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SECRETARY OF THE AIR FORCE**

**DEPARTMENT OF THE AIR FORCE
INSTRUCTION 36-3212**



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Personnel

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

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements Department of the Air Force Policy Directive (DAFPD) 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 the Regular Air Force, United States Space Force, the Air Force Reserve and the Air National Guard. 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. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority or alternately, to the Publication Office of Primary Responsibility (OPR) for non-tiered compliance items. See DAF Manual (DAFMAN) 90-161, *Publishing Processes and Procedures*, Table A10.1, for a description of the authorities associated with the tier numbers. 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*; 10 U.S.C. § 9013, *Secretary of the Air Force*, and Executive Order (EO) 9397 as amended. The applicable System of Records Notices (SORN) F036 AF PC C, *Military Personnel Records System* and F036 AFPC E, *Temporary Disability Retired List (TDRL) Case Files* are available at: <https://dpcl.d.defense.gov/Privacy/SORNs.aspx>. Ensure all records generated as a result of

processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed of in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the OPR using the DAF Form 847, *Recommendation for Change of Publication*; route DAF Forms 847 from the field through the appropriate functional chain of command. This publication may be supplemented at any level, but all proposed supplements and operating instructions must be submitted to the Air Force Personnel Center (AFPC), Directorate of Airman & Family Care, Air Force Physical Disability Division (AFPC/DPPD) for coordination prior to certification and approval. MAJCOM-level supplements must be approved by the Human Resource Management Strategic Board (HSB) prior to certification and approval. Refer to [Attachment 1](#) for glossary of references, abbreviations, acronyms, and terms.

SUMMARY OF CHANGES

This change incorporates numerous changes, additions and deletions pursuant of the Department of Defense Instruction (DoDI) 1332.18, *Disability Evaluation System (DES)* and publication of Department of Defense Manual (DoDM) 1332.18, Vol 1, *Disability Evaluation System (DES) Manual: Processes, providing updated guidance for the Integrated Disability Evaluation System (IDES) and Legacy Disability Evaluation System (LDES)* process for Regular Air Force (RegAF), and Space Force (USSF), and Air Reserve Component (ARC) members, the Limited Assignment Status (LAS) program and Temporary Disability Retired List (TDRL) process. Major changes include delineating procedures, roles and responsibilities for dual action cases, adding procedures for MAJCOM/FLDCOM/CC's appeals to unfit determinations and the FPEB appeal hearing requirement.

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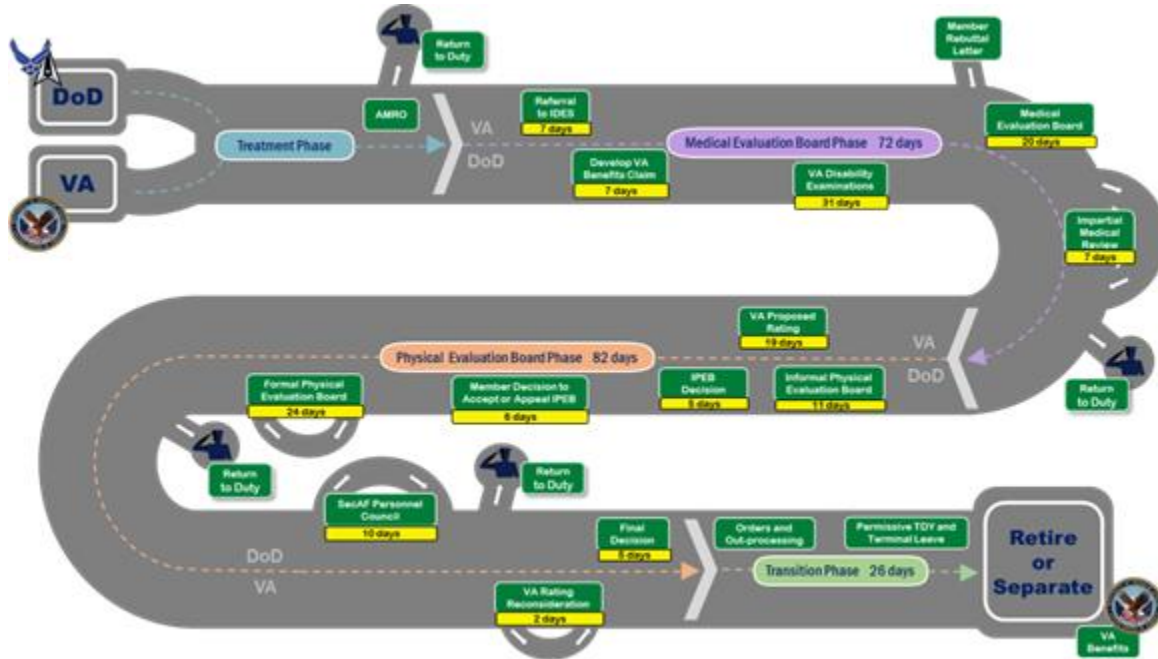
Chapter 1

