC/DP2NP when a medical provider requests a non-emergent surgical procedure.

1.8.1. A service member's case may be returned for further action if a surgical procedure has been performed for the condition(s) for which the member is undergoing DES processing. Any significant change to the member's condition could change the findings and VA ratings requiring the member to complete another VA Compensation & Pension exam.

1.8.2. For AFR members, the Air Force Reserve Command Surgeon office (AFRC/SGO) is the approval authority for Reserve members and for ANG members, the NGB/SGPS is the approval authority. (Reference AFI 41-210, paragraph 4.53.).

1.9. Benefits. The AF disability system will not retain, retire, or discharge a member for disability solely to increase AF retirement or discharge benefits, or enhance disability compensation from the Department of Veterans Affairs and/or Defense Finance and Accounting System (DFAS).

1.10. Disability Ratings. Per 10 U.S.C. § 1216(a), the PEB will assign disability ratings in accordance with the Veterans Affairs Schedule for Rating Disabilities (VASRD). **(T-0)**.

1.10.1. The PEB assigns the disability rating percentage(s) provided by the Department of Veterans Affairs Rating Agency Site for unfitting medical conditions of service members in the IDES (Exception: ARC non-duty related fitness determination cases, see [Chapter 4](#)).

1.10.2. The PEB will assign a disability rating percentage(s) to unfitting medical conditions using the current VASRD for service members in the Legacy DES and for TDRL reevaluations. **(T-0)**. When, after careful consideration of all procurable and assembled data, a reasonable doubt arises regarding the degree of disability, such doubt will be resolved in favor of the service member.

1.11. AF and VA Ratings. The total combined disability ratings determined by the IDES and those determined by the VA may differ. The VA is authorized to rate any service-connected condition while the AF is only authorized to rate or apply ratings to the conditions which make a service member unfit for continued military service and cause the premature termination of the member's military career.

1.12. Medical Hold. Subject to certain limitations, medical hold is a method of retaining a service member beyond an established date of separation, an approved retirement or separation date, or established high-year of tenure for disability processing purposes.

1.12.1. AFPC/DP2NP is the only AF entity authorized to place a RegAF member on medical hold. AFRC/SGO for Reserve members or NGB/SGPS for Guard members is the authority for placing ARC members on medical hold when applicable. (See AFI 41-210, paragraph 4.53.1.6.).

1.12.2. If an enlisted service member does not consent to medical hold, the service member must waive referral into the DES in writing. **(T-0)**. Such waiver must attest that the service member has received counseling from the PEBLO, or appropriate AFR Medical Unit or ANG Medical Unit representative (for ARC members), or from legal counsel or representative concerning the DES or non-duty related fitness determination process (for

ARC members), their rights to a medical and physical evaluation board, and the potential benefits of remaining in the RegAF, AFR, or ANG to complete the DES or non-duty related fitness determination process.

1.12.3. A service member cannot waive disability evaluation if approved for voluntary early separation from active duty and incurs a Reserve obligation. (See DoDI 1332.18, IC1, Appendix 1 to Enclosure 3, paragraph 7).

1.13. Incompetent Service Members. The designated representative (court appointed guardian, trustee, or primary next of kin) for a service member determined incompetent by a competency board is counseled and afforded the opportunity to assert the rights granted to the service member, unless prohibited by law. Note: For the sake of brevity, any reference to “service member” is intended to mean “service member or designated representative.” Otherwise, text applying specifically to the “designated representative” will specify such.

1.14. Approval by Defense Finance and Accounting Service (DFAS). DFAS approves the entitlements portion of this instruction under procedures prescribed by the Secretary of Defense according to 37 U.S.C. § 1001.

1.15. Special Orders. AFPC/DPFD issues special orders affecting temporary and permanent disability retirements, travel orders for TDRL members, disability separations, and appointment of PEB members. The Chief, AFPC/DPFD or designee is the authenticating official.

1.16. Timeliness. DES timeliness requirements are detailed in DoDM 1332.18, Volume 1, and DoDM 1332.18, Volume 2.

1.17. Quality Assurance Program. AFPC Directorate of Airman and Family Care Quality Assurance office (AFPC/DPF-QA) administers the DES Quality Assurance Program to ensure the accuracy and consistency of PEB decisions, as well as to monitor and sustain the proper performance of PEB duties. Reference DoDM 1332.18, Volume 3.

Chapter 2

MILITARY TREATMENT FACILITY (MTF) PROCESSING RELATED TO DISABILITY EVALUATIONS

2.1. Medical Evaluation Boards (MEB). MEBs are governed by DoDI 1332.18, DoDM 1332.18, Volumes 1 and 2, and AFI 41-210. MEB documentation sent to the PEB for adjudication must be current, defined as within six months of the date the AFPC/DPFDD receives the information, or the MEB case will be returned.

2.2. Role of the Healthcare Provider in the MEB Process.

2.2.1. The Healthcare Provider at the MTF:

2.2.1.1. Prepares the documents required to identify medical defects or conditions that may disqualify the member for continued active duty.

2.2.1.2. Refers the case to the Deployment Availability Working Group for fitness for duty recommendation.

2.3. Role of Medical Officers in the MEB Process.

2.3.1. Medical officers on the MEB. Evaluate the MEB case file documentation and recommend the service member either be returned to duty or referred to the PEB. (Refer to AFI 41-210, paragraph 4.63.3.). The MEB recommendation should be annotated on AF Form 618, Medical Board Report, Block 25.

2.3.1.1. The case file is sent to AFPC/DP2NP if the MEB recommended return to duty.

2.3.1.2. The case file is sent to AFPC/DPFDD if the MEB recommended referral to the PEB.

2.3.1.3. Send ARC cases to AFRC/SGO for AFR members or NGB/SGPS for ANG members regardless of MEB recommendation.

2.4. Role of the PEBLO. The PEBLO is one of the most important contacts for the service member in the DES. The PEBLO:

2.4.1. Ensures MEB cases referred to the PEB are current, complete, accurate, and fully documented. An MEB Checklist is located at [Attachment 2](#). The completed case file is "For Official Use Only," and DoD 5400.07_AFMAN 33-302, Freedom of Information Act Program and AFI 33-332 apply.

2.4.2. Counsels service members concerning the DES process and their rights within the process.

2.4.3. Maintains coordination with the service member, service member's commander, medical facility, Veterans Affairs Military Service Coordinator, Force Support Squadron (FSS), AFPC/DP2NP, AFRC/SGO for AFR members or NGB/SGPS for ANG members and AFPC/DPFDD, to include relaying MEB process information, timely updates and notifications to affected service members and to their commanders and first sergeants.

2.5. Role of the VA Military Service Coordinator. The Military Service Coordinator is a critical contact for the service member throughout the IDES. The Military Service Coordinator

provides the link between the service member and VA by keeping the service member and the PEBLO informed of VA processes.

2.6. Role of Commander and Supervisor. The service member's immediate commander submits a completed AF Form 1185 within five calendar days of the PEBLO's request, describing the impact of the service member's medical condition on the performance of military duties associated with their primary Air Force Specialty Code and ability to deploy or mobilize, as applicable (see [paragraph 1.2.8.](#)). If the commander recommends their service member be retained, the commander must clearly demonstrate how their service member's retention serves Air Force interests and/or how the member's separation would adversely affect the unit or Air Force mission if the member is not returned to duty. The commander's recommendation should include the authorized and assigned manning in the member's Air Force Specialty Code at the unit and wing level and describe whether the assigned strength is so critical that retention is warranted despite the member's mobility, duty, or fitness restrictions. The commander should also speak to the deployment rate of the member's Air Force Specialty Code at the wing and unit level and whether the member's retention would negatively impact other Airmen by compressing their deploy-to-dwell ratio to accommodate the Airman's retention. Exception: Basic Military Training Students entering the DES do not require an AF Form 1185.

2.6.1. The commander is required to review the contents of the statement with the service member, obtain their signature, and return the completed AF Form 1185 to the PEBLO for inclusion in the MEB case file. Note: If the service member refuses to sign the AF Form 1185, the commander (or designee) annotates "member refused to sign" in the member's signature block.

2.6.2. A fact sheet for commanders with instructions on completing the AF Form 1185 is located at [Attachment 3](#).

2.7. Hospitalization During or After Disability Evaluation. If a service member is hospitalized during the DES process, the MTF is required to notify AFPC/DPFDD before moving the member to a VA hospital or long-term inpatient care facility. Should the member's medical condition require continued inpatient care after completion of disability processing, the service member can receive continued care at a referring hospital, another military facility, a VA treatment center, or civilian medical facility.

2.8. Recall of a Case from the PEB. The referring MTF commander may request to recall a case if a major change in the member's condition occurred or a new condition is discovered. AFPC/DPFD determines whether recall is appropriate. If the service member's hospitalization or treatment progress appears to have not medically stabilized and the course of further recovery is not relatively predictable, or the condition is not considered to be potentially unfitting, case processing continues and the condition may be addressed by the VA upon the service member's discharge from military service.

2.8.1. The MTF Commander or designee prepares and sends a memorandum explaining the condition(s) and attaches pertinent clinical information for AFPC/DPFD consideration.

2.8.2. If the recall request is approved, a new MEB may be initiated according to instructions from AFPC/DPFD or per AFI 41-210. If the service member's condition significantly improved after the recall and the MTF recommends the service member be returned to duty, an initial review-in-lieu-of MEB may be sent to the AFPC/DP2NP or AFRC/SGO for AFR

members or NGB/SGPS for ANG members, for disposition instead of another MEB sent to AFPC/DPFDD.

2.8.3. Cases recalled after a decision is made by SAFPC are not required to be referred back to SAFPC unless:

2.8.3.1. Directed to do so by SAFPC.

2.8.3.2. It meets one of the requirements in [paragraph 5.2](#).

2.9. DES Process for Catastrophic Conditions/Combat-Related Causes. Military medical authorities, the Federal Recovery Care Coordinator, the PEBLO, treating physicians, medical and non-medical case managers collaborate to identify service members who qualify to have their MEB case expedited.

2.9.1. The PEBLO obtains a catastrophically ill or injured medical declaration and transmits it to AFPC/DPFDD along with a narrative summary signed by the senior attending physician describing, at a minimum, the current condition and course of medical treatment since the injury occurred and a description of the treatment plan and prognosis.

2.9.2. Service members designated with catastrophic and/or combat related conditions may utilize the LDES process if the service member consents and is approved by the MTF commander or designee (O-6 or GS-15 equivalent). See [paragraph 1.1.2](#).

2.9.3. Disenroll service members who pass away before the DES is complete and before disability orders are processed. Add a memorandum for record to the case file stating the circumstances and file the case in the service member's Automated Record Management System record.

2.10. Referral for Pre-Separation Counseling. The PEBLO refers the member to their assigned FSS Military Personnel Flight for pre-separation counseling as soon as it is evident that a service member will require a MEB (see AFMAN 36-2102, Base-Level Relocation Procedures). Although final disposition is unknown at this point, early counseling is necessary to satisfy requirements of 10 U.S.C. § 1142. **(T-0)**.

Chapter 3

THE PHYSICAL EVALUATION BOARD (PEB)

Section 3A—PEB Establishment

3.1. Purpose of PEB. In accordance with DoDI 1332.18, a PEB determines the fitness of service members with medical conditions to perform their military duties; and for service members determined unfit for duty-related conditions, their eligibility and entitlement to benefits under 10 U.S.C., Chapter 61. The PEB process includes the Informal PEB, Formal PEB, and appellate review of PEB results (see [Chapter 5](#)). If the PEB finds a member unfit, it recommends appropriate disposition as described in Section 3B.

3.2. Legal Basis for Formal Hearings. The Formal PEB provides a full and fair hearing required by 10 U.S.C. §1214 for members recommended for a disability discharge or retirement. The Office of Airmen's Counsel provides the service member's legal support. (See [paragraph 3.34.](#)).

3.3. Training of PEB Members. The AFPC Directorate of Airman and Family Care Quality Assurance office (AFPC/DPF-QA) provides recurring PEB adjudicator and administrator training and adjudicator certification training for members assigned to the Informal and Formal PEB. Training includes all elements as required by DoDI 1332.18, Enclosure 3 and the DoD IDES Training Standards and Performance Objectives Guidebook.

3.3.1. The Chief, AFPC/DPFD validates all training and certification requirements for Informal and Formal PEB members. Newly assigned PEB members will not adjudicate cases until the Chief, AFPC/DPFD validates all training and certification requirements are met. (T-0).

3.4. Permanent and Alternate Members of the PEB. PEB members are appointed by the Chief, AFPC/DPFD in accordance with DoDI 1332.18, Enclosure 3, paragraph 3.d. During national emergencies or due to increased contingency operations, the Division Chief may direct the allocation of additional personnel to the PEB if deemed appropriate for proper and expeditious adjudication of an additional case load.

3.4.1. Appoint permanent and alternate members on Department of the Air Force Special Orders by direction of the SecAF. Appointment orders designate:

3.4.1.1. The senior non-medical voting member as PEB president.

3.4.1.2. Line officer members (or a non-commissioned officer at the E-9 level for enlisted cases) who are familiar with duty assignments as non-medical voting members.

3.4.1.3. A Medical Corps officer (physician).

3.4.1.4. ARC members for ARC cases.

3.4.2. Alternate Members of the PEB. The PEB president provides training instructions and directs duty assignments. Alternate presidents should be lieutenant colonels or above or civilian equivalent and alternate medical and non-medical members should be majors or above.

3.5. PEB Composition. The PEB process includes the Informal PEB, Formal PEB and appellate review of the PEB results from SAFFPC. Board composition requirements are detailed in DoDI 1332.18, Enclosure 3.

3.5.1. The Informal PEB composition is a minimum of two personnel. The Informal PEB will be comprised of military personnel at field grade level or higher (or civilian equivalent) and must include a physician and a line officer. In cases of a split opinion, a third voting member is assigned to provide the majority vote. When appropriate, the permanent line officer member (if serving in the grade of lieutenant colonel or above or civilian equivalent) or the senior alternate non-medical member may serve as president.

3.5.2. The Formal PEB must be comprised of at least three members with military and/or civilian personnel representatives. A majority of the Formal PEB members could not have participated in the adjudication process of the same case at the Informal PEB.

3.5.3. The president of the PEB assembles the board and ensures:

3.5.3.1. One of the voting members is a physician. The physician cannot be the service member's physician, cannot have served on the service member's MEB and cannot have participated in a TDRL reevaluation examination of the service member.

3.5.3.2. One voting member is an ARC officer if the service member is an ARC member. The ARC voting member may be of equal rank with a date of rank higher than the member being boarded; however, a member serving in a medical advisory capacity may be junior in rank to any person, other than a medical officer, being considered by that board (reference 10 U.S.C. § 12643).

3.5.3.3. An enlisted member in the grade of Chief Master Sergeant (E-9) may serve as a board member for enlisted cases.

3.5.3.4. Contract personnel may not serve as PEB members.

3.6. Restrictions on PEB Membership. Voting members should not serve on a PEB that evaluates a case they have previously evaluated, except:

3.6.1. When a PEB voting member acting on a TDRL reevaluation case acted on the same case at the initial evaluation or an earlier reevaluation.

3.6.2. When additional documentation has been added to the case.

3.6.3. When a new MEB has been referred to a PEB.

3.6.4. When a higher review authority has directed further investigation and reconsideration of a case or when authorized by the Chief, AFPC/DPFD.

3.7. Self-Disqualification. PEB voting members must disqualify themselves if for any reason they believe they would be unable to render a fair and impartial decision.

3.8. Unlawful Influence. No one may attempt to coerce or, by any unauthorized means, influence a PEB or the outcome of any disability case.

Section 3B—PEB Decisions

3.9. Findings and Recommendations. PEB case adjudicators make a series of determinations to reach a finding. Once the service member's eligibility for DES processing is confirmed, the

PEB determines: (1) MEB case file adequacy for adjudication (see [paragraph 3.10.](#)); (2) fitness for continued service (see [paragraph 3.11.](#) and [3.12.](#)); (3) if unfit, which condition(s) is unfitting and if the unfitting condition(s) is compensable (see [paragraphs 3.13.](#) and [3.14.](#)); (4) if the unfitting condition is stable (see [paragraph 3.15.](#)); (5) if the unfitting condition is combat related or incurred in a designated combat zone (see [paragraph 3.16.](#)); (6) the appropriate disposition (see [paragraph 3.17.](#)); and (7) the appropriate disability rating for LDES and TDRL evaluations (see [paragraph 3.18.](#)).

3.10. MEB Case File Adequacy. Upon receipt of the MEB case file, AFPC/DPFDD reviews the contents for administrative completeness ensuring all required documentation is included, current, and signed for adequate PEB adjudication. Discrepancies noted during the review are documented in the Veterans Tracking Application system (for IDES cases) and returned to the PEBLO for correction. Legacy DES case discrepancies are sent to the PEBLO via email. When the PEB requires additional medical information to evaluate a case, the PEB returns the medical board proceedings and related documents to the referring MTF with an AF Form 356, Findings and Recommended Disposition of USAF Physical Evaluation Board, explaining why the case is returned and what actions are needed for adjudication. When returning the requested information to AFPC/DPFDD, the PEBLO includes a cover memorandum or email to explain changed or new contents within the case. The PEB may return a case for any one of the following reasons:

- 3.10.1. More detailed or additional documents are required.
- 3.10.2. Further information and description of conditions, injuries or defects are required.
- 3.10.3. Further hospitalization, another physical exam, or reconsideration by MEB is needed.
- 3.10.4. Correction or explanation of apparent errors, omissions or inconsistencies in the records or supporting documents is required.
- 3.10.5. Recommendation that the MTF Chief of Staff recall the case if the service member develops a newly discovered potentially unfitting condition(s) or is scheduled for surgery intended to correct or substantially modify the unfitting condition(s). (See [paragraph 2.8.](#) for case recall procedures and [paragraph 1.7.](#) concerning delay of MEB processing due to non-emergent surgery).
- 3.10.6. When the PEB has reasonable cause to believe a line of duty finding appears to be contrary to the evidence, the PEB requests line of duty determination reconsideration via official memorandum through the PEBLO or Air Reserve Component agency (for ARC members).

3.11. Fitness Determinations. Fitness for continued military service is the primary finding made by the PEB. The standards and criteria for making an unfit determination are contained in DoDI 1332.18, Appendix 2 to Enclosure 3 (also see [paragraph 1.3.](#)).

3.12. Presumption of Fitness. The DES compensates disabilities when they cause or contribute to the premature career termination of a service member. Service members with an approved retirement date or military career termination point (e.g., high year of tenure, mandatory separation date, etc.) at the time of DES referral are presumed fit for the remainder of their service. Service members may overcome this presumption by presenting a preponderance of

evidence to the PEB that they are unfit for military service. Refer to DoDI 1332.18, Appendix 2 to Enclosure 3 for more information.

3.13. Determining Compensable Disabilities. Eligibility for referral to the DES for fitness determinations does not automatically confer retirement or separation benefits to the service member. A service member determined unfit to perform the duties of his or her office, grade, rank, or rating because of disability may be eligible for disability compensation. The PEB determines compensability in accordance with DoDI 1332.18, Appendix 3 to Enclosure 3.

3.14. Categorizing Compensable Ratable Physical Defects and Conditions. The PEB categorizes each referred defect or condition as compensable or non-compensable. Eligibility for disability benefits is based only on compensable defects or conditions (See definition in [Attachment 1](#)). The PEB applies a disability percentage rating of zero or more to each compensable unfitting defect or condition as determined by the Department of Veterans Affairs Rating Activity Site for IDES cases or by the VASRD guidance for LDES or TDRL cases. After recording the compensable defects and conditions, the PEB combines the percentage rating of each unfitting defect or condition as outlined in the VASRD. Any condition or defect that does not affect the member's ability to perform military duty is considered not unfitting and is not included in the calculation of the compensable disability rating, but is noted.