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) whose medical conditions represent a decided or obvious medical risk to themselves or others, or (3) whose medical conditions impose unreasonable requirements on the military to protect or maintain their health or safety. 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 Department of the Air Force (DAF) 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, Section 1).

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” in myFSS (<https://myfss.us.af.mil/USAFCommunity/s/login/?ec=302&startURL=%2FUSAFCommunity%2Fs%2F>). **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 references, acronyms and definitions are found in **Attachment 1**.

Figure 1.1. Disability Evaluation System Roadmap.



1.1.2. Service members referred for a fitness assessment and who are eligible for disability compensation proceed through the Integrated Disability Evaluation System (IDES) process unless approved for the Legacy Disability Evaluation System (LDES) process. **(T-1)** Service members make their election for the LDES using the Legacy DES Election Statement Memorandum located in HQ Air Force Medical Agency (AFMED) IDES Knowledge Exchange (KX) Website (<https://kx.health.mil/kj/kx2/ides/Pages/home.aspx>). The IDES, 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.

1.1.3. The LDES process is an exception to policy. The DAF Military Treatment Facility (MTF) Commander or designee (O-6 or GS-15 equivalent or higher) may direct LDES entry for members, including Initial Entry Recruits (e.g., BMTS, tech trainee, Cadet, etc.), with potentially unfitting physical disabilities into the LDES by election of the service member, for compelling and individualized reasons, or when the member fails to submit a VA disability claim. A service member or their commander may also request processing through LDES. LDES requests require approval by the DAF MTF Commander or designee. 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-1)**

1.1.3.1. Before a Service member may be enrolled into the LDES, the Service member or their personal representative must acknowledge, in writing, that they received briefings from legal counsel on the procedural differences between the LDES and the IDES. **(T-1)**

1.1.3.2. Service members who have entered into the IDES cannot be removed to the LDES after they have started the VA disability examination stage.

1.1.4. ARC members found medically disqualified, found in the line of duty (ILOD), PSC applicable or 8-year rule applicable will be processed via the Medical Evaluation Board (MEB)/Integrated Disability Evaluation System (IDES).

1.1.4.1. ARC members found to be medically disqualified for condition(s) that were not incurred or aggravated in the Line of Duty (LOD), and neither the 8-year rule or prior service condition (PSC) are applicable, may elect to be referred into the DES for a fitness for duty determination.

1.1.4.2. Non-duty related conditions are not compensable. (See **Chapter 4, Section 4E**).

1.1.5. Service members can expect to receive one of the following outcomes from the DES: return to duty, discharge with severance pay, placement on the 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 USC, Chapter 61, *Retirement or Separation for Physical Disability* and applicable Department of Defense (DoD) directives regarding disability evaluation. 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 reentry 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, or makes recommendations to the SecAF or SecAF's delegees, 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)*). SAFPC adjudicates certain DES cases (e.g., Formal Physical Evaluation Board (FPEB) appeals, certain general officers, certain medical officers, etc. (See HAF MD 1-24, Para 5.h, Addendum B)). SAFPC adjudicates dual action cases (enlisted members with 16 or more years of active service, and all officers) when a member is simultaneously subject to disability separation/retirement and adverse administrative separation (see [paragraph 1.6.](#)). SAFPC also adjudicates enlisted grade determinations (EGD) to determine the final grade (current grade or higher previous grade) for an enlisted member retired due to physical disability (10 USC § 1372, *Grade on Retirement for Physical Disability*) or discharged with severance pay (10 USC § 1212, *Disability Severance Pay*). (**Note:** Officers retired due to physical disability are retired in his/her current grade in accordance with 10 USC § 1372). Where there is a conflict between HAF Mission Directive 1-24 and this instruction, HAF Mission Directive 1-24 takes priority. AFI 36-2023, *The Secretary of the Air Force Personnel Council and The Air Force Personnel Board* 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 SecAF, 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. USAF Physical Disability Operations Branch (AFPC/DPFDD) provides administrative support to the PEBs and processes all disability cases on RegAF, USSF and ARC members.

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

1.2.4. The Air Force Disability Business Process Owner (BPO) (AFPC/DPFDB) provides overall program administration, to include program oversight, policy and training requirements IAW DODI 1332.18 for Physical Disability Division operations.

1.2.5. The Quality Assurance office (AFPC/DPF-QA) manages PEB quality assurance programs IAW DODM 1332.18, Vol 1 and provides data analysis, metrics, and audits to support the policy compliance and continuous improvement of Physical Disability Division operations.

1.2.6. Air Force Medical Retention Standards Office (AFPC/DPMNR) is responsible for directing MTF DoD medical care providers to refer RegAF and USSF service members into the DES pursuant to [paragraph 1.3](#) and IAW DODM 1332.18, V1. AFPC/DPMNR is also the referral authority for USAFA cadets.

1.2.7. Air Force Reserve Command Surgeon's office (AFRC/SGP) is responsible for directing MTF DoD medical care providers to refer Air Force Reserve (AFR) service members into the DES pursuant to [paragraph 1.3](#) of this instruction and IAW DODM 1332.18, V1. **Note:** AFPC/DPMNR has referral authority for those service members who are temporarily in the

Individual Ready Reserve (IRR) but have a pending extended active duty (EAD) obligation, such as members in HPSP, FAP, CIP, and newly commissioned ROTC graduates.

1.2.8. National Guard Bureau (NGB) Command Surgeon's office (NGB/SGPS) is responsible for directing MTF DoD medical care providers to refer Air National Guard (ANG) service members into the DES pursuant to **paragraph 1.3** of this instruction and IAW DoDM 1332.18, V1.

1.3. Criteria for Referral. The MTF, ANG Medical Unit or AFR Medical Unit (for ARC members) submits the service member for disability evaluation, after review by the appropriate office (AFPC/DPMNR for RegAF and USSF members, AFRC/SGP 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 their 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 DAFMAN 48-108, *Physical Evaluation Board Liaison Officer (PEBLO) Functions: Pre-disability Evaluations System (DES) and Medical Evaluation Board (MEB) Processing*.

1.3.4. Referral start date. The DES referral start dates are:

1.3.4.1. Integrated Disability Evaluation System (IDES) cases, the date when the medical care provider or authorized clinician signs the VA Form 21-0819, *Duty Referral to Integrated Disability Evaluation System*.

1.3.4.2. For LDES cases, the date of the Form Letter (FL-4).

1.3.4.3. For Non-duty DES (NDDDES) cases, the date of the applicable MFR of findings.

1.3.4.4. For TDRL evaluation cases, the date the re-evaluation is initiated by AFPC/DPFDC.

1.4. Eligibility for Disability Evaluation. The mere presence of a mental or physical defect or condition does not qualify a member for disability retirement or discharge. The mental/physical defect or conditions must render the member unfit for duty. DoDI 1332.18, Section 5, paragraphs 5.2 and 5.3 details the eligibility criteria for DES referral.