3.15. Stability. The PEB reviews the medical evidence of each unfitting condition to determine if the condition is stable and/or permanent. A disability will be determined stable when a preponderance of medical evidence indicates the severity of the condition will probably not change. See [Chapter 8](#) for further guidance.

3.16. Combat Related Determinations. The PEB shall make a determination as to whether each condition that is unfitting or contributes to an unfit determination was incurred in combat or combat related (1) as a direct result of armed conflict, (2) was caused by an instrumentality of war, (3) was incurred while engaged in hazardous service, or (4) was incurred under conditions simulating war. **(T-0).** Determinations should be based on objective evidence and/or third party testimony of the circumstances of the injury or illness, not solely on the service member's report.

3.16.1. Determinations for Tax Benefits. The PEB shall determine whether the member's physical disability compensation is excluded from Federal gross income under 26 U.S.C. § 104. **(T-0).** For compensation to be excluded, the member must meet the criteria listed in DoDI 1332.18, Appendix 5 to Enclosure 3.

3.16.2. Combat Related. A disability is considered combat-related if it makes the service member unfit or contributes to unfitness and the preponderance of evidence shows it was incurred under any of the following circumstances.

3.16.2.1. As a Direct Result of Armed Conflict. The disease or injury was incurred in the line of duty as a direct result of armed conflict in accordance with 5 U.S.C. § 6303 The fact that a service member may have incurred a disability during a period of war, in an area of armed conflict, or while participating in combat operations is not sufficient to support this finding. There must be a definite causal relationship between the armed conflict and the resulting unfitting disability.

3.16.2.2. While Engaged in Hazardous Service. Such service includes, but is not limited to, aerial flight duty, parachute duty, demolition duty, experimental stress duty, and diving duty.

3.16.2.3. Under Conditions Simulating War. In general, this covers disabilities resulting from military training, such as war games, practice alerts, tactical exercises, airborne operations, and leadership reaction courses; grenade and live fire weapons practice; bayonet training; hand-to-hand combat training; rappelling; and negotiation of combat confidence and obstacle courses. It does not include physical training activities, such as calisthenics, jogging or formation running and supervised sports.

3.16.2.4. Caused by an Instrumentality of War. Occurrence during a period of war is not a requirement to qualify. If the disability was incurred during any period of service as a result of wounds caused by a military weapon, accidents involving a military combat vehicle, injury or sickness caused by fumes, gases, or explosion of military ordnance, vehicles, or material, the criteria are met. However, there must be a direct causal relationship between the instrumentality of war and the disability. For example, an injury resulting from a service member standing up and accidentally striking their head on the aircraft while performing a post-inspection is not normally considered an injury caused by an instrumentality of war (the aircraft) since the act of the member standing up and accidentally striking the aircraft was the cause and not the aircraft. The exception occurs if anything on the aircraft (missile, bomb, pylon, panel, etc.) fell off and struck the member on the head, aircraft was moving and hit the member, or the member was running for cover during hostile enemy attack and fell and struck the aircraft.

3.17. Recommended Disposition. Upon review and evaluation of a disability case, the PEB recommends one of the following dispositions (See [Table 3.1](#) for a recommended disposition decision rules):

3.17.1. Return to Duty. Applies to all members found fit for duty, except TDRL members or previously retired members on active duty.

3.17.2. Permanent Disability Retirement. Applies to service members who have been found unfit, the condition is stable and permanent, and the total disability rating is 30 percent or greater or the service member has 20 years or more service computed under 10 U.S.C. § 1208 regardless of the combined compensable disability rating.

3.17.2.1. Service members with unstable conditions rated at a minimum of 80 percent that are not expected to improve to less than an 80 percent rating will be permanently disability retired.

3.17.2.2. Service members with unstable conditions who also have stable conditions which rate at a minimum of an 80 percent rating will be permanently disability retired.

3.17.3. Placement on TDRL. Applies to service members that meet the requirements for permanent disability retirement except that the disability is not determined to be stable but may be permanent. A disability will be determined stable when the preponderance of medical evidence indicates the severity of the condition will probably not change enough within the next three years to increase or decrease the disability rating percentage. [Chapter 8](#) provides the possible case dispositions for a service member upon TDRL reevaluation.

3.17.4. Discharge with Severance Pay. Applies to members who have been found unfit whose combined disability rating is less than 30 percentage where the service member has less than 20 years of service computed pursuant to 10 U.S.C. § 1208.

3.17.5. Discharge Under Other Than 10 U.S.C., Chapter 61. Applies to service members who have been found unfit whose disabilities:

3.17.5.1. Existed prior to service and were not permanently aggravated by service.

3.17.5.2. Were incurred while the member was in excess leave status.

3.17.5.3. Were not the proximate result of performing military duties for ARC members called to active duty for 30 calendar days or less on or before September 23, 1996.

NOTE: Service members discharged under other than 10 U.S.C., Chapter 61 are not entitled to disability compensation.

3.17.6. Discharge under 10 U.S.C. § 1207. Applies to members found unfit and the disability is due to intentional misconduct, willful neglect, or was incurred during a period of unauthorized absence.

3.17.7. Revert with Disability Benefits. Applies to a retiree recalled to active duty previously retired for disability and who was determined unfit during the period of recall. To receive disability benefits, an unfit service member previously retired for years of service or age must have a disability of 30 percent or more (10 U.S.C. § 1402(a) and (b)). Otherwise, the service member reverts to the retired list without disability benefits.

3.17.8. Revert without Disability Benefits. Use only for a retired member serving on active duty who is reverting to the retired list without disability benefits.

3.18. Disability Ratings for LDES and TDRL cases. The PEB applies VA ratings provided by the Department of Veterans Affairs Rating Activity Site for IDES cases (reference [paragraph 3.14.](#)); however, for LDES and TDRL cases, the PEB utilizes the VASRD to determine a rating for each unfitting condition.

3.19. Documenting Findings and Recommendations. The PEB documents their findings and recommendations on AF Form 356. The PEB details the recommended unfitting conditions on the form and if an IDES case, forwards it to the Department of Veterans Affairs Rating Activity Site for determination of disability codes and ratings. Once the disability codes and ratings are received from the rating site, the PEB will apply the codes and ratings, and render a disposition documenting on the AF Form 356. **(T-0).** Exceptions to this process:

3.19.1. The PEB will not apply disability ratings for conditions found to have existed prior to service without permanent service aggravation, including non-duty related ARC cases referred for a fitness determination.

3.19.2. The PEB will determine ratings for LDES and TDRL cases using the VASRD. **(T-0).** (See [paragraph 1.10.](#)).

3.19.3. The PEB or SAFPC determines the service member is not eligible for DES processing. (Refer to [paragraph 1.4.](#)).

3.19.4. A disability case recall request is approved. (See [paragraph 2.8.](#)).

3.20. PEB Remarks. The PEB recommends action based on objective findings of record, and uses the "Remarks" section of AF Form 356 to summarize the rationale for its decision. The PEB may express matters of opinion, so long as they clearly identify them as such. DoDI 1332.18, Enclosure 3, paragraph 3(i) and 3 (j) require the PEB to document: **(T-0).**

3.20.1. Determination of fit or unfit for continued military service and a summary of the rationale. (See [paragraph 3.11.](#)).

3.20.2. The code and percentage rating assigned to an unfitting and compensable disability based on the VASRD. (See [paragraph 3.13.](#) and [3.14.](#)).

3.20.3. The reason an unfitting condition is not compensable. (See [paragraph 3.13.](#)).

3.20.3.1. For cases with a finding of pre-existing condition (existed prior to service) without aggravation, include the rationale for the finding and the medical principle for overcoming the presumption of service aggravation.

3.20.3.2. The accepted medical principle justifying findings that an ARC member performing inactive duty training, active duty training, or on active duty of 30 calendar days or less, has a preexisting disability that was not permanently aggravated by service.

3.20.3.3. The rationale justifying findings that a disability that was incurred in the line of duty prior to September 24, 1996, and that was not permanently service aggravated since September 23, 1996, was not the proximate result of military service.

3.20.4. The rationale for the findings when it is determined the service member overcomes the presumption of fitness, presumption of sound condition, and presumption of incurrence or aggravation if applicable.

3.20.5. The specific accepted medical principle for overcoming the presumption of service aggravation for all cases with a finding of preexisting condition without service aggravation.

3.20.6. The circumstances of the incident, injury or incurrence when the member's defects or conditions were the direct result of a combat-related injury and/or was incurred in a designated combat zone. (See [paragraph 3.16.](#)).

3.20.7. A statement concerning the stability and permanent nature of the physical disability for service members being placed on the TDRL or permanently disability retired. (See [paragraph 3.15.](#)).

3.20.8. Personal impressions created by the appearance of the service member if such impressions are at variance with documentary evidence in the case file.

3.21. Documenting Service Member's Election. Use AF Form 1180, Action on Physical Evaluation Board Findings and Recommended Disposition to record the service member's concurrence or non-concurrence with the PEB findings and recommended disposition. The PEBLO must sign and date block II, Counseling Action. **(T-3)**.

3.21.1. For TDRL reevaluations, AFPC/DPFDC informs the TDRL member of the PEB action by memorandum, and the member documents his or her election by endorsement to the notification memorandum.

Section 3C—Informal PEB Procedures

3.22. Informal PEB Review. The Informal PEB reviews the service member's MEB case file contents, personnel records, and any other related documentation to determine fitness for duty. The Informal PEB is a records-only board and neither the member nor attorney may be present for adjudication.

3.23. Informal PEB Timeline. The goal is to complete the Informal PEB fit/unfit determination within 11 calendar days of receiving the complete and correct MEB case file. **(T-0)**. If the service member is found unfit, the board will apply the ratings to the unfitting conditions within five calendar days of receiving the proposed disability ratings from the Department of Veteran Affairs Disability Rating Activity Site and record the recommended disposition on AF Form 356. **(T-0)**.

3.23.1. The Informal PEB shall only consider medical conditions contained in the case file which have been examined by the VA. **(T-3)**. Conditions revealed, incurred or discovered subsequent to the VA examinations that are potentially unfitting may warrant a recall of the MEB case ([paragraph 2.8](#)). If not approved for recall, the PEB continues processing the case.

3.24. Informal PEB Findings. Upon receipt of the Informal PEB determination and disposition, AFPC/DPFDD sends the AF Form 356 along with the VA rating(s) if applicable, to the PEBLO at the referring MTF electronically.

3.24.1. Action by the PEBLO and Service Member. Within 24 hours of receiving the Informal PEB's findings, the PEBLO informs the service member's commander (or designee) of the findings and then the service member's commander (or designee), in coordination with the PEBLO, briefs the member within three calendar days of receipt of the Informal PEB AF Form 356. (see AFI 41-210, paragraph 4.68.7.1.). **(T-2)**.

3.24.1.1. The PEBLO assists the service member with completing their election on the AF Form 1180. The service member has six calendar days from the date of PEBLO counseling to agree or disagree with the Informal PEB's findings or the VA code and disability ratings for the unfitting conditions. The PEBLO and others may answer questions; however, the service member alone makes the final decision and documents that decision by marking the appropriate blocks on the AF Form 1180.

3.24.1.2. Service members who disagree with the unfit recommendation and request a Formal PEB hearing may submit a brief rebuttal stating the reason for disagreement. If the service member disagrees with a fit finding, a rebuttal statement is required and included with the AF Form 1180. The statement should clearly identify the reason for rebuttal and the remedy sought.

3.24.1.3. Service members who disagree with the VA coding and/or rating may request a one-time VA rating reconsideration. The member is required to submit supporting documentation for the request with the signed AF Form 1180 or the reconsideration request is denied.

3.24.1.4. Service members who fail or refuse to make an election, or fail to submit a rebuttal within the specified time limit forfeit their opportunity to appeal and the case is finalized. AFPC/DPFDD includes a statement of circumstances in the member's file.

3.24.2. The PEBLO signs the counseling portion of AF Form 1180 and provides a copy of AF Forms 1180 and 356 with VA rating decision, if applicable, to the service member.

3.24.2.1. Retains a copy of each form in suspense until case completion.

3.24.2.2. Electronically sends the signed AF Form 1180, rebuttal or reconsideration request documentation if applicable, to AFPC/DPFDD. Rebuttal documents are attached to the AF Form 1180.

3.24.2.3. The service member, designated representative or service member's legal counsel may request a delay of the Formal PEB hearing date.

3.24.3. Action by AFPC/DPFDD. Upon notification of service member's decision, AFPC/DPFDD:

3.24.3.1. Processes the case as appropriate when the service member agrees with the Informal PEB findings and does not request a VA rating reconsideration.

3.24.3.2. Forwards the case file to the Formal PEB for a service member who disagrees with an unfit finding and requests a formal hearing. Note: Service members may not request Formal PEB appeal for consideration to change VASRD codes and rating percentages as determined by the VA under the IDIS. The appropriate avenue to address VA coding and rating percentages is through a service member's election to request a rating reconsideration from the VA. (See [paragraph 3.40](#).)

3.24.3.3. Requests AFPC/DPFD review the service member's rebuttal statement if they disagree with a fit finding. The service member may rebut a fit finding by providing new and relevant information not previously considered. The rebuttal statement accompanies the AF Form 1180 and is sent to the Chief, AFPC/DPFD, or designee, to determine whether rebuttal is sufficient for a Formal PEB hearing. If the rebuttal is sufficient, the service member is scheduled for a Formal PEB hearing. Requests containing insufficient rebuttal justification are denied and returned to the PEBLO. The PEBLO notifies the Commander and service member of the fit decision.

3.24.3.4. Forwards the case to Department of Veteran Affairs Disability Rating Activity Site if the service member concurs with the Informal PEB findings but requests VA rating reconsideration. Service members are provided a one-time VA rating reconsideration and may only exercise this right after they agree with the PEB findings or upon exhaustion of appeals.

3.24.3.5. Upon receipt of the VA rating reconsideration, AFPC/DPFDD (1) continues processing the case as appropriate when there is no change to the VA codes or disability ratings or (2) submits the case file and rating reconsideration decision to the PEB for review when a rating change is recommended. The PEB prepares an updated AF Form 356 and AFPC/DPFDD forwards it to the PEBLO for notification of the service member.

3.25. Designated Representative Counseling. If a service member is determined incompetent (See [paragraph 1.12](#).), the designated representative is counseled and afforded the opportunity to assert the rights granted to the service member, unless prohibited by law. All available documentation reflecting the member's designated representative is sent to AFPC/DPFDD. The PEBLO counsels the designated representative and, once counseled, the designated representative signs the AF Form 1180 acting on behalf of the service member.

3.25.1. The PEBLO may accomplish the counseling requirement by any means practical.

3.25.2. If the PEBLO cannot locate the designated representative to act on behalf of the service member, the PEBLO informs AFPC/DPFDD who then refers the case to the Formal

PEB. If the service member or designated representative has not consulted with an attorney who can present the service member's case, the Formal PEB will adjudicate the service member's case without a formal hearing and will consider the case based solely on the evidence available in the case file. (T-3).

3.25.3. When the Informal PEB recommends permanent or temporary retirement with a total (100 percent) compensable rating, and time and circumstances do not permit a formal hearing, AFPC/DPFDD processes the case for SAFPC determination without the agreement from the service member or designated representative. AFPC/DPFDD includes a statement of circumstance in the case file.

3.26. Special Review by the Informal PEB.

3.26.1. The MTF Commander or designee may request special review by the Informal PEB via official memorandum. The following circumstances may merit a special review:

3.26.1.1. Pertinent medical records or evidence were not sent to the Informal PEB.

3.26.1.2. A change in diagnosis has occurred, not requiring any medical workup or a new medical board, or a change in medical status that may change the Informal PEB's findings and recommended disposition. For a significant change in diagnosis, see [paragraph 2.8](#) for potential recall of the MEB case file.

3.26.2. Special review requests should detail the circumstances and provide supporting evidence. If the request meets the criteria for special review, AFPC/DPFDD refers the case to the Informal PEB. The special review may be conducted by the same members who previously considered the case or different members if one or more of the original board members are unavailable. If, after review, the Informal PEB changes its findings, a revised AF Form 356 is prepared. If there is no change, AFPC/DPFDD notifies the MTF Commander or designee that processing of the case will continue. Note: Special review is only appropriate prior to a service member's reporting date for a Formal PEB hearing.

Section 3D—Formal PEB Procedures

3.27. Purpose of the Formal PEB Hearing. 10 U.S.C. § 1214 provides the right to a full and fair hearing for service members being separated or retired due to a physical disability if demanded. An appeal to the Formal PEB meets this statutory requirement. Service members, at a minimum, have the following hearing rights:

3.27.1. To have their case considered by the formal board, a majority of whom were not voting members of their Informal PEB.

3.27.2. To appear in person, through a designated representative or legal counsel, telephonically, by video teleconference, or by any other means determined practical by the Formal PEB president. Service members, or their designated representative or legal counsel, provide written notification of the preference to appear at the formal hearing.

3.27.3. To be represented by Government appointed counsel provided by the Office of Airman's Counsel. Service members may choose civilian counsel at no expense to the Government.

3.27.4. To make a sworn or an unsworn statement. A service member is not required to sign a statement relating to the origin, incurrence, or aggravation of a disease or injury.

3.27.5. To remain silent. When the service member exercises this right, the member may not selectively respond, but must remain silent throughout the hearing. If service member makes an unsworn statement, it does not waive the member's right to remain silent.

3.27.6. To introduce witnesses, depositions, documents, sworn or unsworn statements, declarations, or other evidence on the service member's behalf and to question all witnesses who testify at the hearing. The Formal PEB president determines whether witnesses are essential. If the president determines witnesses are essential, travel expenses and per diem may be reimbursed or paid in accordance with the Joint Travel Federal Regulation, Volumes 1 and 2. If not deemed essential, witnesses may attend at no expense to the Government.

3.27.7. To access all records and information received by the Formal PEB before, during, and after the formal hearing.

3.28. Situations That Require a Formal Hearing.

3.28.1. The service member requested appeal after the Informal PEB unfit finding.

3.28.2. The Informal PEB issues a fit/unfit finding and the service member submits a conditional concurrence.

3.28.3. The service member is unable to act in his or her own behalf and the designated representative is unknown, unavailable, or is unwilling to accept the responsibility (see [paragraph 3.25.2.](#)).

3.28.4. AFPC/DPPFD, or other final reviewing authority, decides that a formal hearing is in the best interest of the service member and the AF.

3.28.4.1. In these cases, the official concerned directs the hearing in writing. The service member may appear in person, telephonically, by video teleconference or in absentia.

3.28.4.2. Waivers for Formal hearings directed by the AFPC/DPPFD or designee may only be approved at that level.

3.28.5. The Formal PEB may proceed with a summary hearing, without the service member, designated representative or legal counsel if, after review of the presented evidence in the record for appeal, the formal board unanimously deems the evidence sufficient to warrant a revision to the findings. If any board member determines the evidence is insufficient for a summary decision, the case proceeds to hearing.