1.4.1. Unsuiting Conditions. Service members with congenital or developmental defects or conditions not ratable under the Veterans Affairs Schedule for Rating Disabilities (VASRD) are not referable to the DES and may be addressed through administrative separation, retraining, or other appropriate commander action if the condition interferes with assignment to or performance of duty. Defects, circumstances, or conditions that do not constitute a disability subject to the DES include but are not limited to: Personality Disorders, Enuresis; Sleepwalking and/or Somnambulism; Dyslexia and other learning disorders; Attention Deficit Hyperactivity Disorder; stammering or stuttering; incapacitating fear of flying confirmed by a

psychiatric evaluation; airsickness, motion and/or travel sickness; alcoholism or other substance use disorder; mental retardation; adjustment disorders (except chronic adjustment disorders); impulse control disorders; factitious disorder; obesity; overweight; pseudofolliculitis barbae of the face and/or neck; and medical contraindication to the administration of required immunizations. Reference DAFI 36-3211, *Military Separations*, paragraph 7.11..

1.4.2. A Service Member's LOD must be finalized prior to referral into the DES. This includes any member-initiated appeal of a LOD determination under DAFI 36-2910, *LOD Determinations, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*. (For non-duty DES cases, see [Chapter 4, Section 4E](#)). Any appeal of a Final LOD will be done through the ARC Component process. A member can also apply to the BCMR for an LOD appeal.

1.4.2.1. When a LOD determination, a determination under the PSC, or determination under the eight year rule, appears to be contrary to the evidence, the PEB returns the case without action, citing contrary evidence, to the decision authority for final review. After this review, the decision authority resubmits the case for either NNDES processing or referral into the IDES.

1.4.2.2. The PEB will not adjudicate LODs and prior service conditions (PSCs).

1.4.3. Service members are ineligible for DES processing if:

1.4.3.1. Pending the execution of a punitive discharge declared at a trial by court martial, or separation under provisions that authorize a characterization of Under Other Than Honorable Conditions (UOTHC) except as prescribed in [paragraph 1.4.4. \(T-1\)](#)

1.4.3.2. Not physically present or accounted for. See [paragraph 1.7. \(T-1\)](#)

1.4.3.3. Requests resignation or discharge in lieu of court-martial. **(T-1)**

1.4.3.4. The disability resulted from intentional misconduct or willful neglect or was incurred during a period of unauthorized absence or excess leave (**Note**: the member may be referred for fitness determination only and would not be compensable). **(T-1)**

1.4.3.5. The referral decision authority may refer service members into the DES who would otherwise be ineligible for referral when the medical condition or disability evaluation is warranted as a matter of equity or good conscience.

1.4.4. Members recommended for discharge for misconduct that could result in a UOTHC service characterization, regardless of the characterization of service being recommended, are not eligible for DES processing, unless the member meets one of the following circumstances:

1.4.4.1. Causal Connection. A preponderance of the evidence shows a causal connection between a service member's medical diagnosis and the member's misconduct. **(T-1)** This is a factual determination made by (AFPC/DPMNR) (RegAF or USSF) or AFRC/SGP (AFR) or NGB/SGPS (ANG) that it is more likely than not the member's misconduct was caused by their medical condition.

1.4.4.2. The service member was diagnosed with Post Traumatic Stress Disorder (PTSD) and/or Traumatic Brain Injury (TBI) resulting from an overseas deployment to a contingency operation or from a sexual assault during the previous 24 months prior to

notification of the recommendation for administrative discharge. (T-1); and evidence shows the TBI or PTSD constituted matters in extenuation that relate to the basis of administrative separation. (T-1) The effects of PTSD or TBI constitute matters in extenuation that relate to the basis of administrative separation when it contributed to the member engaging in the misconduct or otherwise lessens the seriousness of the offense. This is a lower threshold than causal connection in [paragraph 1.4.4.1](#). AFPC/DPMNR assesses whether the effects of PTSD or TBI constituted matters in extenuation that relate to the basis of administrative separation. (T-1) A service member is not entitled to be referred into the DES on the basis of a reasonable allegation of PTSD or TBI.

1.4.4.3. Referral is warranted as a matter of equity or good conscience. (T-1)

1.4.4.4. This provision does not change requirements for dual action processing in [paragraph 1.6](#).

1.5. Referral Decision Authority. AFPC/DPMNR is the authority for referral to the DES of RegAF and USSF members, and AFRC/SGP (AFR) or NGB/SGPS (ANG) is the authority for referral of ARC members.

1.5.1. If a service member is pending involuntary, non-disability separation and a potentially unfitting physical or mental health condition is identified based on the Separation History and Physical Examination (SHPE), the MTF provider will refer the case to the Airmen Medical Readiness Optimization (AMRO) Board. The AMRO will review the case, apply Assignment Availability Code 37, and refer the case to AFPC/DPMNR or AFRC/SGP (AFR) or NGB/SGPS (ANG) to disposition the Initial Review-In-Lieu-Of (IRILO) and determine disability evaluation eligibility.

1.5.2. If circumstances arise that may alter a service member's eligibility for the DES after DES processing has begun, the DES case is put on hold (placed in deferment). The case is returned to AFPC/DPMNR, AFRC/SGP (AFR) or NGB/SGPS (ANG) for determination of continued DES eligibility.

1.5.3. If the Service member is being administratively discharged for any basis that could result in an UOTHC service characterization, AFPC/DPMNR, AFRC/SGP (AFR) or NGB/SGPS (ANG) will review the case and make a determination as to whether the member remains eligible for DES processing in accordance with [paragraph 1.4.4](#).

1.5.3.1. If the referral authority determines the service member is no longer eligible for the DES, the case will be removed from DES processing and any separation action under DAFI 36-3211, *Military Separations* will proceed.

1.5.3.2. If the referral authority determines the service member remains eligible for the DES, DES processing will continue, and the case may be appropriate for dual action decision once both administrative discharge and disability evaluation processing are complete under [paragraph 1.6](#).

1.6. Dual Action Case Processing . A case in which a service member is concurrently processed for both disability discharge under DAFI 36-3212 and involuntary discharge/administrative separation under DAFI 36-3211. Both processes run independently and, once both the military disability and administrative cases are completed, a final disposition decision is made by the Dual Action Decision Authority (SAFPC or the General Court Martial Convening Authority

(GCMCA)) to determine whether the disability discharge/retirement or the involuntary administrative separation will be executed.

1.6.1. Cases Requiring Dual Action Processing and Decision.

1.6.1.1. Involuntary administrative separation.

1.6.1.2. Non-disability administrative separations (e.g., discharge for misconduct, Second Lieutenants being processed for “not qualified for promotion,” approved request for Retirement in lieu of any adverse action, Drop from the Rolls actions, etc.)

1.6.1.3. Dual action processing to the Dual Action Decision Authority is not required when the service member is found fit for duty. When the DES case is finalized to return the member to duty as fit, the finalized involuntary discharge action will be executed.

1.6.1.4. Dual action processing does not apply when an ARC member has a medically disqualifying condition that is not compensable under the DES and elects referral to the PEB for fitness determination only (Non-Duty Related Fitness cases).

1.6.1.5. Administrative action is considered "pending" once the service member has been notified of the action. For the purposes of dual action processing, DES processing begins when AFPC/DPMNR, AFRC/SGP (AFR), or NGB/SGPS (ANG) issues a FL4 directing DES processing.