3.29. PEBLO Actions. Prior to the Formal PEB hearing, the PEBLO:

3.29.1. Forwards all medical records to AFPC/DPPFD immediately upon service member's request for a formal hearing.

3.29.2. Issues orders placing service member on temporary duty (TDY) to AFPC/DPPFD JBSA-Randolph AFB TX 78150-5300, when military or commercial transportation to the Formal PEB is needed. Orders should indicate the TDY is for the specific purpose of appearing before the Formal PEB and includes the reporting date and time. Ensures the service member arrives at JBSA-Randolph no more than 24 hours before the scheduled reporting time. If traveling by aeromedical evacuation, shows on the orders that service

member will travel "Class 4", unless that class is not appropriate due to medical reasons. The referring medical facility funds the TDY to the Formal PEB. (For ARC members, refer to [paragraph 4.11](#)). Service members normally may not take leave in conjunction with TDY to the Formal PEB. (See [paragraph 6.3](#)).

3.29.3. Provides the service member up-to-date information on JBSA-Randolph AFB lodging, transportation, meals, location of buildings, where to report, how to contact designated attorney, and how to file for reimbursement.

3.29.4. Counsels the service member on uniform requirements for a Formal PEB hearing appearance. RegAF and ARC members must wear the service uniform of the day unless they cannot wear it for medical reasons and the military uniform must conform with all requirements of AFI 36-2903, Dress and Personal Appearance of Air Force Personnel. (T-3). TDRL members should wear business or business-casual attire when appearing in a Formal PEB hearing.

3.30. Actions Preceding the Formal Hearing. Prior to the hearing, AFPC/DPFDF:

3.30.1. Schedules the service member for formal hearing with a minimum of ten calendar days notification. The service member may submit a written request for additional time to the Formal PEB president. The service member should state the reasons for the requested delay and the amount of extra time requested. The Formal PEB president provides a new hearing date and time when a request is approved or explains the reason for disapproval of the request in writing. The service member and/or designated representative is provided at least one duty day after arrival to the Formal PEB and before the hearing date to review available records and prepare the case with legal counsel. Service members that have difficulty traveling to meet the formal board may request their hearing via video teleconference or have a telephonic hearing. A service member may waive, in writing, the right to confer with government legal counsel prior to the hearing.

3.30.2. Informs the service member or designated representative, legal counsel, and witnesses of the rules outlined in this section.

3.30.3. Ensures the service member or designated representative and legal counsel have access to this instruction, Formal PEB Rules of Procedure, DoDI 1332.18, DoDM 1332.18 Volumes 1 and 2, AFI 48-123, Medical Examinations and Standards, VASRD guidance, and any other directives or publications referred to in this instruction that may apply.

3.31. Failure to Appear for a Formal Hearing. If a service member requests a Formal PEB hearing, he or she may appear either in person, telephonically or by video teleconference, or through a designated representative or legal counsel on their behalf (in absentia).

3.31.1. If a service member requested to appear in person, was notified of the date of the hearing and acknowledged receipt of the notification, and fails to report for in-processing the day prior to the scheduled hearing, the service member, their designated representative, or legal counsel contacts AFPC/DPFDF to request:

3.31.1.1. To reschedule the board hearing.

3.31.1.2. A hearing via telephonically or by video teleconference.

3.31.1.3. Designated representative or legal counsel present evidence to the board on service member's behalf (in absentia).

3.31.1.4. A waiver of the board hearing. (See [paragraph 3.33](#)).

3.31.1.5. For TDRL members, case is sent back to AFPC/DPFDC as a failure to appear.

3.31.2. The Formal PEB president can decide to either:

3.31.2.1. Reschedule the hearing.

3.31.2.2. Proceed in absentia.

3.31.2.3. Approve the waiver.

3.31.2.4. Proceed with a summary hearing. (See [paragraph 3.28.5](#)).

3.31.3. If the service member, their designated representative or legal counsel does not make a request to AFPC/DPFDC to reschedule the hearing after failing to appear as discussed above in [paragraph 3.31.1](#), or has failed to appear for a second time, the service member has constructively waived the right to personally appear before the Formal PEB. The Formal PEB will consider the service member's appeal from the Informal PEB, without a formal hearing, and adjudicate the case based solely on the evidence contained in the record. Note: A statement of circumstances is included in the record for any failure to appear and the end result.

3.32. Appearance to the Formal PEB. A service member may request to change their board hearing method in writing prior to traveling to the scheduled hearing (see [paragraph 3.27.2](#)). The service member request includes their preferred choice to address the Formal PEB either by telephone, video teleconference or legal counsel in absentia.

3.33. Waiver of Formal Hearing. A service member may request a waiver of a Formal PEB hearing before the hearing date. The Formal PEB president is the approval authority for waivers, except for directed formal hearings, in which case the directing official is the approval authority. The request for waiver becomes a permanent part of the record. The waiver includes:

3.33.1. The reasons for the request and indicates the service member's concurrence with the Informal PEB's findings.

3.33.2. The service member's signed statement of understanding acknowledging no further right to demand a Formal PEB hearing.

3.34. Representation by Legal Counsel. The Office of Airman's Council provides legal counsel for the Formal PEB. Service members may use either:

3.34.1. An assigned disability attorney.

3.34.2. Another military attorney approved by the Judge Advocate General Corps, if reasonably available. The attorney should be a Captain or above or civilian equivalent.

3.34.3. A civilian attorney at member's expense.

3.34.4. Other representatives of the service member's choice. **NOTE:** When the service member retains an attorney, other than the assigned disability attorney, the retained attorney or representative assumes the responsibilities and duties outlined in this chapter. The Formal PEB president explains formal hearing procedures to the designated attorney before the PEB convenes. Service members who wish to retain representation other than the assigned disability attorney must complete a release of information form and submit written notice to

the Formal PEB. (T-3). Any representation apart from assigned disability attorney or another military attorney shall be at no cost to the AF.

3.35. Designated Counsel. Duties and responsibilities of designated attorney include:

- 3.35.1. Advising service member of rights, options, and formal hearing rules.
- 3.35.2. Preparing or assisting service member in case presentation.
- 3.35.3. Obtaining sworn statements or other evidence in support of the service member's position.
- 3.35.4. Examining and cross-examining witnesses, as appropriate.
- 3.35.5. Submitting oral or written arguments, as appropriate.
- 3.35.6. Preparing or assisting the service member in preparing the rebuttal, and/or rating reconsideration and/or SAFPC reconsideration, when requested.

3.36. Special Cases. If the service member is determined incompetent to act on his own behalf, (see [paragraph 1.12.](#) and [3.27.](#)) the assigned disability attorney represents the service member if no designated representative has been identified or if the designated representative, civilian legal counsel, or other representative fails to act on the service member's behalf. Include a statement of the circumstances in the record. The assigned disability attorney must be present at the hearing if the designated representative, civilian legal counsel, or other representative is not present. (T-0).

3.37. Formal Hearing Instructions. AFPC/DPFD establishes and provides the Formal PEB hearing format and procedures to AFPC/DPFDF. Formal board hearings are recorded and a copy is provided to the service member (or designated or legal representative) and appellate review board if requested. Hearings are not adversarial; they are administrative in nature.

3.38. Actions Following Formal Hearing. The Formal PEB renders its findings within 24 calendar days from the date the service member elected to appeal the Informal PEB decision. AFPC/DPFDF prepares AF Form 356, files the originals in the service member's case file, and sends copies to the servicing PEBLO. The PEBLO will inform the service member's commander (or designee) of the formal board findings within 24 hours of receipt and then service member's commander (or designee), in coordination with the PEBLO, briefs the member within three calendar days of receipt of the FPEB AF Form 356. (see AFI 41-210, paragraph 4.68.7.1). (T-0).

3.38.1. After counseling, the PEBLO signs the counseling portion of the AF Form 1180 and helps the service member complete their election. The service member has six calendar days to either agree with the findings, or submit an appeal to SAFPC. In either case, the member will indicate their decision on AF Form 1180.

3.38.2. If the service member disagrees with the Formal PEB fit/unfit finding, the service member or legal counsel/designated representative may submit a written rebuttal. The rebuttal requires the following contents:

- 3.38.2.1. Specific medical and/or legal arguments indicating why the findings of the FPEB are erroneous.

3.38.2.2. The service member's desired outcome, including disposition and percentage of disability, if applicable.

3.38.2.3. Supporting statements or documents for rebuttal consideration. Do not resubmit any documents initially entered as evidence during the Formal PEB hearing as part of the rebuttal request.

3.38.3. If the service member agrees with the Formal PEB unfit findings but not with the disability codes and/or rating(s) provided by the VA, the service member submits rating reconsideration documentation with the AF Form 1180 (see [paragraph 3.40.](#)). If the service member fails to provide documentation in support of the VA rating reconsideration, the request is not granted.

3.38.4. Counseling of Designated Representative. The PEBLO counsels the designated representative in the same manner prescribed for the service member. If the designated representative is unknown or unavailable, the PEBLO submits a statement of circumstances and points out any information from the case file that is important to the final review and evaluation of the case. (see [paragraph 1.12.](#) and [3.36.](#)).

3.38.5. Failure or Refusal to Reply or Make an Election. If the service member fails or refuses to make an election, or fails to submit a rebuttal within the specified time limit, the case will be finalized or sent to the next higher appellate authority (SAFPC). AFPC/DPFDD will include a statement of circumstances in the member's file.

3.39. New Diagnosis Following PEB Processing. New or additional boardable medical conditions are reported to the PEB immediately.

3.39.1. If the MTF Commander or designee determines the condition is potentially unfitting, the MTF Commander processes the request for recall of the case to allow for further medical evaluation and new medical board or addendum, as appropriate (see [paragraph 2.8.](#)).

3.39.2. If the Secretarial memo directing the service member's disability separation or retirement has been signed, processing of the service member's disability separation or retirement is continued unless the condition constitutes an acute, grave illness or injury, or serious deterioration of a previously diagnosed condition, to include a chronic condition, that would prevent the service member from performing further duty if he or she were not separating or retiring. (see [paragraph 2.8.](#)).

3.39.3. The service member may apply for VA disability benefits for any and all service connected conditions. Furthermore, the service member retains the right to apply to the Air Force Board for Correction of Military Records should service member feel any condition not rated by the DES was unfitting and compensable at the time of their separation or retirement.

Section 3E—VA Rating Reconsideration

3.40. Requesting VA Rating Reconsideration. Within the IDES process, the service member may request a one-time reconsideration of the VASRD codes and/or rating percentages for the unfitting conditions. The Office of Airman's Council provides legal counsel and assistance in preparation of VA rating reconsideration requests.

3.40.1. The service member may request a one-time reconsideration after accepting the Informal or Formal PEB unfit determination or exhausting all appellate reviews. The service member must indicate desire to request rating reconsideration on AF Form 1180 within six calendar days of receiving the PEB findings. **(T-0)**.

3.40.1.1. AFPC/DPFDD forwards service member's request, with supporting documentation, to the VA for reconsideration and notifies the PEBLO of the decision.

3.40.1.2. If the VA changes the VASRD codes and/or rating percentages for the service member's unfitting conditions, the PEB or SAFPC will prepare an amended AF Form 356. Consideration by the Air Force Personnel Board is not required.

Table 3.1. Recommended Dispositions for Unfit RegAF or ARC Members on Active Duty Orders for More Than 30 calendar Days.

R U L E	If member has years of service computed under 10 U.S.C. § 1208	and disability was incurred while member entitled to basic pay	and disability was in line of duty or proximate result of duty	and disability is permanent and stable	and combined compensable disability percentage is	then PEB recommended disposition is
1	Any	Yes	No - due to Misconduct or Negligence or during period of unauthorized absence	Yes	N/A	Discharge Under 10 U.S.C. § 1207
2	Any	No	N/A	Yes	N/A	Discharge Under Other Than 10 U.S.C., Chapter 61 (See Note 1)
3	20 years or more	Yes	Yes	Yes	0-100	Permanent Retirement (10 U.S.C § 1201-AD; § 1204-ARC)
4	less than 20 years	Yes	Yes	Yes	30-100	
5	20 years or more	Yes	Yes	No	0-100	TDRL (10 U.S.C § 1202-AD; § 1205-ARC)
6	less than 20 years	Yes	Yes	No	30-100	
7	less than 20 years	Yes	Yes	Yes or No	0-20	Discharge with Severance Pay (10 U.S.C. § 1203-AD; § 1206-ARC) (See Note 2)

Notes:

1. Other statutory provisions direct a service member's administrative separations where the recommended disposition is discharge under other than 10 U.S.C. Chapter 61 (discharge without severance pay).
2. See paragraph 4.17 for elections available to qualified ARC members.

Chapter 4

EVALUATION OF AIR RESERVE COMPONENT (ARC) MEMBERS

Section 4A—General Guidelines

4.1. Purpose. This chapter provides guidelines for processing ARC members through the disability evaluation system who meet the eligibility requirements of DoDI 1332.18, Appendix 1 to Enclosure 3 and paragraph 1.4. of this instruction. This chapter also provides process guidance for fitness only determinations of ARC members with non-duty related conditions.

4.2. Eligibility for Integrated Disability Processing. ARC members with potentially unfitting conditions incurred or aggravated in the line of duty in accordance with AFI 36-2910, Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay, are eligible for disability processing.

4.2.1. For ARC sexual assault cases processing through the Disability Evaluation System (DES), either a restricted (AF Form 348R) or unrestricted LOD (AF Form 348) is required for fitness for duty or disability determinations (T-0) per AFI 90-6001, Sexual Assault Prevention and Response (SAPR) Program and AFI 36-2910. This confidential disclosure is limited to only the information necessary to process duty or disability determinations. Disclosure of a restricted report under these circumstances does not change the nature of the victim's restricted report, nor does it create an obligation for reporting to law enforcement or command for investigation.

4.3. Ineligibility for Disability Processing. ARC members are ineligible for disability processing if the ARC member is pending an approved, unsuspended, punitive discharge or dismissal (see [paragraph 1.6.](#)).

4.4. Misconduct. ARC members are not compensated for disabilities incurred while in active duty or inactive duty status if competent authority has made a determination that the unfitting condition was the result of intentional misconduct or willful neglect or was incurred during a period of unauthorized absence in accordance with AFI 36-2910.

4.5. Entitlement to Medical Care and Evaluation. AFI 41-210 outlines an ARC member's possible entitlement to medical care when not on active duty, including hospitalization for evaluation of physical defects or conditions incurred as a result of performing authorized military duty. If there is any question as to a member's entitlement to medical care and evaluation, the medical facility takes action to verify such entitlement.

4.6. Duty and Pay Status:

4.6.1. An ARC member who incurs or aggravates an injury, illness or disease while performing duty in an authorized military status may be continued on orders solely for processing under this instruction. (Refer to AFI 36-2910, for medical continuation orders and AFI 41-210 for placing ARC members on medical hold).

4.6.1.1. The member is eligible to receive medical care and evaluation.

4.6.1.2. Service members with disabilities incurred or aggravated in the line of duty may be entitled to pay and allowances. (37 U.S.C. § 204[g] and [h]). (Refer to AFI 36-2910 for process to request extension of pay and allowances).

4.6.2. Type of Order. The type of order the service member is on when injury or illness occurred should be the same type of order the member remains on until returned to duty or separated.

4.7. Movement of Member. The PEBLO or MTF Commander or designee advises the service member's unit commander or FSS of the disposition or movement to another medical facility or to travel to meet a Formal PEB. When such movement is necessary, the MTF issues appropriate orders to authorize the movement.

Section 4B—Administrative Processing

4.8. Case Records for the PEB. Assemble the case. An MEB Checklist is located at [Attachment 2](#) to assist in compiling all needed documents. The PEBLO includes a statement identifying any documents they were unable to find and sends the case to the PEB through the appropriate ARC agency:

4.8.1. National Guard Bureau (NGB) for Guard members.

4.8.2. Air Force Reserve Command (AFRC) for Reserve members. Note: Individual Mobilization Augmentees and members in the Health Professions Scholarship Program who are reviewed for non-duty related conditions are processed per [Section 4E](#).

4.9. Case Processing. Upon determining a member is eligible for disability evaluation, process the case according to [Chapters 3, 4, and 5](#) of this instruction. Section 4C of this chapter outlines special processing rules. [Section 4E](#) outlines the ARC Non-Duty Related Conditions process. AFPC/DPFD may grant other exceptions to normal processing when such action is in the best interest of the service member and the AF.

4.10. Other Administrative Actions. Do not retire or discharge a service member whose case is undergoing disability evaluation until completion of the disability case. Do not administratively discharge under AFI 36-3208 or AFI 36-3207, if the service member is retired or discharged for disability under this instruction (see [paragraph 1.5](#) for administrative actions due to misconduct). The SAFPC will make the final determinations as to whether the service member will be discharged administratively or for disability (see [paragraph 5.2.9](#)).

4.11. Movement of Member to Formal PEB. If an ARC member is scheduled for a formal board hearing, the PEBLO or MTF Commander (or designee) arranges for movement of the service member and prepares TDY orders to JBSA-Randolph AFB, TX (see [Chapter 3](#), Section 3D). Exception: ARC members with a non-duty related medical condition are responsible for their personal travel and other expenses.

Section 4C—Special Case Processing

4.12. Waiver of PEB Action for Existed Prior to Service Cases. An ARC member whose physical qualification for military duty is questionable because of condition which existed prior to service, and whose case is being considered for PEB action under this chapter, may waive evaluation by a PEB subject to conditions outlined below. If the case does not meet all the

criteria for waiver or if the service member requests evaluation by a PEB, the appropriate ARC agency or MTF refers the case to the PEB. Also, refer a case to the PEB when the service member fails or refuses to sign a waiver. Cases must meet the following conditions to waive PEB evaluation:

- 4.12.1. The service member's qualification to perform duties of his or her office, grade, or rank is questionable, as determined by medical board action.
- 4.12.2. The disqualifying defect or condition existed before entry on current period of duty and such duty has not aggravated the defect or condition.
- 4.12.3. The service member knowing about their medical condition is not harmful to their well-being.
- 4.12.4. The service member does not require further hospitalization or institutional care.
- 4.12.5. The service member desires to waive after being advised of their right to a full and fair hearing,
- 4.12.6. The service member acknowledges he or she must undergo PEB evaluation to receive AF disability benefits, if applicable; however, waiving PEB evaluation does not prevent the service member from applying for VA benefits.
- 4.12.7. The service member acknowledges that he or she will return home under applicable AFR or ANG directives to await the final outcome of the case.
- 4.12.8. The service member acknowledges final action on the case and if it results in discharge, the service member may not withdraw the PEB waiver action.

4.13. Waiver Processing. Submit a memorandum to the appropriate ARC agency.

- 4.13.1. The MTF Commander or designee prepares the notification memorandum with the following wording: "(Grade name) is not considered to be physically qualified for military duty and has waived further evaluation by a PEB. Attached are the Medical Board Report and medical summary, with the member's statement waiving PEB action, for disposition of the member under applicable directives. The member will return home to await final action."
- 4.13.2. The MTF Commander processing the case, or designee, distributes copies of the waiver statement including the original AF Form 618, narrative summary to:
 - 4.13.2.1. Service member
 - 4.13.2.2. ARPC/DPTTS for Reserve members (all categories).
 - 4.13.2.3. NGB/A1 for ANG members.
 - 4.13.2.4. Unit commander or FSS. File the case with the health records in the member's Field Records Group.
 - 4.13.2.5. If the service member is on active duty undergoing training, the MTF Commander or designee may send the Medical Board Report and waiver statement to the servicing FSS where the service member is training. The FSS completes the discharge processing and advises the AFR or ANG of final action.

4.14. Disposition of Ineligible Member. An ineligible member is one not physically qualified for military service, but who does not qualify for PEB evaluation under this instruction. The MTF Commander or designated representative must advise member that they:

- 4.14.1. Are not eligible for processing under this instruction. **(T-3).**
- 4.14.2. Cannot remain in a duty status. **(T-3).**
- 4.14.3. Are to return home to await discharge under applicable AFR or ANG directives. **(T-3).**

4.14.3.1. After completing inpatient or outpatient medical treatment or medical processing, the MTF Commander or designee sends the service member home to await discharge. The MTF Commander or designee sends a memorandum of notification to the appropriate ARC agency with a copy to the service member and to the unit commander or FSS that includes a detailed medical summary describing the service member's disqualifying defects and to the following offices:

- 4.14.3.1.1. AFRC/SGP for AFR Category A unit members.
- 4.14.3.1.2. ARPC/DPTTS for all other categories of Reserve members.
- 4.14.3.1.3. NGB/A1 for ANG members.

4.14.3.2. The MTF Commander or designee prepares the notification memorandum with the following wording: "(Grade, name) is not considered to be physically qualified for military duty, and is not eligible for processing by a PEB. The attached medical summary reflects the member's current physical status. Please take immediate action to ensure proper disposition of the member under applicable directives. The service member is being returned home to await final disposition."

Section 4D—Final Disposition

4.15. Disposition of Eligible Member.

4.15.1. Return to Duty by a Medical Board. If a MEB finds an ARC member physically qualified for military service and returns the service member to duty, the MTF Commander returns the service member to the unit of assignment or, if the period of duty has expired, sends the member home. Provide a copy of AF Form 618 or return to duty report to the unit commander or FSS for file with the health records in the member's Field Records Group. For unit-assigned ARC members, the appropriate office (AFRC/SGP for AFR members or NGB/SGPA for ANG members) provides disposition instructions to the service member's medical unit and distributes the final board report to the appropriate ARC agencies.

4.15.2. Disposition after PEB. After the service member has either agreed with the PEB or submitted a rebuttal, the referring MTF Commander or designee takes one of the following actions:

- 4.15.2.1. Physically Fit. Returns the member to the unit of assignment or, if the period of service has expired, sends the member home.
- 4.15.2.2. Physically Unfit. If the member does not require further hospitalization, return the member home to await final disposition action. If the member requires

hospitalization after retirement or discharge, the referring medical facility commander takes action as outlined in AFIs 48-123 and 41-210.

4.16. Final AFPC Processing After PEB Disposition. After final disposition, AFPC/DPFD advises the appropriate ARC agency, prepares retirement orders or discharge information, and maintains a copy of the complete case in the service member's Automated Records Management System archive file record. The ARC agency completes retirement or discharge processing, including removing the ARC member from status, if applicable, and issues appropriate instructions to the FSS.

4.16.1. AFPC/DPFDD may contact the member's FSS directly if necessary to ensure timely action on any retirement or discharge. When the final disposition is discharge without severance pay, AFPC/DPFDD may direct the FSS to discharge the service member and notify the AFR or ANG of the completed action. Offices are:

4.16.1.1. ARPC/DPA for AFR member not assigned to a specific Reserve unit.

4.16.1.2. AFRC/DPM for AFR member assigned to a Reserve unit.

4.16.1.3. NGB/A1 for ANG member.

4.17. Inactive Status List Transfers. Per 10 U.S.C. § 1209, ARC members approved for disability discharge under 10 U.S.C. § 1203 or 1206 and who have 20 or more years of satisfactory federal service computed under 10 U.S.C. § 12731 may elect either Discharge with Severance Pay or transfer to the retired reserve to await retired pay at age 60 under 10 U.S.C. § 12732. Per 10 U.S.C. § 12731b, Selected Reserve members who have 15, but less than 20 years satisfactory service may apply for early qualification for retired pay at age 60.

Section 4E—ARC Non-Duty Related Conditions

4.18. Eligibility. Refer to DoDI 1332.18, Appendix 1 to Enclosure 3 and Section 3B of this instruction.

4.19. Case Processing. Forward requests for fitness only determinations to ARPC/ DPTTS by the appropriate ARC agency and include the following documentation:

4.19.1. Administrative separation package or medical documentation used by the ARC to arrive at a medical disqualification determination. Medical documentation must be current (within the last six months) or a statement must be included from the service member or military medical provider that there is no change in service member's medical condition since that date.

4.19.2. Statement from service member requesting referral into the DES for a fitness determination.

4.19.3. AF Form 1185 (see [paragraph 2.6.](#)).

4.19.4. ARC (NGB or AFRC) recommendations.

4.19.5. Current AF Form 469, Duty Limiting Condition Report.

4.19.6. A statement from the service member, if the service member so desires.

4.20. Cases Unable To Be Adjudicated. When the PEB needs additional information to make a fitness determination, AFPC/DPFDD notifies the appropriate ARC agency of the requirement.

4.21. Documenting Findings. Document PEB determinations on AF Form 356 (see [paragraph 3.19.](#)).

4.21.1. When the PEB finds the member fit for duty:

4.21.1.1. Case is returned to the appropriate ARC agency.

4.21.1.2. AFRC/SGP notifies the Medical Unit and the FSS. The FSS counsels the service member on the decision and provides AFPC/DPFDD with the service member's concurrence or non-concurrence within 30 calendar days from the service member's receipt of the PEB decision.

4.21.1.3. Service members are returned to duty if they concur with the findings or may request a formal hearing if they non-concur (see [paragraph 3.24.1.2.](#)).

4.21.2. When the PEB finds the member unfit for duty:

4.21.2.1. AFRC/SGP notifies the Medical Unit and FSS. The FSS counsels the service member on the decision and provides AFPC/DPFDD with the service member's concurrence or non-concurrence within 30 calendar days from the service member's receipt of the PEB decision.

4.21.2.2. The service member is counseled, and advised that if a Formal PEB hearing is requested, personal travel and other expenses will be their own responsibility.

4.22. Service Member Election. If the service member agrees with the Informal PEB unfitness determination, ARPC/DPTTS finalizes the separation case through appropriate administrative channels and notifies AFPC/DPFD. If the service member disagrees with the Informal PEB unfitness determination and requests a Formal PEB hearing, the service member is scheduled for a hearing. The Formal PEB hearing proceeds as outlined in [Chapter 3](#), Section 3D.

Chapter 5

FINAL REVIEW AND DISPOSITION

Section 5A—Secretary of the Air Force Personnel Council (SAFPC).

5.1. Special Assistants to the Director, SAFPC. In accordance with Addendum B, Re-delegation of Authority for Individual Personnel Actions, of HAF Mission Directive 1-24, Assistant Secretary of the Air Force, Manpower and Reserve Affairs (SAF/MR), authority to retire or separate any member for physical disability is delegated to the Director and Deputy Director, Secretary of the Air Force Personnel Council (SAFPC). Where there is a conflict between HAF Mission Directive 1-24 and this instruction, HAF Mission Directive 1-24 takes precedent.

5.2. When Special Assistants May Act. The SAFPC Director authorizes personnel designated as special assistants to approve fit/unfit findings and direct return to duty or disability retirement or separation in accordance with 10 U.S.C., Chapter 61 and DoDI 1332.18 in all cases EXCEPT those specified below which require action by the SAFPC:

5.2.1. The service member does not concur with either a fit or unfit finding or disability rating and/or submits a rebuttal to the recommendation of the Formal PEB.

5.2.2. The ARC member has more than eight years of active service and was in a duty status on orders for more than 30 calendar days when condition became unfitting and the recommended disposition is separation from active service for physical disability under 10 U.S.C. § 1207 (intentional misconduct, willful neglect, or unauthorized absence), without entitlement to disability benefits.

5.2.3. The service member is a general officer.

5.2.4. The service member is a Medical Corps officer, the recommendation includes an unfit finding and the member is also being processed for retirement for age or length of service.

5.2.5. The service member has met a PEB and the AFPC/DPPD Special Assistant believes the service member is not eligible for disability processing under applicable AF or DoD regulations, directions, or instructions. (See [paragraph 1.4.](#)).

5.2.6. The AFPC/DPPD Special Assistant believes the case warrants review by SAFPC.

5.2.7. The PEB questions the appropriateness of a line of duty determination under AFI 36-2910 because of new and significant evidence not considered during the line of duty process or which indicates a likelihood of error. The service member's statement alone or disagreement with the determination does not constitute new evidence.

5.2.8. The service member is assigned to either AFPC/DPPD, a PEB, or the SAFPC. This requirement continues for two years after the service member's reassignment from any of the above named organizations.

5.2.9. Dual action (disability) cases. These cases involve service members who are pending involuntary administrative separation action that does not make them ineligible for DES processing and whose disability case results in a final recommendation of unfit. The SAFPC

considers the completed administrative and disability cases to determine the most appropriate final action. (See [paragraph 1.5.](#)).

5.2.9.1. For the purpose of this paragraph, involuntary administrative separation action includes:

5.2.9.1.1. Separation of second lieutenants found “Not Qualified for Promotion” as described in AFI 36-3207, Separating Commissioned Officers.

5.2.9.1.2. Resignation for the good of the service (in lieu of court-martial).

5.2.9.1.3. Discharge in lieu of court-martial (enlisted).

5.2.9.1.4. Drop from the rolls actions.

5.2.9.1.5. Retirement in lieu of any adverse action.

5.2.9.1.6. Involuntary administrative separation. The administrative action is considered "pending" once the service member has been notified of the action.

5.2.9.2. Service members may be ineligible for DES processing if they are pending involuntary administrative separation actions based on a provision that authorizes a service characterization of UOTHC. (See [paragraph 1.6.](#)).

5.2.10. A grade determination is required under the provisions of 10 U.S.C. § 1372 or 1212.

5.2.11. The member was a Prisoner of War or was declared Missing in Action.

5.2.12. The service member is in entry-level status and the normal separation authority believes an entry-level separation is inappropriate and recommends a characterization of ‘honorable’ based on unusual circumstances associated with personal conduct and performance of military duty (see AFI 36-3208).

5.2.13. A special review of an Informal PEB finding of fit/return to duty is approved and the Formal PEB does not change the recommended disposition. In such cases, the rationale for the recommended disposition and supporting medical evidence is provided.

5.2.14. A member on TDRL disagrees with the Informal PEB disposition and waives their right to a Formal PEB hearing, requests the SAFPC to make the final determination.

5.3. Composition of Air Force Personnel Board (AFPB). The AFPB reviews and acts on personnel matters, to include disability evaluations. All commissioned officers on the SAFPC are members of the Air Force Personnel Board. Notwithstanding any other provision in any other instruction, a civilian member of the Department of the Air Force assigned to the SAFPC may also sit on the AFPB; additional members may be appointed by the Director, Air Force Review Boards Agency, on special orders. Normally five members serve on the AFPB; however, a minimum of three members is acceptable. For disability evaluations, the board reviewing the case includes a medical corps officer.

5.4. Cases to be Sent to SAFPC. Forward cases to SAFPC for action:

5.4.1. When the member does not concur and/or submits a written rebuttal to the recommended findings of the PEB.

5.4.1.1. Upon receipt, SAFPC will review the case to determine if it will be referred to the Air Force Personnel Board (AFPB) for consideration. A PEB appeal meeting one or more of the following criteria will be referred to the AFPB for consideration:

5.4.1.1.1. It includes new and compelling evidence not available to the PEB that is material and relevant to the applicant's contention(s). All new evidence must be credible and if related to a medical issue, it must be supported by information from a licensed/credentialed medical authority.

5.4.1.1.2. It includes evidence to substantiate allegations of fraud, misrepresentation, or abuse of discretion during the IDIS process. The evidence must be significant enough to support the conclusion that if it had not occurred, a different outcome may have resulted in the case.

5.4.1.1.3. It alleges a mistake of law or policy. The appeal should clearly state what the mistake of law or policy is, and how it impacted the outcome of the case. Examples may include failure to provide the member an opportunity for a formal hearing or a PEB outcome that was outside of the scope of its authority.

5.4.1.1.4. If the appeal does not meet one of these criteria, the PEB determination will become final, unless the SAFPC Director or Deputy Director determines AFPB consideration is warranted based on matters of equity and good conscience. A change of contention(s) by the member is not considered "new and compelling evidence." For example, if an Airman contends he/she is fit and should be returned to duty to the FPEB, but later concedes to being unfit, while making a new contention that additional conditions are unfitting, that appeal will not be referred to the AFPB. The same holds true for adding additional contention(s) that they could have raised to the previous PEB, but failed to do so.

5.4.2. Service members being considered for involuntary administrative separation and discharge, retirement, or transfer to the retired reserve when the individual is physically unfit for further military service.

5.4.3. Establish the highest grade an individual satisfactorily held in order to calculate disability retirement or separation under 10 U.S.C., Chapters 61 and 69.

5.4.4. When Air Force Personnel Board consideration is required as set forth in [paragraph 5.2](#).

5.4.5. When an appeal is denied, Airmen have the option to apply to the Air Force Board for Correction of Military Records (BCMR) if they believe, and have evidence, that an error or injustice occurred.

5.4.6. SAFPC appeal stage goal is 10 calendar days.

5.5. Changes to PEB Findings. The Air Force Personnel Board may change the findings and recommended disposition of the PEB. The board documents and describes the basis for the change in writing. The Board recommends the final disposition to the Director or Deputy Director, SAFPC under the criteria in [paragraph 5.8](#).

5.6. Personal Appearance. Neither the service member (or designated representative) nor legal counsel appear before the Air Force Personnel Board, except by invitation from the board. The board reviews all records evaluated by the Informal and Formal PEB, records of the PEB

hearings, and any rebuttal or additional documents submitted by the member or requested by SAFPC.

5.7. SAFPC Action. The Council may take one of the following actions in each disability case:

- 5.7.1. Defer final determination until receipt of additional records or reports deemed essential for final evaluation and disposition of the case.
- 5.7.2. Return the case with specific directions for additional required actions (for example, further medical evaluation to secure additional information concerning fitness for duty or duty status).
- 5.7.3. Direct administrative discharge under some other applicable directive or provision of law when the SAFPC determines such action is more appropriate than disability retirement or discharge under this instruction.
- 5.7.4. Direct some other disposition of the case, if not specifically prohibited by law.
- 5.7.5. Assign a disposition according to 10 U.S.C., Chapter 61. (See [paragraph 3.17](#) for list of recommended dispositions).
- 5.7.6. Return the case without action.

Section 5B—DoD Review and Approval

5.8. Legal Basis. 10 U.S.C. § 1216(d) requires the Secretary of Defense to approve the unfitness determination of a general officer or medical corps officer when the officer requested retirement by reason of age or length of service before a MEB referred their case for disability processing. In all other cases, the SecAF or designee retains final approval authority.

5.9. Routing Cases to and from DoD. AFPC/DPFDD sends cases requiring DoD approval to the SAFPC. If the Council determines DoD level approval is required, they refer the case to the appropriate DoD officer for review and action.

Section 5C—Final Separation or Retirement Processing

5.10. Service Computation. 10 U.S.C. § 1208 outlines creditable service for disability retirement or discharge. AFPC/DPFDD verifies and includes the amount of creditable service in the disability retirement order or discharge disposition instructions. For ARC members, AFPC/DPFDD obtains a statement of service credit from ARPC/DPTTS.

5.11. Pay Computation. Defense Finance and Accounting System-Cleveland (DFAS-CL) computes final retired pay and establishes retired pay accounts. Retired pay is computed based on information contained in the service member's special orders and data entered into the Defense Joint Military Pay System. DFAS-CL computes disability severance pay for RegAF members, and DFAS-Indianapolis Center computes disability severance pay for ARC members. See AFMAN 36-2622, Volume 5, Personnel Concept III (Civilian), End User's Manual for additional information. (see [Table 5.1](#).)

- 5.11.1. Disability Retired Pay. DFAS-CL may use two different formulas for computing retired pay (see [Table 5.2](#)). They may base computation on years of creditable service or on percentage of disability, whichever is more advantageous to the service member. In addition, if an Airman is entitled to pay computation under some other provision of law that would

result in greater retired pay, DFAS-CL makes that computation. DFAS-CL selects the one more favorable, unless the service member specifically requests that retired pay be computed at some lower rate authorized by law. According to 10 U.S.C. § 1401 and 8991, retired pay may exceed 75 percent of the retired pay base for service members whose retired pay computation is based on years of service (current base pay or "high three," as applicable). A service member whose retired pay computation is based on percentage of disability is capped at 75 percent.

5.11.2. Increased Retired Pay for Extraordinary Heroism. Enlisted members retiring for disability that are otherwise eligible to retire for years of service and entitled to a 10 percent increase in pay for certified acts of extraordinary heroism are entitled to an additional computation under the service retirement if they meet the requirements set forth in AFI 36-3203, Service Retirements. For a member to be considered, the PEBLO or the service member makes a notation on the AF Form 1180 "Remarks" section and attaches copies of supporting documents to the AF Form 1180 when sending it to AFPC/DPFDD. AFPC/DPFDD accepts late submissions, provided the member qualifies under AFI 36-3203. SAFPC approves these actions but retired pay, including the heroism additive, cannot exceed the 75 percent statutory limit.

5.11.3. Re-computation of Retired Pay for Later Active Duty Service. DFAS-CL re-computes disability retired pay to reflect active duty performed after retirement, if the service member meets all the requirements outlined in 10 U.S.C. § 1402.

5.12. Grade on Retirement. Unless entitled to a higher retired grade under some other provision of law, service members permanently retired for disability or placed on the TDRL retire in the highest of the following grades (10 U.S.C. § 1372):

5.12.1. Grade in Which Serving. The grade in which the service member is serving on the date placed on the TDRL or on the date permanently retired for disability.

5.12.2. Higher Reserve Grade. The Reserve grade the service member held at time of retirement if it is higher than the grade in which serving on active duty. The Reserve grade must be a valid AFR or ANG grade that is still in effect at the time of retirement.

5.12.3. Higher Grade. A higher grade in which the service member served satisfactorily on active duty, as determined by the SecAF. (See [paragraph 5.4.3.](#)). Service in a higher grade is usually satisfactory unless the higher grade was terminated for cause (refer to AFI 36-3203); information in the service member's service record clearly supports the conclusion that the member would have been discharged or demoted for cause at the time service member held the higher grade; or the service member served on active duty in higher commissioned grade for less than six months.

5.12.4. Service members who are retired on or after 23 Sep 96 may be retired in the regular or reserve grade to which they had been selected and would have been promoted, had it not been for the physical disability for which they were retired. (10 U.S.C. § 1372 was amended effective 23 Sep 96).

5.13. Grade on Discharge. The discharge grade will be the higher of the following:

5.13.1. Grade in Which Serving. The grade the service member is serving at time of discharge.

5.13.2. Higher Grade Determined by SecAF. A grade in which the service member served satisfactorily on active duty, as determined by the SecAF, pursuant to 10 U.S.C. § 1212.

5.13.3. Grade to Which Promoted. The Fiscal Year 2002 National Defense Authorization Act amended 10 U.S.C. § 1212 to authorize separation with severance pay in the grade which a service member would have been promoted, had it not been for the physical disability.

5.14. Disposition of Officer Appointments upon Disability Retirement or Discharge.

5.14.1. Discharge of Officers. A discharge terminates all appointments held by the officer.

5.14.2. Retirement of Regular Officers. Retirement does not terminate the appointment of a Regular officer when permanently retired or placed on the TDRL.

5.14.3. Retirement of ARC Officers. Retirement does not terminate the appointment of an ARC officer when permanently retired for disability or when placed in the Retired Reserve.

5.15. Enlisted Status at Time of Retirement or Discharge. A retirement or discharge terminates an enlisted member's status, as well as any appointment held at the time of discharge for disability. ARC enlisted members being retired for disabilities are transferred to the Retired Reserve. AFPC/DPFDD reflects the transfer action in the retirement order.