1.6.2. Dual Action Authorities:

1.6.2.1. The member's GCMCA (TAG or CG (ANG) or CA (AFR)) is the Dual Action Decision Authority for enlisted members who have attained less than 16 years of active service (ARC enlisted with less than 18 years of satisfactory service) as of the date their discharge is effective. **Note:** The GCMCA will withhold final decision on any case that qualifies as high interest (see [paragraph 5.4.5](#)) as defined in Addendum B of HAFMD 1-24, Assistant Secretary of the Air Force (Manpower and Reserve Affairs). Should a case qualify as high interest, the GCMCA will process the proposed decision through the gaining MAJCOM/FLDCOM to SAFPC. The gaining MAJCOM/FLDCOM will make a recommendation to SAFPC. SAFPC through AFPC will determine whether to process the recommendation to SecAF under high interest rules, or deem the case is not high interest and return to the GCMCA to implement the final decision.

1.6.2.2. All other cases are referred to SAFPC for adjudication. Process these cases to SAFPC under [paragraph 1.6.3](#).

1.6.3. When processing dual action cases referred to SAFPC, the following procedures apply:

1.6.3.1. Both the administrative and the disability evaluation processes run independently.

1.6.3.2. Once both administrative and disability evaluation processes are independently completed, the administrative discharge package is sent to AFPC/DPFDD.

1.6.3.3. AFPC/DPFDD sends the administrative separation and disability evaluation packages to SAFPC. (**Exception:** NGB transmits involuntary discharge package directly to SAFPC.)

1.6.3.4. The Director AFRBA or SAFPC makes a final determination on whether to execute the disability discharge/retirement or the involuntary administrative discharge and provides a Secretarial memorandum to DPFDD for dissemination.

1.6.4. Expedited Dual Action Decision for officers. DAFI 36-3211, paragraph 14.17.3 provides that officers may request expedited dual action processing at any time after the SCA makes a recommendation for disposition of the administrative discharge. If the officer is probationary, the officer may submit a request for expedited processing through the SCA, when responding to the show cause notification. The SCA must endorse the request with their recommended outcome with accompanying justification/rationale. (**Note:** An officer pending discharge for conduct that could garner a UOTHC discharge is not eligible for DES processing and, thus is not eligible for dual action processing or expedited dual action processing, unless the officer is eligible for DES processing under the exception described in [paragraph 1.4.4.](#))

1.6.4.1. The servicing legal office will forward the administrative discharge package to AFPC/DPFDD.

1.6.4.2. AFPC/DPFDD will send the disability evaluation and administrative discharge package to SAFPC for adjudication.

1.6.4.3. The decision authority will decide 1) to terminate DES processing; 2) direct termination of the administrative separation in favor of disability processing; or 3) deny the request for expedited dual action decision and direct normal dual action processing after completion of both administrative and disability actions. Disability evaluation processing actions will not be suspended while the expedited dual action decision is under consideration. If the request for expedited dual action decision is disapproved, the case will undergo normal dual action processing upon completion of the administrative discharge and disability evaluation processes.

1.6.5. Processing cases referred for dual action processing to GCMCA (TAG or CG (ANG) or CA (AFR)), the following procedures apply:

1.6.5.1. Both the administrative and the disability evaluation processes run independently.

1.6.5.2. Upon completion of the DES processing, AFPC/DPFDD will forward a disability evaluation package to the servicing legal office processing the administrative discharge.

1.6.5.3. The servicing legal office will forward the administrative and disability evaluation packages to the GCMCA (TAG or CG (ANG) or CA (AFR)) for dual action decision.

1.6.5.4. The GCMCA (TAG or CG (ANG) or CA (AFR)) will provide the final dual action decision to the servicing legal office in a memorandum, unless the case qualifies as a high-interest case.

1.6.5.5. The servicing legal office will forward the decision memorandum to AFPC/DFPDD.

1.7. Processing Special Cases.

1.7.1. Unauthorized Absence. Suspend processing a disability case when a service member becomes absent without leave, is in deserter status, or is in the hands of civil authorities (confinement). Do not resume processing until the service member returns to military control.

Respectively, AFPC/DPMNR (RegAF and USSF), AFRC/SGP (AFR), or NGB/SGPS (ANG), determines if the service member is eligible for continued disability processing.

1.7.1.1. 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 USC § 1207, *Disability from Intentional Misconduct or Willful Neglect: Separation. (T-0)*

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

1.7.2. **Civilian Conviction Basis for Discharge.** If the commander intends to initiate administrative discharge with a basis of civilian conviction against the member when the civilian criminal court action is still pending and the service member is present for duty, the medical disability process continues up to the point of separation. The member will not be medically separated until civilian court makes a finding of guilty or not guilty. If the member is found guilty the commander initiates administrative discharge and notifies the Physical Evaluation Board Liaison Office (PEBLO) who informs AFPC/DPFDD, (see **paragraph 1.6**) for dual action processes. If the commander does not intend to initiate administrative discharge for the civilian conviction, the member's commander, with endorsement from the base separation authority or equivalent, may provide a letter to AFPC/DPFDD indication no intent to pursue administrative discharge, which would allow the member to medically separate/retire. The commander does not need to wait for the civilian court findings in order to initiate administrative discharge proceedings if the basis is other than civilian conviction.

1.7.3. **Military Confinement.** AFPC/DPFDD suspends DES processing while service members are serving a sentence of military confinement.

1.8. Delay of DES Processing. MTFs should not delay disability processing for non-emergent surgery.

1.8.1. When a medical provider requests a non-emergent surgical procedure for a service member who has been referred into the DES, the PEBLO must obtain AFPC/DPMNR or appropriate AFRC/SGP (AFR) or NGB/SGPS (ANG) approval prior to the procedure (Reference DAFMAN 48-108).

1.8.2. 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 affect the findings and VA ratings requiring the member to complete another VA Compensation & Pension exam.

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 USC § 1216(a), *Determinations of Disability* 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 Disability Rating Activity Site for unfitting medical conditions of service

members in the IDES (**Exception:** Disability ratings are not assigned for ARC non-duty related fitness determination cases, see [Chapter 4](#)).

1.10.2. In the event the VA refuses to rate an unfitting condition, the PEB may determine a rating using the VASRD and will provide a remark in the DAF Form 356, *Findings and Recommended Disposition of the USAF Physical Evaluation Board*.

1.10.3. 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, where an updated VA disability rating decision is unavailable. **(T-1)** 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. DAF and VA Ratings. The total combined disability ratings determined by the IDES and those determined by the VA may differ. The DAF is only authorized to rate or apply ratings to the condition(s) which make a service member unfit for continued military service and cause the premature termination of the member's military career. On the other hand, the VA is authorized to rate all service-connected conditions, regardless of whether or not the condition(s) cause the member to be unfit. This is why the total combined ratings of the DVA and DAF are often different.

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. Reference DAFMAN 48-108.

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 USC § 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. Disability separation orders are issued by the Air Force Personnel Center Personnel Support Directorate (AFPC/DPS) or the appropriate ARC component.

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

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, Volume 1, and DAFMAN 48-108. MEB documentation sent to the PEB for adjudication must be current, as defined in the DAFMAN 48-108, as of the date the AFPC/DPFDD receives the information.

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

2.2.1. The Healthcare Provider at the MTF:

2.2.2. Prepares the documents required to identify medical defects or conditions that do not meet retention standards and may disqualify the member for continued active duty.

2.2.3. Identifies the case to the Airmen Medical Readiness Optimization Board (AMROB) for potential fitness DES referral recommendation.

2.3. Role of Medical Officers in the MEB Process.

2.3.1. Medical officers on the MEB. Evaluate the entire MEB case file, documenting its findings on the DAF Form 618, *Medical Board Report*.