5.16. Establishment of Disability Separation/Retirement Dates.

5.16.1. AFPC/DPFDD determines the retirement or discharge date at the time the orders are published. Appropriate processing and permissive TDY time are considered when establishing the effective retirement date. All disability separation/retirement dates will be at the end of the month.

5.16.2. Service members retiring or separating for disability may sell their accrued leave up to the maximum of 60 calendar days permitted by law. If leave is not sold, it is used as terminal or ordinary leave through date of separation or retirement per AFI 36-2910.

5.16.3. AFPC/DPFDD will establish disability separation and retirement dates as follows:

5.16.3.1. The date of separation or retirement is established upon finalization of the service member's case. **(T-3)**. AFPC/DPFDD calculates the effective discharge date providing a minimum of ten calendar days for out-processing, 20 calendar days Permissive Temporary Duty and accrued leave.

5.16.3.2. For the purposes of Benefits Delivery at Discharge and receipt of benefits and compensation from the Department of Veterans Affairs, the date will be established no earlier than three calendar days from the end of the month. Note: Any unsellable leave is required to be taken prior to the service member's separation or retirement date.

5.16.3.3. Basic Trainees:

5.16.3.3.1. Active Duty. The date of separation is established for three duty days from date of case finalization unless prior arrangements have been made with the training squadron.

5.16.3.3.2. Reserve. The date of separation is established for three duty days from date of case finalization. All out processing and separation actions are completed at the training squadron and the service member does not return to the unit for any further out processing.

5.16.3.3.3. Guard. The date of separation is established for 20 duty days from date of case finalization. The service member completes out-processing at the unit.

5.16.3.4. Technical Training Students:

5.16.3.4.1. Active Duty. Refer to [paragraph 5.16.3.1](#), unless prior arrangements have been made with the training squadron.

5.16.3.4.2. Reserve. The date of separation is established for 30 duty days from date of case finalization. All out processing and separation actions are completed at the training squadron and service member does not return to the unit for any further out processing.

5.16.3.4.3. Guard. The date of separation is established for 30 duty days from date of case finalization. The service member completes out processing at the unit.

5.16.3.4.4. Cadets. The date of separation is established 20 calendar days from date of case finalization.

5.16.4. AFPC/DPFDD has authority to make the following exceptions:

5.16.4.1. Early Discharge or Retirement Date Requests. The service member or the service member's commander, and in the best interest of all concerned, may request an early discharge date in writing. The service member must acknowledge that a date earlier than the last week of the month may delay VA compensation benefits. AFPC/DPFDD approves requests for the earlier retirement or discharge date once the FSS Personnel Relocations office endorses the request acknowledging their office can complete final out-processing by the requested discharge date. The FSS Personnel Relocations office forwards the request back to AFPC/DPFDD once complete.

5.16.4.2. Overseas. AFPC/DPFDD authorizes 30 calendar days processing time for service members located outside the Continental United States who elect to return to the Continental United States for final processing,

5.16.4.3. Hardship. AFPC/DPFD may approve limited extensions, normally not to exceed 30 calendar days, in cases where the service member is facing an unusual personal hardship over and above that encountered by other service members being retired or discharged for disability. The member may submit requests for extension via memorandum through the PEBLO.

5.16.4.4. Special Cases. AFPC/DPFDD may designate other disability cases for retirement or discharge to become effective in less than 20 calendar days, notifying all concerned.

5.17. Appeal Procedures. A service member may appeal to the Air Force Board for Correction of Military Records under AFI 36-2603, Air Force Board for Correction of Military Records (AFBCMR), upon separation or retirement, if member believes the disposition of their case constitutes an error or injustice.

Table 5.1. Disability Severance Pay Computation.

R	A	B
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U L E	If the member is being	then take service member's years of service, (minimum of three years for non-combat related designation and minimum of six years for combat related designation), but not more than 19, computed under 10 U.S.C. § 1208 (Note 1) and multiply by
1	initially discharged with disability severance pay	twice the amount of monthly basic pay of the grade to which entitled under paragraph 5.13.
2	removed from the TDRL and discharged with disability severance pay	the higher of the following: twice the amount of monthly basic pay to which entitled on the date he or she is discharged with severance pay and in the highest active duty or ARC grade as provided in paragraph 5.13.; or, twice the amount of monthly basic pay in effect on the date placed on the TDRL and in the highest grade as determined by the SecAF (paragraph 5.13.). (Note 2).
Notes: 1. Count as a whole year a part of a year that is six months or more, and disregard a part of a year that is less than six months (10 U.S.C. § 1212 and 37 Comptroller General 832). 2. Compute the member's pay based on the base pay scale in effect when placed on the TDRL.		

Table 5.2. Disability Retired Pay Computation.

R	A	B	C
U L E	If the member is	then take the monthly pay rate (see Note 1) of the grade to which member	and multiply by 2.5 percent times the years and months of service under 10 U.S.C. § 1208 or, the percentage disability, whichever is higher
1	permanently retired	is entitled under paragraph 5.11.	on date retired.
2	placed on TDRL (see Note 2)		
3	removed from the TDRL and permanently retired	was entitled on the date member's name was placed on TDRL	at time of removal from the TDRL.
Notes: 1. Use the pay rate that applies to the member on date of retirement. It may be the current monthly basic pay rate, average monthly retired pay base, or, if eligible and applicable, some other (more favorable) rate, such as the Tower amendment provision with maximum pay being 75 percent of the base amount of which computed (10 U.S.C 1401, 1401a, and 8991). 2. When placed on TDRL, retired pay will not be less than 50 percent of the monthly pay rate on which computing retired pay. For members who entered military service prior to 8 September 1980, compute according to the current monthly basic pay rate. For members who entered military service on or after 8 September 1980, compute from a monthly retired pay base. Retire pay base is an average of the member's highest 36 months of active duty pay. Changes that may occur as a result of reexamination will not affect retired pay for members retained on TDRL.			

Chapter 6

PERSONNEL PROCESSING ACTIONS

Section 6A—Administrative Controls

6.1. Responsibilities. DoDI 1332.18, DoDM 1332.18, Volumes 1 and 2 detail specific responsibilities for the PEBLO and commander. General administrative duties for the PEBLO and commander include:

6.1.1. PEBLO responsibilities. The PEBLO coordinates processing actions at base and Reserve component levels, and is essential to the prompt, effective processing of disability evaluation cases. The PEBLO contacts the service member's commander or servicing FSS for any necessary data or documentation. See [paragraph 2.4.](#) for additional PEBLO responsibilities.

6.1.1.1. The commander or servicing FSS provides the requested information to the PEBLO as quickly as possible so as not to delay processing.

6.1.1.2. Pre-Separation Counseling Referral. DoDI 1332.18, enclosure 3, paragraph 4(b)(2) requires the PEBLO to inform service members of referral agencies (such as the Survivor Benefit Plan, transition assistance, legal counseling) available to assist in understanding the associated rights, benefits, and entitlements associated with disability evaluation.

6.1.2. Commander's Responsibilities. The service member's commander ensures the service member is available and is present for mandatory appointments to complete medical examinations, treatment, and disability processing.

6.2. Personnel Data. The PEBLO sends documents required by AFI 41-210, Chapter 4, Section 4K, to AFPC/DPFDD. The PEBLO advises AFPC/DPFDD of any change in the member's status.

6.3. Control of Service Member During PEB Processing. Once the case is referred to the Informal PEB the following restrictions apply:

6.3.1. Leave Requests. Commanders may authorize a service member's request for leave outside the local area based on input from the service member's MTF provider and when approval does not adversely affect case processing. The commander should inform the PEBLO of all leave actions for a service member in the PEB process, who in turn should notify AFPC/DPFDD.

6.3.2. Permanent Change of Station. AFPC/DP2 or base-level FSS may not reassign the service member for a permanent change of station or permanent change of assignment, except for emergency reasons, without coordination from AFPC/DPFD and approval from:

6.3.2.1. AFPC/DP2NP for Airman Medical Transition Unit requests. (See AFI 41-210).

6.3.2.2. AFPC Assignment Support Section, Humanitarian, Exceptional Family Member Program, Expedited Transfer Assignments (AFPC/DP2LWA) office for service members requesting a Humanitarian or Exceptional Family Member Program assignment. (See AFI 36-2110, Total Force Assignments).

6.3.2.3. AFPC Military Assignments Programs Branch (AFPC/DP3AM) office for an exception to policy requests to permanent change of station or permanent change of assignment while undergoing the DES. (See AFI 36-2110).

6.3.3. Temporary Duty. The Service member should not be allowed to proceed on TDY unless it is for medical reasons or to personally appear at the Formal PEB.

6.3.4. The service member's selection for a permanent change of station, permanent change of assignment, or TDY before disability processing is subject to cancellation. The PEBLO notifies the service member's commander in writing of the cancellation request unless the permanent change of station, permanent change of assignment, or TDY has been approved per [paragraph 6.3.2.](#) and [6.3.3.](#) If an exception to policy is approved, the appropriate authority notifies the PEBLO and AFPC/DPFDD in writing.

6.3.5. The service member's duty status and location is dependent on his or her medical status. Unit commanders and MTFs should ensure service members remain available for the duration of disability processing and inform AFPC/DPFDD of any circumstance that may affect the service member's availability.

6.4. Control of the Service Member After PEB Action. The FSS must not retire, discharge, nor release a service member from active duty before receiving the final decision in the form of either retirement orders, separation instructions or a return to duty notification from AFPC/DPFDD. **(T-3).** Unless otherwise directed, use the following interim administrative control measures after the PEB completes its action and before the final disposition:

6.4.1. Finding of Fit. When the PEB finds the service member fit, the MTF Commander or designee updates the service member's AF Form 469 profile per AFI 10-203, Duty Limiting Conditions and the service member is returned to their unit of assignment and placed in an appropriate (returned to duty) personnel status.

6.4.2. Finding of Unfit. When the PEB determines the service member is unfit, the service member remains under the control of the unit commander until final disposition of the case. Restrictions in [paragraph 6.3.](#) remain in effect and the following restrictions or instructions may apply:

6.4.2.1. A Service member returned to the unit of assignment may perform military duties within the limitations of his or her physical condition or within the service member's AF Form 469 duty restrictions and limitations. The referring MTF Commander gives the member's immediate commander written notice of the service member's medical condition and duty limitations via the AF Form 469 and the immediate commander should consider these factors in assigning duties.

6.4.2.2. The immediate commander may contact the referring MTF if any question arises as to the service member's ability to perform a specific duty.

6.4.2.3. If the service member is readmitted to the hospital, the referring medical facility or PEBLO immediately contacts AFPC/DPFDD giving details and indicating whether a MEB recall request may be warranted. (See [paragraph 2.8.](#)).

Section 6B—Disability Retirement or Discharge Processing by the Servicing FSS

6.5. Force Support Squadron (FSS) Counseling and Processing. The servicing FSS counsels and processes the service member after receiving the final disposition of the disability case. If the service member is not co-located near the servicing FSS, contact the FSS or the PEBLO in close proximity to the service member to complete the required actions. Counsel the service member by mail if there are no other means of contact unless the service member is incompetent or unable to act on his or her own behalf.

6.5.1. In these circumstances, the FSS contacts and counsels the service member's designated representative, preferably in person. The FSS obtains the designated representative's signature on applicable forms and includes a statement indicating the reason why the service member or designated representative could not sign. If necessary, contact a FSS in closer proximity to the designated representative, to request help in counseling and processing the service member.

6.5.2. Other actions are pending. When actions, such as non-disability retirement or discharge and/or medical hold are pending, the FSS advises the appropriate AFPC office of the physical disability discharge and ensures conflicting orders, such as non-disability separation or retirement orders, are revoked and/or the medical hold is removed.

6.6. Retirement or Discharge Date. AFPC/DPFDD sets the scheduled retirement or discharge date. The FSS contacts the PEBLO and AFPC/DPFDD if there is any reason processing cannot be completed before the service member's discharge effective date. A request to extend the disability retirement or discharge date may be warranted.

6.7. Discharge Separation Orders. A service member found unfit by the PEB with a Discharge with Severance Pay or existed prior to service disposition, will have a discharge separation order prepared and published according to provisions in AFMAN 36-2102 by the following office after receiving disposition instructions from AFPC/DPFDD:

6.7.1. AFPC Total Force Service Center (AFPC/DP1TSS), prepares and publishes discharge orders for active duty service members.

6.7.2. ARPC/DPTTS prepares and publishes discharge orders for ARC members.

6.7.3. Service member's FSS prepares and publishes orders for basic military training students, technical trainees, US Air Force Academy Cadets and other recruits in initial entry training status.

6.8. Retirement Special Order-Physically Unfit. AFPC/DPFDD prepares, publishes and distributes permanent retirement and TDRL disability discharge orders for RegAF, ARC members, and initial entry trainees. Conduct separation or retirement processing and out-processing actions according to standard local and AF procedures.

6.9. Ceremonies and Presentations of Appropriate Certificates. Commanders should offer retiring members a formal ceremony before they retire due to disability, including those placed on the TDRL. Service members found unfit and are:

6.9.1. Permanently Disability Retired, including those with less than 20 years of active military service. Refer to AFI 36-3203, for commander's responsibility to allow the service member a proper retirement ceremony.

6.9.2. Placed on the TDRL. Refer to [Attachment 4](#) for a sample TDRL certificate and ceremony script for members being placed on the TDRL.

6.10. Retirement or Discharge Documents. Refer to AFI 36-3203 or AFI 36-3208 for forms and documents generated to complete separation and retirement processing.

6.11. Permissive Temporary Duty. Commanders may grant permissive TDY to service members who are being separated or retired due to a disability in accordance with AFI 36-2910.

6.12. Place of Retirement or Discharge. Service members being retired or discharged for disability may, under certain circumstances, choose the place where final retirement or discharge action takes place. This choice may limit future entitlement to movement of the service member as well as dependents and household goods. In order to prevent the possible loss of entitlements, the FSS briefs service members of the requirements outlined in AFIs 36-3203, 36-3208, 36-3207 AFMAN 36-2102, and AFI 24-101, Transportation Passenger Movement, AFI 24-602V4, Personal Property Moving And Storage, Joint Travel Federal Regulations and this instruction before the service member is retired, separated, or moves household goods and/or dependents.

Chapter 7

LIMITED ASSIGNMENT STATUS (LAS)

Section 7A—Purpose and Eligibility

7.1. Program Guidance. Service members found unfit by a PEB may apply for continued military service in a permanent limited duty status pursuant to DoDI 1332.18, enclosure 3, paragraph 6b. The AF provides unfit Airmen the opportunity to apply for continued service via the LAS program.

7.2. Program Objectives.

7.2.1. The LAS program conserves manpower by keeping needed experience and skills the AF can economically use and deems in the best interest of the AF.

7.2.2. Retention in LAS depends upon the:

7.2.2.1. Type and extent of the service member's physical defect or condition.

7.2.2.2. Amount of medical management and support needed to sustain a service member on active duty.

7.2.2.3. Physical and assignment limitations required.

7.2.2.4. Years of service completed.

7.2.2.5. AF need for the particular grade and/or specialty skill set.

7.2.3. Service members deemed unfit for duty without restriction do not have a legal or vested right to retention in LAS, and the AF does not guarantee retention for any specified period of duty. Note: It is not the intent of the program to retain a service member solely to increase benefits or allow the service member to complete a period of service.

7.2.4. A service member continued on active duty on LAS is not presumed physically fit.

7.3. LAS Eligibility. Service members are required to meet the following criteria:

7.3.1. Have 15 or more but less than 20 years active service or deemed combat wounded. For ARC, service is computed under 10 U.S.C. § 12732.

7.3.2. Possess qualification in a needed skill or shortage Air Force Specialty Code.

7.3.3. The unfit medical condition must be essentially stable.

7.3.4. Able to function in a normal military environment without adverse effect on their own health or the health of others, and without need for excessive medical care.

7.3.5. Obtain commander recommendation for retention and approval of LAS via memorandum.

7.4. LAS Ineligibility. Service members are not eligible if:

7.4.1. Pending non-disability retirement or separation.

7.4.2. The unfitting condition is unstable.

7.4.3. Have over 20 years of active duty service.

7.5. LAS Consideration. Applications are reviewed by a series of action offices prior to board approval/disapproval. AFPC obtains a recommendation from (1) the unit Commander, (2) AFPC/DP2NP and (3) assignment functional OPR. The assignment functional OPR is further defined below:

7.5.1. Lt Col/SMSGt and below, the OPR is AFPC/DP2.

7.5.2. For Colonels, the OPR is Directorate of Assignments Medical Service Office Management Division, Colonel's Group (AF/DPO) (AFRC/REG) or NGB equivalent office.

7.5.3. For general officers, the OPR is Office of General Officer Matters (AF/DPG) (AFRC/REG) or NGB equivalent office.

7.5.4. Individual Mobilization Augmentee members, the OPR is Headquarters Readiness Integration Organization (HQ RIO).

7.5.5. AFR members not assigned to a specific Reserve unit, the OPR is ARPC/DPA.

7.5.6. AFR members assigned to a Reserve unit, the OPR is AFRC/DPM.

7.5.7. ANG members, the OPR is NGB/A1.

7.5.8. Airman Assigned Overseas. For outside the continental United States assignment consideration, recommendations are required by the:

7.5.8.1. Gaining wing commander or designee; and

7.5.8.2. Local MTF Chief of the Medical Staff or designee, including a statement validating if appropriate care for the service member's specific medical condition(s) is locally available in the gaining locale.

Section 7B—LAS Processing

7.6. Application Procedures. Eligible service members may submit an application after (1) the unfit determination is rendered and (2) they have concurred with the PEB unfit finding or exhausted all fitness appeals. Use the application template located [Attachment 5](#), accessible by the PEBLO or Office of Airmen's Counsel legal counsel. Service members may not request LAS while undergoing an appeal of their PEB findings. Application is located on myPers Retirement Disability page.

7.6.1. Preparing the LAS Application. The service member or their designated representative, legal counsel or the PEBLO completes the application. The PEBLO, designated representative or legal counsel informs the service member of the purpose, policy, and objective of the LAS program, approval procedures, reevaluation requirements, and the possibility of an unscheduled termination of LAS before the service member signs the application.

7.6.1.1. Personal Statement. The service member may submit a personal statement with the LAS application citing any case information they would like to emphasize during application review.

7.6.1.2. Commander's Statement. A memorandum from the service member's commander is required with the application. The memorandum must clearly state the commander's support to retain, or not retain, the member in a limited status.

7.6.1.3. Application Deadline. Applications are submitted to AFPC/DPFDD no later than three duty days following a service member's signature on the AF Form 1180 concurring with the PEB findings or three duty days from the date counseled by the PEBLO on final appellate review and disposition. If the application is not received within the three-duty-day period, disability separation/retirement processing will proceed.

7.7. AFPC Processing. AFPC/DPFDD reviews the application to ensure the service member meets the general eligibility criteria. If the service member is not eligible, AFPC/DPFDD advises the service member via memorandum. If the service member meets the basic eligibility standard, process the application as follows:

7.7.1. Medical Review. AFPC/DPFDD sends the following to AFPC/DP2NP or appropriate office for review (AFRC/SGO for AFR members or NGB/SGPS for ANG members):

7.7.1.1. The LAS application and related documentation.

7.7.1.2. The PEB findings and recommended disposition.

7.7.1.3. All available medical records.

7.7.2. AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) evaluates the service member's medical acceptability for LAS retention and annotates a recommendation on the application.