2.3.1.1. The case file is sent to AFPC/DPMNR (RegAF or USSF members) or AFRC/SGP for AFR or NGB/SGPS for ANG members if the MEB returns the member to duty.

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

2.4. Role of the PEBLO. The PEBLO is one of the most important contacts for the service member in the DES. (See DoDI 1332.18, para 3.9a and DoDM 1332.18 Volume 1, para 4.5 for a complete list of PEBLO responsibilities). The PEBLO:

2.4.1. Ensures MEB cases referred to the PEB are current, complete, accurate, and fully documented. The MEB Checklist is located at AFMED IDES Knowledge Exchange (KX) Website. **(T-1)**

2.4.2. Counsels service members concerning the DES process and their rights within the process. **(T-1)**

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/DPMNR, AFRC/SGP 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. **(T-1)**

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. (See DoDI 1332.18, para 3.9b and DoDM 1332.18 Volume 1, para 4.7b for a complete list of MSC responsibilities).

2.6. Role of Commander. The service member's immediate commander submits a completed DAF Form 1185, *Commander's Impact Statement for Medical Evaluation Board* 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 or Space Force Specialty Code and ability to deploy or mobilize, as applicable. If the commander recommends the service member be retained, the commander must clearly demonstrate how the 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. **(T-2) Exception:** Basic Military Training Students entering the DES do not require an DAF 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 DAF Form 1185 to the PEBLO for inclusion in the MEB case file. **(T-1)**

2.6.2. The service member will acknowledge the commander's recommendation by signing the DAF Form 1185 after the commander has signed the form. **(T-1)** This action ensures the service member is aware of the commander's final recommendation on the DAF Form 1185. **(Note:** If the service member refuses to sign the DAF Form 1185, the commander (or designee) annotates "member refused to sign" in the member's signature block).

2.6.3. A fact sheet for commanders with instructions for completing the DAF Form 1185 is located at myFSS/Active Duty Retirement Home Page/Air Force Disability Evaluation System.

2.7. Hospitalization During or After Disability Evaluation. If a service member is hospitalized during the PEB process, the MTF is required to notify AFPC/DPFDD in writing 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 may receive continued care at a referring hospital, another military facility, a VA treatment center, or civilian medical facility. The member's DES case may be paused (deferred) by either the MTF/PEBLO or AFPC/DPFDD until treatment is completed when deemed necessary for the health/safety of the member and when approved by AFPC/DPFD.

2.8. Recall of a Case from the PEB. The referring MTF commander (or designee) 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 conditions(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 per DAFMAN 48-108. 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/DPMNR or AFRC/SGP for AFR members or NGB/SGPS for ANG members, for disposition instead of another MEB sent to AFPC/DPFDD.

2.8.3. **ARC MEMBERS ONLY.** If the recall request is approved, a new MEB may be initiated according to instructions from AFPC/DPFD or per DAFMAN 48-108. If a new condition is

discovered, an initial review in lieu of MEB may be sent to the AFRC/SGO for AFR members or NGB/SGPS for ANG members, for disposition prior to MEB being sent to AFPC/DPFDD.

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 memorandum indicating a member is catastrophically ill or injured and transmits it to AFPC/DPFDD, along with a narrative summary signed by the senior attending physician describing, at a minimum, the current condition, 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 request authorization to utilize the LDES processing from the MTF commander or designee (O-6 or GS-15 equivalent). See [paragraph 1.1.3](#).

2.9.3. For service members who pass away before DES completion, the casefile will be closed and an official memorandum for record terminating the process will be included in the case file and 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 Section and the Military and Family Readiness Center for pre-separation counseling as soon as it is evident that a service member will require a MEB. Although final disposition is unknown at this point, early counseling is necessary to satisfy requirements of 10 USC § 1142, *Preseparation Counseling; Transmittal of Certain Records to Department of Veterans Affairs*. (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 USC, 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 USC