7.7.2.1. If recommending approval, annotates the applicable assignment limitation code, provides appropriate remarks in the medical review portion of the application, and provides the date and signature of reviewer.

7.7.2.2. If recommending disapproval, indicates the reason for the disapproval in the medical review portion of the application and provides date and signature of reviewer.

7.7.3. After review, AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) returns the case to AFPC/DPFDD for further action or forwards to AFPC/DP2 or appropriate ARC assignment actions office for functional review.

7.7.4. Functional Review. The functional area resource manager (see [paragraph 7.5.](#)) determines if the AF can productively use the service member's services within the limitations specified by AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members). The resource manager enters the recommendation for approval or disapproval in the personnel review portion of the application and provides date and signature of reviewer. Justification for the recommendation should be annotated to ensure the approval authority has the most concise information before approving or disapproving the application. Once completed, the case is returned to AFPC/DPFDD for further action.

7.7.5. If the applicant is a combat wounded warrior who is incapable of continued service within his or her primary Air Force Specialty Code, the application is sent to the AFPC or ARPC Enlisted Classifications Section for retraining consideration.

7.7.5.1. See AFI 36-2606, Reenlistment in the Air Force, Chapter 5 and AFI 36-2626, Airmen Retraining Program, for further guidance on, and waiver authorities for retainability, reenlistment, and retraining eligibility.

7.7.5.2. Once complete, the application with appropriate retraining recommendation annotation is sent back to AFPC/DPFD for further action.

7.8. Approval Authority. AFPC/DPFD serves as the final approval/disapproval authority. Exception: The disapproval authority for a combat wounded service member request is the SecAF IAW DoDI 1332.45, Retention Determinations for Non-Deployable Service Members.

7.8.1. If approved, AFPC/DPFD completes administrative processing, notifies the service member of approval via the PEBLO or referring MTF, and AFPC/DP2NP for assignment limitation code updates.

7.8.1.1. Assignment Limitation Code “C”. (See AFI 41-210 and AFI 36-2110).

7.8.1.2. Assignment Limitation Code “W”. (See AFI 36-2110).

7.8.2. If disapproved, AFPC/DPFD advises the PEBLO or referring MTF and the service member of the reasons for disapproval and resumes disability case processing.

7.9. Rules for Members Retained in LAS.

7.9.1. The AF does not guarantee retention for any specified period of active service. LAS should not exceed 20 years of active duty service or ARC service computed under 10 U.S.C. § 12732 or a service member’s high-year of tenure.

7.9.1.1. Exceptions to exceed 20 years of active duty are submitted through AFPC/DPFD to AF/A1 for consideration and are only for service members already in the LAS program. Justification should center on critical mission need and are staffed through the service member’s chain of command to MAJCOM/CV (or equivalent) for submission to AFPC/DPFD.

7.9.2. Periodic Medical Examination. Service members serving in LAS are medically examined by a MTF at least once a year. (See AFI 41-210 for annual review in-lieu-of requirements). The exam documents at a minimum:

7.9.2.1. The current status of the unfitting physical defects or conditions for which the service member is retained in LAS.

7.9.2.2. The status of any additional physical defects or conditions that may affect duty performance.

7.9.3. Assignment Limitation Identification. Service members on LAS are identified with specific assignment codes to alert personnel managers of long term assignment or utilization constraints. The codes broadly restrict, or limit the selection of LAS members for assignment to or from certain duties ensuring the service member is not assigned to a locale without appropriate medical care (see [paragraph 7.8.1.](#)).

7.9.4. Service Commitments. Service members complete any RegAF or ARC service commitments incurred unless their overall physical condition deteriorates to a point where they are no longer acceptable for retention in LAS.

7.9.5. PEB Evaluation. Service members are evaluated by a PEB before discharge or retirement. LAS members will not be separated or retired (administratively, voluntarily or involuntarily) without evaluation by a PEB. Exception: Airman approved for LAS at 19-plus years of service do not require subsequent IDES processing, RILO evaluation by

AFPC/DP2NP, or application of Assignment Limitation Code "C" coding. The current IDES findings will be enacted as the final determination for disability retirement.

Section 7C—LAS Reevaluation

7.10. LAS Reevaluation Rules. Service members retained in LAS receive periodic or, at a minimum, annual medical examinations as recommended by AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) and directed by AFPC/DPFDD. AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) advises the MTF when a periodic LAS reevaluation is due and directs appointment scheduling for members reaching 20 years of active duty service or high-year tenure or ARC service computed under 10 U.S.C. § 12732.

7.10.1. Modified Review-In-Lieu-of Process. Service members are required to be medically examined by a MTF at least once a year. Upon completion of the required medical exam, the PEBLO sends the modified review in-lieu-of MEB to AFPC/DP2NP or appropriate office for review (AFRC/SGO for AFR members or NGB/SGPS for ANG members). See AFI 41-210, paragraph 4.51.1.2.1 for documents required in the modified review in-lieu-of MEB.

7.10.2. AFPC/DP2NP or AFRC/SGO for AFR members or NGB/SGPS for ANG members for Action. Review the modified review in-lieu-of MEB and determine if there has been a significant change in the service member's condition for which placed on LAS and, if so, whether a change in assignment limitations is appropriate. After review of the modified review in-lieu-of MEB, AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) recommends the service member either remain on LAS (update assignment limitation code information if required) or meet a MEB. The decision is relayed to the PEBLO and AFPC/DPFDD.

7.10.3. When MEB processing is directed or required, the MTF follows the outlined guidance in AFI 48-123, 41-210 and this instruction.

7.10.4. AFPC/DPFD Action. Advise the service member by memorandum, through the MTF, of the final decision concerning retention in LAS. When the service member is no longer medically acceptable for LAS, or when the LAS assignment is no longer justifiable, notify the MTF to initiate MEB action. If approving retention in LAS, include any change in assignment limitation in the approval notice.

7.11. Exceptions to Normal LAS Reevaluations. Upon receiving information indicating further LAS retention may not be appropriate, AFPC/DPFDD may send the case file to AFPC/DP2NP or appropriate office (AFRC/SGO for AFR members or NGB/SGPS for ANG members) and/or the proper functional area resource manager for review, direct a MEB, or take any other action necessary actions to determine if the service member's continued retention on LAS is appropriate.

Chapter 8

PERIODIC EXAMINATION OF MEMBERS ON THE TEMPORARY DISABILITY RETIRED LIST (TDRL)

Section 8A—Purpose and Scope of Temporary Disability Retired List (TDRL)

8.1. Permanence of Condition. The PEB determines the stability and permanence of the service member's medical condition. A disability is stable when the preponderance of medical evidence indicates the severity of the condition will probably not change enough within the next three years to increase or decrease the disability rating percentage. The PEB will consider the future examination requirements set by the VA as an indicator of stability when making the recommendations of stability determinations and case disposition.

8.2. Initial Placement. When the PEB finds a disability may be permanent in character, but not stable in degree, and the member otherwise qualifies for disability retirement, the PEB places the member on the TDRL. The TDRL is a way to further observe unfit members whose disability has not stabilized and for whom the PEB cannot accurately assess the degree of severity, percent of disability, or final disposition. The TDRL serves as a safeguard for both the service member and the AF by delaying permanent disposition for service members whose conditions could improve or get worse, or where the ultimate disposition could change within a reasonable period of time.

8.3. Timeliness. DoDI 1332.18-V2, Enclosure 7 requires the PEB to complete the re-adjudication phase of TDRL cases, including Informal PEB and Formal PEB adjudications, administrative processing, and Formal PEB appeals, no more than 90 calendar days from the date the PEB receives the medical and rating documentation for the unfitting conditions for which the service member was placed on the TDRL to the date the member is notified of the TDRL disposition.

8.4. Service Member's Responsibility. Members placed on the TDRL provide their current contact information, to include current mailing address, e-mail address and contact phone number(s) to AFPC/DPFDC (see [paragraph 1.2.3.2.](#)).

Section 8B—TDRL Reevaluations

8.5. Periodic Examination. 10 U.S.C. § 1210 requires reexamination of TDRL members at least once every 18 months. Periodic examinations are performed to determine if there has been a change in the disability that resulted in placement on the TDRL and continues until final disposition or the three-year statutory period, whichever is earlier. Service members on the TDRL are not entitled to permanent retirement or separation without a current periodic physical examination.

8.5.1. AFPC/DPFDC queries the VA for the most current rating within 16 months from placement on TDRL.

8.5.1.1. If the VA rating is sufficient for adjudication, the TDRL office will forward to the Informal PEB for review.

8.5.1.2. If the VA rating information is deemed insufficient or not completed for adjudication, AFPC/DPFDC will initiate contact with the member to either schedule a TDRL medical examination with a military installation or give them the option to visit their civilian doctor. **(T-3).**

8.5.1.2.1. The service member may submit medical documentation of treatment since placement on TDRL for use in the evaluation. The documentation may be sent in lieu of an examination or AFPC/DPFDC will schedule an appointment at a DoD MTF with the required capability closest to the service member's home. **(T-3).**

8.5.1.2.2. If submitted documentation of treatment is sufficient, the case is submitted to the Informal PEB for review.

8.5.1.2.3. If submitted documentation is deemed insufficient for adjudication purposes, AFPC/DPFDC requests a TDRL medical examination appointment at the nearest DoD MTF.

8.5.1.2.4. DoDI 1332.18, Appendix 4 to Enclosure 3 instructs the MTF to schedule the appointment utilizing the same appointment process used for active duty service members. The MTF notifies AFPC/DPFDC within ten calendar days if unable to conduct the examination. If appropriate, AFPC/DPFDC will request the evaluation from another facility. **(T-3).**

8.5.2. The member should provide the examining physician with copies of all his or her medical records (civilian, VA, and all military medical records) documenting treatment since the last examination.

8.6. Importance of Processing TDRL Examinations Rapidly. Undue delays may cause hardship to TDRL members when required to report for a TDRL examination (e.g., being absent from school or leaving their jobs). The examining facility electronically notifies AFPC/DPFDC of the service member's appointment (date, time, location, and if the evaluation will be inpatient or outpatient status) within 14 calendar days of receiving the examination request.

8.7. Travel Orders. AFPC/DPFDC prepares travel orders and sends them to the service member. The order shows the exact date, time, and place to report and includes the authority for payment of travel costs. The orders and accompanying information sheets contain instructions for the members on what they need to do and their entitlements.

8.8. Authorized Escort. An escort may accompany a service member to the place of examination or to the Formal PEB when the member is not physically or mentally able to travel without help. Submit a request for authorized escort, including a doctor's letter explaining the need if possible, for review/approval by AFPC/DPFDC Branch Chief with recommendation from PEB Physician before authorizing travel. If approved, AFPC/DPFDC includes the authority for an escort's travel in the member's travel order. The escort should file a claim for expenses according to Joint Federal Travel Regulation, Volume 1, chapter 7, part I. Note: If traveling by private conveyance, the AF reimburses only the TDRL member for transportation costs.

8.9. Orders Processing. The medical facility endorses the order to show whether the TDRL member was examined as inpatient or outpatient, the date and time member reported, and date and time member was released after completing the examination. If the examination was in outpatient status, indicate whether or not the member occupied government quarters.

8.10. Travel and Per Diem Allowance. TDRL members traveling to a MTF for evaluation or to JBSA-Randolph AFB TX for the Formal PEB receive travel and per diem allowance (10 U.S.C. § 1210 and the Joint Travel Federal Regulation, chapter 2). The AF reimburses the cost of travel to and from the examining facility or the Formal PEB and other costs, such as per diem and lodging at the rate allowed by law or regulation.

8.11. TDRL Examination. The medical facility conducts the examination according to AFI 48-123. The purpose of the periodic examination is to determine if the condition for which the member was retired has changed since retirement or since the previous TDRL evaluation.

8.11.1. The report of examination centers on the unfitting defects and conditions and includes anything the examining physician discovers or observes as to the member's functional capabilities and limitations.

8.11.2. The examination also includes information on any other defect or condition incurred or discovered after the member's retirement. For any newly identified defect or condition, the report indicates whether the member incurred the condition while on active duty or while on TDRL. For any change to a previously existing defect or condition, the narrative summary indicates whether the condition is better or worse than at the time of retirement.

8.11.3. The examining facility performs the necessary diagnostic, laboratory, and radiological procedures to clearly and accurately establish the current status of the member's unfitting effects and conditions. Include the following in the final report: test results, a statement as to the normal test value for the procedures done, copies of consultations, and a statement identifying all medications the member is currently taking.

8.11.4. The examining physician includes medical statements and opinions in the report of examination when such information may help the PEB evaluate the member's current condition. However, since prior TDRL medical records are available to the PEB and higher levels of review, the physician should not repeat information in previous records except as necessary to support the physician's analysis. The physician includes a detailed statement of interim history describing social, industrial, or educational activity, as well as the medical prognosis to include medication list. In order to avoid unnecessary confusion, the physician should not make references to the administrative disposition of the member, such as return to active duty, retention on TDRL, permanent retirement, discharge for disability, or probable percentage of disability. These references are not appropriate and frequently lead to unnecessary questions or disappointment for the member.

8.12. Insurance Claims. The examining DoD medical facility may bill the reasonable costs of the TDRL examination to a third-party payer such as an insurance company or a medical service or health plan under which the member is a covered beneficiary (10 U.S.C. § 1095). Additionally, please note the following:

8.12.1. Do not bill the member for costs not paid (such as required deductibles or co-payments).

8.12.2. If the third-party payer asks the service member to clarify the charges, resource management personnel at the medical facility may assist in completing any additional claim forms.

8.12.3. Do not release confidential drug and alcohol treatment records without a patient consent executed according to federal law and Public Health Service regulations. A general consent form to release "medical records" or an assignment of third-party payer benefits will not satisfy Public Health Service requirements.

8.13. Processing at the Examining Facility. The commander of the examining facility or designated representative ensures the medical facility completes the examination as quickly as possible so the member may return home without delay.

8.13.1. When possible, complete the examination within one to three duty days after the member arrives at the examining facility.

8.13.2. Only extend the examination period if the examining physician believes a short period of observation or medical testing is absolutely essential for a complete report. Send medical examination reports (narrative summary) to AFPC/DPFDC within 45 calendar days of examination. Include all laboratory studies and consultations with the completed report. If the MTF cannot complete the report of examination within the required period, advise AFPC/DPFDC in writing of the reason for delay and give an estimated date of report completion. Unless medically necessary, never keep the member at the examining facility pending review of laboratory test results or to await completion of the report.

8.13.3. Competency Rules. If the TDRL member was mentally incompetent when last examined and there has been a change in competency since then, or if there is a question as to mental competency, the examining military facility convenes a competency board according to DFAS-DE 177-373, Volume 1, Chapter 24, Joint Uniform Pay System - DJMS AFO Procedures and AFI 48-123. A competency ruling will not be required for members evaluated at VA or civilian medical facilities if those rulings are sufficient for the TDRL reevaluation. In these cases, the TDRL member or a designated representative contacts DFAS-CL to arrange for a change in competency. Take the following action:

8.13.3.1. Include a copy of the board's competency determination with the report of examination when sending it to AFPC/DPFDC.

8.13.3.2. Send a copy of the competency board to DFAS-CL.

8.13.3.3. If it would be harmful or against the member's best interest to know his or her medical condition, the examining physician is required to make a statement in the narrative summary. AFPC/DPFDC then processes the case accordingly.

8.14. TDRL Members Imprisoned or Confined by Civil Authorities. The law requires periodic examination, regardless of the member's status or circumstances. When a service member is imprisoned or confined by civil authorities, AFPC/DPFDC requests the nearest MTF for a report of examination and a copy of the commitment order, when appropriate, from the confinement institution. In the event no report or an inadequate report is received, AFPC/DPFDC will make documented efforts to obtain an acceptable report. **(T-3).**

8.14.1. If the report received contains sufficient information, the PEB uses it to evaluate the member. If an examination is not received, disposition of the case will be in accordance with [paragraph 8.15](#). Member may apply to the Air Force Board for Correction of Military Records for records correction.

8.15. Failure to Report for Periodic Examinations. In accordance with 10 U.S.C., § 1210, TDRL members who fail to report for periodic examinations, after having been properly notified and without sufficient justification for missing the appointment, are notified (by AFPC/DPFDC) their retired pay will be suspended. **(T-0).**

8.15.1. If unable to contact the member after a second attempt, member's entitlement to retired pay may be suspended.

8.15.2. AFPC/DPFDC will stop a TDRL member's eligibility to receive AF retired pay if AFPC/DPFDC cannot locate the member or the member is scheduled to report for periodic examination and refuses or fails to report after having been given proper notice. **(T-0).** The PEBLO must advise AFPC/DPFDC immediately when a member fails to report for a scheduled periodic examination. **(T-3).**

8.15.3. If the service member later reports for the physical examination, retired pay will be resumed effective on the date the examination was actually performed.

8.15.4. If the service member can show appropriate justification for not reporting, reinstate eligibility to receive retired pay retroactively for a period of not more than one year (10 U.S.C. § 1210a).

8.15.5. If the service member does not undergo a periodic physical examination after disability retired pay is suspended, the service member is administratively removed from the TDRL on the third anniversary of the original placement on the list. AFPC/DPFDC Branch Chief will remove the service member from the TDRL and discharge without benefits. **(T-0).**

8.15.6. TDRL members found fit and who fail to reply within the time limit to the notification of the fit finding are removed from the TDRL and discharged without benefits. **(T-0).**

8.15.7. TDRL members who are found fit, request a formal board hearing, and fail to report, will also be removed from the TDRL and discharged without benefits. **(T-0).**

Section 8C—Review by Informal and Formal PEB

8.16. Informal PEB Review of the TDRL Examination. AFPC/DPFDC refers the current VA rating documentation, treatment records submitted by the member, and/or reports of examination with prior medical records to the Informal PEB for evaluation as outlined in [Chapter 3](#).

8.17. Request for Information. If the documentation is inadequate, AFPC/DPFDC contacts the examining facility for more data, or takes other action as necessary to get a complete and adequate report. AFPC/DPFDC may direct the member to report to another facility for additional medical workup. AFPC/DPFDC issues another set of travel orders when applicable.

8.18. Changes in Prior Determinations. During TDRL reevaluation, the PEB may not change prior findings such as line of duty determinations; proximate result; misconduct; whether a medical condition was permanent, service-incurred, combat related, or preexisting and aggravated (i.e., existed prior to service determination); unless there is new and compelling evidence that was not available to the PEB when the member was originally placed on the TDRL. Exceptions include:

8.18.1. Evidence of fraud.

8.18.2. A correction of error in favor of the member.

8.18.3. A change of diagnosis that warrants the application of accepted medical principles for a preexisting condition.

8.18.3.1. If upon TDRL reevaluation, the member is still found unfit for the unstable condition for which he or she was initially placed on TDRL, evaluation of other conditions is not required. If the member is no longer found unfit for the unstable condition for which he or she was placed on the TDRL, an assessment will be made as to whether any other condition exists that would prevent a fit/return to duty finding by the PEB. If other conditions exist that render the member unfit, a determination will be made that the condition is unfitting but not compensable in the DES.

8.18.3.2. Conditions found not unfitting when placed on the TDRL are not compensable if they become unfitting while on TDRL; however, if reevaluation reveals the condition was unfitting when the member was placed on TDRL, the PEB lists the condition as compensable when making permanent disposition of the case and documents the reason(s) for making the change in the remarks section of AF Form 356. Since the PEB cannot retroactively change the member's records as of the date placed on TDRL, the member may apply for records correction through the Air Force Board for Correction of Military Records process.

8.19. Recommended Disposition. The PEB recommends one of the following dispositions upon reevaluation of the member:

8.19.1. TDRL to Permanent Retirement. Applies to unfit TDRL members whose condition(s) has stabilized upon TDRL reevaluation and whose unfitting disabilities combine to 30 percent or greater rating, or who have 20 years or more service under 10 U.S.C. § 1208.

8.19.2. TDRL to Discharge with Severance Pay. Applies to unfit TDRL members whose combined disability VA ratings upon TDRL reevaluation is less than 30 percent and member has less than 20 years of service computed pursuant to 10, U.S.C. § 1208

8.19.3. Removal from TDRL (Fit). Applies to TDRL members found fit and being removed from the TDRL.

8.19.4. Retain on TDRL. Applies to unfit TDRL members whose disabilities remain unfitting and unstable.

8.20. Enlistment, Reappointment, or Retirement After Removal from TDRL as Fit. Upon recommendation of the PEB or the SAFPC to be removed from the TDRL as fit:

8.20.1. Enlistment or Reappointment Grade. The appropriate promotions office determines the grade of enlistment or reappointment and advises AFPC/DPFDC.

8.20.2. Enlistment. A service member being removed from the TDRL has 60 calendar days from the date removed to enlist without a physical examination. AFPC/DPFDC provides instructions for the member (see [paragraph 8.19.](#)) to present to the appropriate FSS when reporting for enlistment. After the 60-day period, former TDRL members follow the same enlistment rules that apply to any other civilian.

8.20.3. Obligated Service. By law, members who entered military service after 1 June 1984 must serve eight years in the armed services, unless sooner discharged. Do not discharge TDRL members found fit who entered military service after 1 June 1984, served less than eight years, and do not want to be reappointed nor to enlist. Instead, when removing them from the TDRL, transfer them to the AFR (Obligated Reserve Section), and assign them to the ARPC to complete their military service obligation. Time spent on the TDRL counts toward the required obligated service.

8.20.4. Reappointment of Certain ARC Officers. ARPC reappoints ARC officers being assigned to a Reserve component (not retiring and not returning to active duty).

8.21. Action by AFPC and Member After Informal PEB. AFPC/DPFDC sends the AF Form 356, a copy of the TDRL report of exam (if applicable), and a memorandum outlining required actions to the member. When the Informal PEB recommends retention on the TDRL, AFPC/DPFDC advises the service member of the action (see [paragraph 8.20.](#)). If the Informal PEB recommends removal from the TDRL, the member may (1) agree with the board's recommendation, or (2) disagree and request a Formal PEB hearing, or (3) waive the Formal PEB hearing and submit a written rebuttal for case review by the SAFPC.

8.21.1. Time Limits. The member is provided 25 calendar days to reply to the Informal PEB final disposition. AFPC/DPFDC may grant additional time if requested. If the member fails to respond in the prescribed time, AFPC/DPFDC presumes the service member concurs and the case is finalized.

8.21.2. Member Agrees or Submits a Rebuttal to the Informal PEB Findings. AFPC/DPFDC processes the case as outlined in [Chapter 3](#) and [Chapter 5](#).

8.21.3. Fit for Service. When the Informal PEB recommendation is "Removal from the TDRL (Fit)", AFPC/DPFDC sends a memorandum to the service member with a 25-day suspense outlining required actions. AFPC/DPFDC notifies the appropriate offices; i.e., promotions, enlisted retention, officer appointments and officer procurement.

8.21.3.1. If eligible for return to active duty, AFPC/DPFDC sends the service member one copy of the Return to Duty Election Statement along with the Informal PEB findings and recommendation. The service member makes a decision and returns the form within 25 calendar days. Should the service member not respond within the 25-day time limit, AFPC/DPFDC processes the case as if the member did not desire appointment or enlistment.

8.21.3.2. Service members serving on active duty as a non-extended active duty ARC officer when placed on the TDRL are referred to the nearest MTF for further processing.

8.21.3.3. Members removed from the TDRL as fit will be discharged, retired, or transferred to the inactive Reserve under another provision of law if the member qualifies and applies for retirement or transfer, or is required to be retired, discharged, or removed from active status. Any retainer, severance, readjustment, or separation pay is computed as if the member had been reappointed or reenlisted upon removal from the TDRL. The member's grade is determined under the provisions of law for which the member is retired, transferred, discharged, or eliminated from an active status.

8.21.3.4. TDRL members determined fit for service who do not elect enlistment or reappointment, and who are not discharged, retired, or transferred to the inactive Reserve are discharged without benefits, subject to restriction in [paragraph 8.20.3](#).

8.22. Retention on TDRL. When the PEB recommends retention on TDRL, AFPC/DPFDC furnishes the service member a copy of AF Form 356, a copy of TDRL exam report and a memorandum advising there is no change in member's status or AF retired pay as long as the member's name remains on the TDRL regardless of whether or not there is a change in percentage rating. The service member does not have the option to agree or disagree with the finding. AFPC/DPFDC's memorandum of notification includes an approximate date for the next examination.

8.23. Request for Formal PEB Hearing. When the TDRL member disagrees with the Informal PEB findings and recommendations, and appeals to the Formal PEB, the TDRL member is scheduled for a formal board hearing. AFPC/DPFDC provides the Informal PEB case file, prior records, and related documents to the Formal PEB. The Formal PEB hearing for a member on the TDRL proceeds as outlined in [Chapter 3](#), Section 3D.

8.24. Disposition Options of the Formal PEB Hearing. The Formal PEB provides a recommended disposition of the case using the applicable options contained in [paragraph 3.17](#). When the Formal PEB recommends "Removal from TDRL (Fit)", actions in [paragraph 8.19.3](#) apply. The member has six calendar days to make an election upon receiving results of the Formal PEB. If there is no response within the time limit, AFPC/DPFDC presumes the member concurs and the case will be finalized.

Section 8D—AFPC Disposition Actions

8.25. Service Retirement of Members Being Removed from TDRL. Members who are fit, or who are unfit because of a condition incurred or aggravated while on TDRL after having recovered from the condition for which placed on the TDRL, may apply for service retirement if eligible under AFI 36-3203.

8.26. Final Review and Disposition Actions. AFPC/DPFDC announces the final disposition on a (1) Retirement Special Order - Physically Unfit or (2) Retirement Special Order - Removal from TDRL, or (3) other format as applicable. Orders are the official notice to TDRL members of final disposition action. Retaining a member on TDRL is not a final disposition. (See [paragraph 8.20](#)). Members removed from the TDRL and permanently retired are authorized and may request DD Form 363AF, Certificate of Retirement and AF Form 1344, Certificate of Appreciation for Spouse of Retiring Member, DD Form 2542, Certificate of Appreciation for Service in the Armed Forces of the United States.

SHON J. MANASCO
Assistant Secretary of the Air Force
Manpower and Reserve Affairs

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

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Title 37 U.S.C. § 204(g) and (h)

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Title 10 U.S.C. § 1401

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Prescribed Forms

AF Form 356, *Findings and Recommended Disposition of the USAF Physical Evaluation Board*

AF Form 1180, *Action on Physical Evaluation Board Findings and Recommended Disposition*

AF Form 1185, *Commander's Impact Statement for Medical Evaluation Board*

Adopted Forms

AF Form 469, *Duty Limiting Condition Report*

AF Form 618, *Medical Board Report*

AF Form 679, *Air Force Publication Compliance Item Waiver Request/Approval*

AF Form 847, *Recommendation for Change of Publication*

AF Form 1344, *Certificate of Appreciation*

DD Form 363AF, *Certificate of Retirement*

DD Form 2542, *Certificate of Appreciation for Service in the Armed Forces of the United States*

Abbreviations and Acronyms

AF—Air Force

AFPC—Air Force Personnel Center

AFR—Air Force Reserve

AFRC—Air Force Reserve Command

AGR—Active Guard or Res Member on Full Time Military Duty under Title 10 & 32 U.S.C

ANG—Air National Guard

AFPB—Air Force Personnel Board

ARC—Air Reserve Components

ARPC—Air Reserve Personnel Center

DAWG—Deployment Availability Working Group

DES—Disability Evaluation System

DFAS—Defense Finance and Accounting Service

DJMS—Defense Joint Military Pay System
DOD—Department of Defense
DODI—Department of Defense Instruction
FSS—Force Support Squadron
IDES—Integrated Disability Evaluation System
INCAP—Incapacitation
IRILO—Initial Review-In-Lieu-Of (MEB)
LAS—Limited Assignment Status
LDES—Legacy Disability Evaluation System
MEB—Medical Evaluation Board
MTF—Military Treatment Facility
NGB—National Guard Bureau
OPR—Office of Primary Responsibility
PEB—Physical Evaluation Board
PEBLO—Physical Evaluation Board Liaison Officer
RegAF—Regular Air Force
SAFPC—Secretary of the Air Force Personnel Council
SecAF—Secretary of the Air Force
TDRL—Temporary Disability Retired List
TDY—Temporary Duty
UOTHC—Under Other than Honorable Conditions
USAF—United States Air Force
U.S.C.—United States Code
VA—Department of Veteran's Affairs
VASRD—Veterans Administration Schedule for Rating Disabilities

Terms

Accepted Medical Principles—Fundamental deductions, consistent with medical facts, that are so reasonable and logical as to create a virtual certainty that they are correct. The Service PEB will state with specificity the basis(es) for the conclusion.

Active Duty—Full-time duty in the active military service of the United States. For the purposes of this instruction, active duty refers to members of the RegAF, AFR-AGRs, ANG-Permanent AGRs and ARC Extended Active Duty. Also, see Joint Publication 1-02.

Active Duty for a Period of More than 30 calendar days—Service member on active duty or full-time National Guard Duty under a call or order that does not specify a period of 30 calendar days or less.

Active Reserve Status—Status of all Reserves who are not on an active-duty list maintained under § 574 or 620 of 10 U.S.C., except those in the inactive National Guard, on an inactive status list or in the Retired Reserve. Reservists in an active status may train with or without pay, earn retirement points, and may earn credit for and be considered for promotion. In accordance with the Reserve Officer Personnel Management Act (ROPMA), a member in an Active Reserve status must be on the Reserve Active-Status List (RASL)(10 U.S.C. § 14002).

Air National Guard of the United States (ANG)—A reserve component of the USAF consisting of all federally recognized units, organizations, and members of the ANG of the United States, the District of Columbia, and Commonwealth of Puerto Rico, who, in addition to their status as ANG members, are Reserves of the Air Force in the same grades in which enlisted or appointed and federally recognized. Membership in the ANG is acquired by the enlistment or appointment in the federally recognized ANG of a state and concurrent enlistment or appointment as a Reserve of the Air Force in the same grade.

Air Reserve Component (ARC)—The component of the USAF that includes the AFR and ANG.

Armed Conflict—A war, expedition, occupation of an area or territory, battle, skirmish, raid, invasion, rebellion, insurrection, guerilla action, riot, or any other action in which service members are engaged with a hostile or belligerent nation, faction, force, or terrorist. Armed conflict may also include such situations as incidents involving a member while interned as a prisoner of war or while detained against his or her will in the custody of a hostile or belligerent force or while escaping or attempting to escape from such confinement, prisoner-of-war, or detained status.

Clear and Unmistakable Evidence—Undebatable information that the condition existed prior to military service or if increased in service was not aggravated by military service. In other words, reasonable minds could only conclude that the condition existed prior to military service from a review of all of the evidence in the record. It is a standard of evidentiary proof that is higher than a preponderance of evidence and clear and convincing evidence.

Combined Effect—A pairing of two or more conditions that may determine a member unfit because of disability even though each of them, standing alone, would not cause the service member to be referred into the DES or be found unfit. Also, combined effect includes the pairing of a singularly unfitting condition with a condition that standing alone would not be unfitting.

Competent, Competency—The member's mental ability to make rational decisions based on factual understanding of matters including, but not limited to, pay, records, and disability processing. Competency is a presumption that may be rebutted by medical evidence at an evidentiary hearing.

Competency Board—A board consisting of at least 3 medical officers or physicians (including one psychiatrist) convened to determine whether a member is competent.

Counsel—Pertains to advice or information given by legal attorney, PEBLO, and others in the DES, such as FSS, Traffic Management Office, accounting and finance office, etc.

Creditable Service—Military service that can be used in determining the disposition of a case, entitlement to benefits, etc.

Deployable or Deployability—The determination that the member does not have a Service-determined reason that precludes him or her from deployment.

Designated Representative—is a generic term which describes the Next of Kin (NOK) or appointed guardian that acts for a member when the member is mentally incompetent or the physician determines that divulging information to the member would be harmful to the member's well-being. The NOK or guardian has the same rights, privileges, and counseling benefits and, unless specifically prohibited, follows the same procedures as for the members being evaluated.

Disability—A physical or mental condition that limits a person's movements, senses, or activities. Any condition due to disease or injury, regardless of degree, that reduces or prevents an individual's actual or presumed ability to engage in gainful employment or normal activity. The term "disability" or "physical disability" includes mental disease, but not such inherent defects as behavioral disorders, adjustment disorders (except Chronic Adjustment Disorder), personality disorders, and primary mental deficiencies. A medical condition, mental disease, or physical defect standing alone does not constitute a disability. To constitute a disability, the medical condition, mental disease, or physical defect must be severe enough to interfere with the service member's ability to adequately perform his or her duties.

Disability Evaluation System (DES)—The DoD mechanism for determining fitness for duty, separation or retirement of members because of disability in accordance with Title 10 U.S.C., Chapter 61, service members will proceed through one of two DES processes: the Legacy Disability Evaluation System (LDES) or the Integrated Disability Evaluation System (IDES).

Excess Leave—Leave during which the member does not receive pay and allowances. The member does not accrue leave while on excess leave status.

Existed Prior to Service—A term used to signify there is clear and unmistakable evidence that the disease or injury, or the underlying condition producing the disease or injury, existed prior to the individual's entry into military service, during a break in service, or during a period of inactive service.

Extended Active Duty and Active Guard/Reserve (AGR)—Reserve Component members on voluntary active duty providing full-time support to Reserve Component or Active Component organizations for the purpose of organizing, administering, recruiting, instructing or training the Reserve Components.

Fit—A finding that the member is able to reasonably perform duties of his or her office, grade, rank, or rating, including those during a remaining period of Reserve obligation.

Inactive Duty Training—Authorized training performed by a member of a Reserve Component not on Active Duty (AD) or Active Duty for Training (ADT) and consisting of regularly scheduled Unit Training Assemblies (UTA), additional training assemblies, periods of appropriate duty or equivalent training and any special additional duties authorized for Reserve Component personnel by the Secretary concerned and performed by them in connection with the

prescribed activities of the organization in which they are assigned with or without pay. Does not include work or study associated with correspondence course.

Incompetent—The state of a member who is mentally unable to make rational decisions based on factual understanding of matters including, but not limited to, pay, records, and disability processing. Incompetency must be determined by a competency board hearing.

Initial Entry Training—Service members in a training status upon entry into the military service such as Basic Military Training Students, technical school trainees, and US Air Force Academy Cadets or other newly recruited service members in a training status.

In Line of Duty—A finding, after all available information has been reviewed, that determines an injury, illness or disease was incurred or aggravated while in an authorized duty status and was not due to misconduct.

Instrumentality of War—A vehicle, vessel, or device designed primarily for Military Service and intended for use in such Service at the time of the occurrence of the injury. It may also be a vehicle, vessel, or device not designed primarily for Military Service if use of or occurrence involving such a vehicle, vessel, or device subjects the individual to a hazard peculiar to Military Service. This use or occurrence differs from the use or occurrence under similar circumstances in civilian pursuits. There must be a direct causal relationship between the use of the instrumentality of war and the disability, and the disability must be incurred incident to a hazard or risk of the service.

Integrated Disability Evaluation System (IDES)—The IDES is the joint DoD-VA process by which DoD determines whether wounded, ill or injured members are fit for continued military service and by which DoD and VA determine appropriate benefits for members who are discharged or retired for a Service-connected disability. The IDES features a single set of disability medical examinations appropriate for fitness determination by the Military Departments and a single set of disability ratings provided by VA for appropriate use by both departments. Although the IDES includes medical examinations, IDES processes are administrative in nature and are independent of clinical care and treatment.

Limited Assignment Status (LAS)—Permits an unfit member to be voluntarily retained on active duty and ARC to perform specific duty with certain limits on his or her assignability.

Military Duty(ies)—The duties of a member's office and grade as determined by the Secretary concerned, and not necessarily the specialty skill or special qualification held by the member prior to incurring or aggravating an injury, illness or disease in the line of duty.

Misconduct—Intentional conduct that is wrongful or improper. Also, willful neglect or gross negligence.

Next of Kin (NOK)—The nearest relative to the member who may act for the member who is physically or mentally unable to act for himself or herself.

Office of Airman's Counsel—The legal office chartered to represent service members in the DES.

Performing Military Duty of 30 calendar Days or Less—A term used to inclusively cover the categories of duty pertaining to 10 U.S.C. §1204 - 1206 (active duty, inactive duty training, and travel directly to and from active duty or inactive duty training).

Physical Evaluation Board Liaison Officer (PEBLO)—A DoD employee assigned to serve as the service member's non-medical case management specialist throughout the disability evaluation system. The case owner providing assistance and case status updates to the affected service member throughout the process.

Pre-existing—Refers to the fact that a physical defect or condition (including disease) had its source or start before the member entered the military service (see existed prior to service).

Preponderance of Evidence—A standard of evidentiary proof that it is more likely than not that events have occurred as alleged. Preponderance does not necessarily mean a greater number of witnesses or a greater mass of evidence; rather, preponderance means a superiority of evidence on one side or the other of a disputed fact. It is a term that refers to the quality, rather than the quantity of the evidence.

Presumption—An inference of the truth of a proposition or fact, reached through a process of reasoning and based on the existence of other facts. Matters presumed need no proof to support them, but may be rebutted by evidence to the contrary.

Proximate Result—A permanent disability the result of, arising from, or connected with active duty, annual training, active duty for training, or inactive duty training, (etc.) to include travel to and from such duty or remaining overnight between successive periods of inactive duty training. Proximate result is a statutory criterion for entitlement to disability compensation under 10 U.S.C., Chapter 61 applicable to ARC members who incur or aggravate a disability while performing an ordered period of military duty of 30 calendar days or less. It is only applicable to disabilities incurred on or before 23 September 1996.

Rating, Ratable, Ratings—The disability percentage classification applied to a physical defect or condition that renders a member unfit for military service.

Reasonable Doubt—The standard of proof that clear and convincing evidence does not exist.

Service Aggravation—The permanent worsening of a pre-service medical condition over and above the natural progression of the condition.

Service Connected—A VA term applied to physical or mental defect or condition incurred or aggravated in the line of duty while performing active military service.

Severance Pay—A one-time lump sum payment to members whose military service ends prematurely due to a physical or mental disability incurred in line of duty.

Stable, Stabilized—A physical or mental defect or condition that is not likely to change significantly in degree of severity over a specified period of time. Conditions with symptoms that predictably fluctuate over time as inherent aspects of the disease itself may be deemed stable after sufficient period of observation.

Unfit—A finding that due to a disability, a member is unable to reasonably perform duties of his or her office, grade, rank, or rating, including those during a remaining period of Reserve obligation.

Unfitting Condition(s)—A disability that prevents a service member from performing the duties of his or her office, grade, rank, or rating. These duties include those performed during a remaining period of Reserve obligation. This also includes condition wherein if the service member were to continue on active duty or in an active Reserve status, the disability would

represent a decided medical risk to the health of the service member or to the welfare or safety of other service members, or would impose unreasonable requirements on the military to maintain or protect the service member.

United States AF Reserve (AFR)—All reserves of the Air Force except those units, organizations, and members assigned to the ANG of the United States.

Veterans Affairs Schedule for Rating Disabilities (VASRD)—The schedule that the Air Force uses as a guide to determine the disability coding and rating percentage for each unfitting condition.

Willful Neglect—An act or acts of omission or commission that evidence a reckless or wanton disregard for their attendant consequences. Conduct that indicates a member exhibited a reckless or wanton disregard for his or her own personal well-being or for the well-being of another. Willful neglect is the same as gross negligence.

Attachment 2

MEB CHECKLIST

Figure A2.1. MEB Checklist.

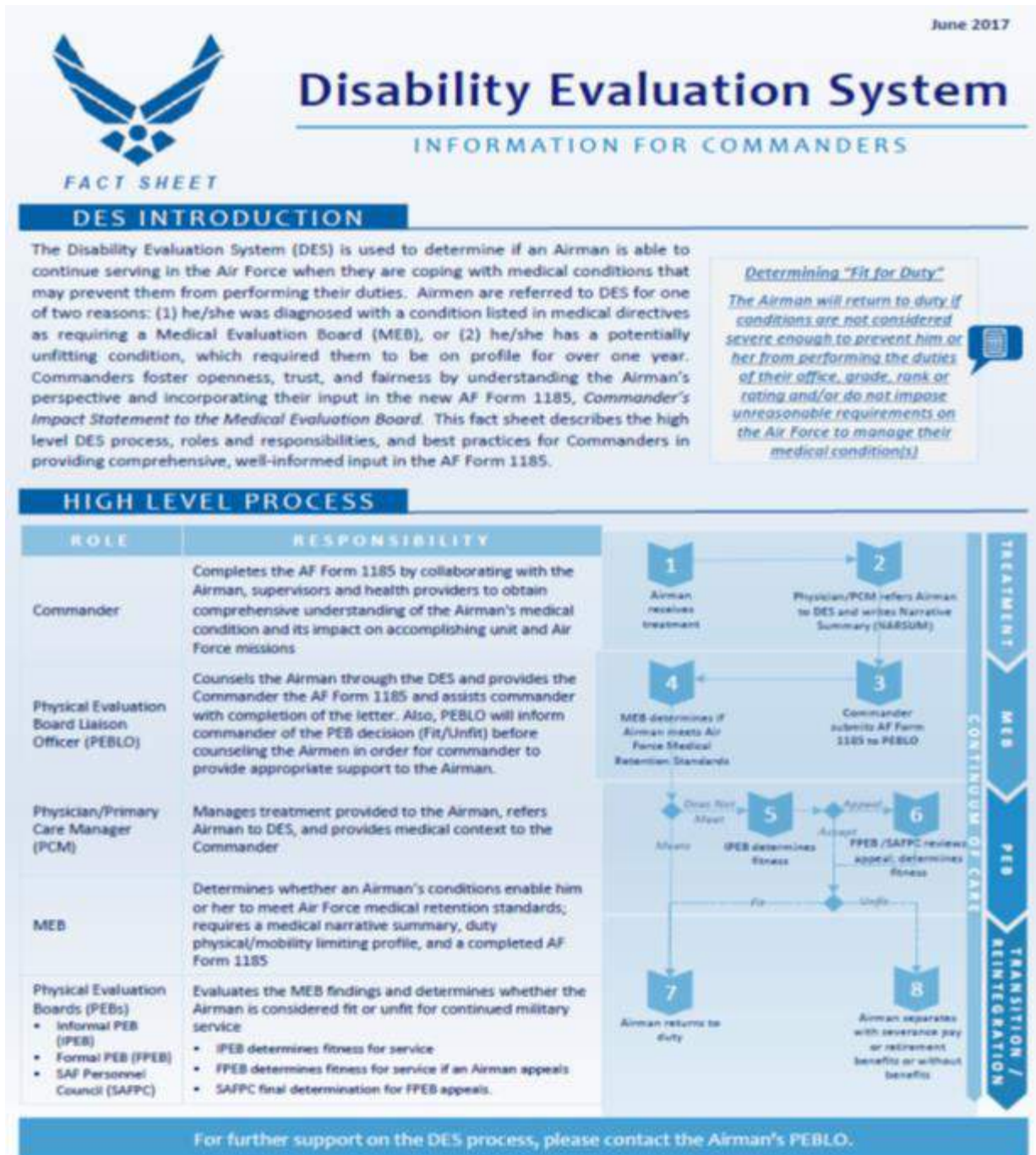
CHECKLIST FOR MEDICAL EVALUATION BOARD CASES REFERRED TO PHYSICAL EVALUATION			
Complete all items & include checklist with MEB package. Call AFPC/DPFDD at DSN 665-5319 or (210) 565-5319 for assistance.			
Last/First Name	Rank	SSN not allowed per AFI 33-332.	Date: VTA:
PEBLO INFORMATION			YES or N/A
NAME:		AAC 37 UPDATED	
DSN/COMM:		Tech School Student	
EMAIL:		Basic Trainee	
MTF/BASE:		Cadets	
		DEROS <6 months	
		Expedite Request Memo (MTF/CC or designee)	
		(Please insert Expedite memo behind checklist)	
		Referral Date:	
		MEB End Date:	
		(required for all IET & Non-IET Requested LDES)	
		YES	NA
		REMARKS	
1. AF 618 - MEB Report, per AFI41-210, para 4.62.5			
AF 618 - Item 2 Date Convened			
AF 618 - Item 23 B - Date of Origin noted for each condition			
AF 618 - Item 26 Psychiatrist indicated (if applicable)			
Administrative LOD			
DA Form 3947 or NAVMED Form 6100/1-2 TriService MEB			
2. LDES Selection Statement Memo - Bookmark			
3. Commander's Letter, dated & signed--Bookmark			
4. Impartial Review Election			
Impartial Review			
MEB rebuttal letter			
MEB convening authority response			
5. Letter of Exception			
6. DES Fact Sheet Acknowledgement Page			
6a. Letter of Intent for Med Hold (Enlisted only & within 6 mos/DOS)			
7. DD Form 2499, Health Care Provider Action Report			
8. Waiver Ltr from DPANM (med persons boarded at their own MTF)			
9. Post Deployment Assessment Worksheet			
10. AF Form 469 - Duty Limiting Condition Report --Bookmark			
11. SF Form 502/AHLTA NARSUM --Bookmark			
(dated & signed or cosigned by MD, DO, MC)			
DBQ Reconciliation Statement (following the NARSUM)			
(dated & signed or cosigned by MD, DO, MC) --Bookmark			
12. DoD/VA Referral Form 21-0819 & 21-526EZ (provide all pages of signed form & (required for all cases EXCEPT IET and Non-IET requested LDES)			
13. DBQ or C&P --Bookmark			
Asthma - current PFTs --Bookmark			
Mental Health case - Psychiatry consult --Bookmark			
Orthopedic Case - Range of Motion --Bookmark			
14. Consultations			
Special studies relevant to case (put in order by date)			
Supporting civ med docs for ARC members (put in order by date)			
15. Previous AF 618s (within one year of current MEB)			
16. Copy of DD Form 2808, Report of Medical Examination <8 yrs.			
17. Copy of DD Form 2807-1, Report of Medical History < 8 yrs.			
18. AF Form 348 or DD Form 261 Line of Duty --Bookmark			
19. Orders showing ARC mbr duty status (UTA, etc), current AGR orders and/or DD Form 214 @ time of the origin date of illness, injury, disease --Bookmark			
20. Additional Documentation			
Grade determination documentation -- Bookmark			
Next of Kin Information VRAD			

May 2017

Attachment 3

AF FORM 1185 COMMANDER'S IMPACT STATEMENT FACT SHEET

Figure A3.1. AF Form 1185 Commander's Impact Statement Fact Sheet.





FACT SHEET

Disability Evaluation System

INFORMATION FOR COMMANDERS

June 2017

COMMANDER'S INPUT

The AF Form 1185 documents the impact an Airman's condition has on the mission. Commanders' intimate knowledge of the unit's and the Air Force's missions and how the Airman helps or hinders getting those accomplished are essential considerations in the DES process. This portion of the fact sheet provides additional context and guidance in providing your input. Also, as the Airman progresses through the Disability Evaluation Process, Auto Notification emails will be sent to the commander as each milestone in the

SPECIAL BUSINESS RULES

Collaboration with Airmen, Supervisors and Care Providers

- Commanders should talk with the Airman prior to completing the AF Form 1185, hear their perspective, and discuss any differences. They should strive to make the Airman feel supported during this difficult time, and one-on-one discussions instill trust, provide transparency, reduce uncertainty, manage expectations, and ultimately strengthen relationships.
- For mental health conditions, Commanders are required to talk to the physician and/or PCMH to better understand the Airman's conditions before completing the AF Form 1185. For all other conditions, this engagement is highly encouraged for accuracy and relationship-building purposes.

Retirement

- Criteria (includes Guard and Reserve)
 - 30% disability rating for the specific unfiting condition(s) OR
 - 20+ years of active duty service with any percentage disability
 - If unstable condition(s), Airman is placed on Temporary Disability Retired List
- If Airman does not meet the criteria above, he/she is discharged with severance pay & no long-term military benefits
- Veterans Affairs (VA) provides continued benefits and medical care for service-connected disabilities

Permanent Change of Station (PCS) & Promotion Impacts

- Until the case is finalized, the Airman is not eligible for reenlistment or PCS
- If the Airman is found to be unfit and does not appeal the separation or retirement, he/she cannot be promoted, even if the time for his/her line number comes up before he/she separates or retires
- Promotion actions stop upon SAF memo signature
- If eligible, Airmen with line numbers are retired or separated at the higher pay grade upon medical discharge
- Requests for temporary duty (TDY) assignments must be approved by AFPC/DPPD prior to departure

Disciplinary Guidelines

- Airmen with disciplinary issues are processed via disciplinary / administrative channels or a court-martial, not the DES
- Airmen charged in a court-martial with a Bad Conduct or Dishonorable discharge are not eligible for DES
- Some members being administratively discharged for misconduct or misbehavior before referral into DES may not be eligible
- Notify the PEBLO as soon as disciplinary / administrative action is to be issued

AF FORM 1185 GUIDANCE

The PEBLO provides the Commander the AF Form 1185 and has five (5) calendar days upon receipt to return it to the PEBLO. While instructions are provided for each field in the form, Commanders should pay extra attention to the following guidance to provide the most valuable input. Note for the Commander: The Form will be considered incomplete and sent back if it is not signed or dated by you and the Airman. Also, please ensure the PEBLO has your (or designee's) correct organizational (preferred) or work email address in order for you to receive auto email notifications of your Airman's progress through the DES process once the case has been sent to AFPC Disability Division.

Section

II

Q1 – Explain how the condition impacts the Airman's performance for current and expected duties. (For example, due to the Airman unable to arm-up/carry weapons, wear body armor, sit/stand for long periods, or climb ladders as part of their duties)

Q2 – Specify the impacted duties and any accommodations that are in effect.

III

Q1-3 – Refer to the related business rules in the section above.

IV

Q2 – A descriptive response helps the PEB determine if Airmen incurred a combat-related (in the line of duty) condition. Send supporting documentation to the PEBLO.

Section

V

Q1-6 – This section is required only for Reservists and Guardsmen.

VI

Avoid recommendations to "retrain into a less physically demanding career field" or "a career field without a deployment tasking." Almost all career fields have significant deployment requirements with physically demanding tasks. Also, the Airman is not qualified to retrain into another career field once he/she has been referred to the DES.

VII

Airman must sign acknowledging receipt of the Form and, if desired, provide comments regarding his/her desire to or not to return to duty based on their medical condition(s).

For further support on the DES process, please contact the Airman's PEBLO.

Attachment 4

TDRL CEREMONY SAMPLE

Figure A4.1. TDRL Ceremony Sample.

SECTION N-4
RECOGNITION FOR MEMBERS PLACED ON THE TDRL

1. Individuals placed on the Temporary Disability Retired List (TDRL) are not eligible to receive the typical recognition members receive for a voluntary service retirement or permanent disability retirement. However, the following steps should be followed to recognize the members for their service. (See AFI 36-3212, para 4.10)
2. If desired, the commander should ensure a ceremony is conducted for the service member before departing for TDRL. The recommended sequence of events is:
 - a. Opening narration
 - b. Arrival fanfare
 - c. Musical honors
 - d. Colors
 - e. National Anthem
 - f. Invocation
 - g. Remarks by presiding official
 - h. Presentation of medal (if applicable)
 - i. Reading of TDRL order
 - j. Presentation of Certificate of Recognition
 - k. Presentation of US Flag (if paid for by member or supervisor--cannot be unit funded)
 - l. Presentation of Letters (if applicable)
 - m. Presentation of TDRL member's gifts to spouse/family
 - n. Remarks by Honoree
 - o. Closing Narration
 - p. Air Force Song
 - q. Departure of Official Party
3. Members on the TDRL who are later permanently retired may request the DD Form 363AF, Certificate of Retirement, by accessing the TDRL Retirement Certificate Request form located on MyPERS website at: <https://gum-crm.csd.disa.mil/app/dynamicforms/display/form/237>. The AFPC Disability Branch prepares the

Figure A4.2. Certificate of Recognition.



Attachment 5

LAS APPLICATION WITH STATEMENT OF UNDERSTANDING

Figure A5.1. LAS Application with Statement of Understanding.

LIMITED ASSIGNMENT STATUS APPLICATION			
I. MEMBER INFORMATION			
NAME:		GRADE:	SSAN:
TAFMSD:	PAFSC:	ORGANIZATION:	MEMBER STATUS:
			<input type="checkbox"/> COMBAT WOUNDED
			<input type="checkbox"/> 15-19 YRS TAFMS
I request to be retained on active duty in a Limited Assignment Status (LAS). I have been found physically unfit by a Physical Evaluation Board (PEB) and have concurred with the Board's findings. If this request is approved, I know that I may be required to undergo periodic medical reevaluation every 12 months to determine my continued eligibility for LAS retention. I also know that LAS retention does not guarantee any specified period of active service and terminates upon reaching 20 years total active military service (TAFMS). I will not request regular retirement while on LAS; the DES will determine fitness or unfitness at the time of final retirement or discharge. If this request is not approved, I know that the disposition recommendation of the PEB will be finalized. I have notified my commander of my intention to apply for LAS.			
DATE	MEMBER SIGNATURE		
II. HQ AFPC MEDICAL STANDARDS REVIEW			
RECOMMENDATION (check one):			
<input type="checkbox"/>	Approval of member's application for Limited Assignment Status.		
<input type="checkbox"/>	Disapproval of member's application for Limited Assignment Status.		
<input type="checkbox"/>	Retention would adversely affect the member's health or that of their coworkers.		
<input type="checkbox"/>	Retention would result in the requirement for an inordinate amount of medical care.		
REMARKS:			
ALC CODE: If retained on LAS, the member would be placed on Assignment Limitation Code:			
DATE	PHYSICIAN SIGNATURE		
III. HQ AFPC ASSIGNMENT MANAGER REVIEW			
FROM (OFFICE SYMBOL):			
RECOMMENDATION (check one):			
<input type="checkbox"/>	Approval of member's application for Limited Assignment Status.		
<input type="checkbox"/>	Disapproval of member's application for Limited Assignment Status.		
REMARKS:			
DATE	ASSIGNMENT MANAGER SIGNATURE		
IV. HQ AFPC/DPFD ACTION (If member is wounded warrior, provide copy of application to HQ AFPC/DPSIDC upon approval/disapproval)			
MEMBER'S APPLICATION FOR LIMITED ASSIGNMENT STATUS IS:			
<input type="checkbox"/>	Approve: Yes/No	IPEB President	
<input type="checkbox"/>	Approve: Yes/No	IPEB Medical Adjudicator	
<input type="checkbox"/>	Approved. (Return case to HQ AFPC/DPANM for ALC-C application.)		
<input type="checkbox"/>	Disapproved.		
DATE	HQ AFPC/DPFD SIGNATURE		
MEMBER WAS FOUND UNFIT BY THE PEB FOR THE LISTED VASRD CODES :			

November 2015

PREVIOUS EDITION IS OBSOLETE

Figure A5.2. Limited Assignment Status Statement Of Understanding.

LIMITED ASSIGNMENT STATUS STATEMENT OF UNDERSTANDING

(Initial each paragraph below and sign at the bottom of the page as indicated.)

_____ I understand that the purpose of placement in Limited Assignment Status (LAS) is to conserve manpower by keeping needed experience and skills that the Air Force can use. LAS does not guarantee any specified period of retention, and I may be removed from LAS prior to reaching 20 years for medical reasons or at my own request. It is not the intent of the LAS program to retain a member just to increase benefits or allow the member to complete a period of service.

_____ I understand that I cannot separate or retire without undergoing a full medical evaluation board and formally processing through the AF Disability Evaluation System. Also, I understand I do not have a legal or vested right to retention in LAS, and the Air Force does not guarantee retention for any specified period of Active Duty. The Air Force may retire or discharge members on LAS at any time as the result of medical reevaluation. I will notify the local Physical Evaluation Board Liaison Officer if I desire to apply for separation or if I am notified of an involuntary separation action.

_____ I understand that I will be required to undergo a periodic examination at least once a year for the purpose of a Review-In-Lieu of Medical Evaluation Board (RILO), as directed by HQ AFPC Medical Retention Standards, and may require a full MEB. Also, I understand my commander may, at any time, refer me to a local medical facility for reevaluation if I cannot satisfactorily perform duties in my grade and specialty.

_____ I understand that I may request to be removed from Limited Assignment Status for the purpose of separation at any time, and at that time will be required to undergo a MEB to determine my current state of fitness.

I have read the information above and understand my rights and responsibilities while in Limited Assignment Status.

SIGNATURE

DATE

PRINTED NAME

SSAN

Attachment 6

LEGACY DES ELECTION STATEMENT MEMORANDUM

Figure A6.1. Legacy Des Election Statement Memorandum.

**LEGACY DES ELECTION
STATEMENT MEMORANDUM
(May 2016)**

MEMORANDUM FOR AFPC/DPFDD

FROM: PEBLO Name: E-mail:

MTF/Base: DSN Number:

SUBJECT: Legacy DES (LDES) Election Request

Please read and acknowledge understanding by initialing in the block next to the statement.

1. I have been briefed by a legal representative as to the difference between LDES and IDDES process.

OAC Lawyer Name: Date Counseled by OAC:

2. I, am requesting to be entered into the:

☐ Legacy Disability Evaluation System (LDES)

☐ Integrated Disability Evaluation System (IDDES).

(If you elect IDDES processing, do not continue to statements 3 thru 7. Please sign and date at bottom of page.)

☐ 3. I understand once I elect to undergo LDES processing, I will not request or be referred into IDDES.

☐ 4. I fully understand the expectations set by my PEBLO.

☐ 5. I understand that I will be able to complete my Separation History and Physical Examination (SHPE) after my LDES process has been adjudicated by the Physical Evaluation Board (PEB).

☐ 6. I understand that I must complete Transition Assistance Program (TAP) prior to my separation.

☐ 7. I understand that my PEBLO will advise me of the progress of my MEB and LDES process.

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
SERVICE MEMBER SIGNATURE	DATE	PEBLO SIGNATURE	DATE

1st Ind., MTF/CC or designee (O-6 or GS-15 equivalent)

I APPROVE ☐ DISAPPROVE ☐ this member to undergo Legacy DES processing.

COMMENTS: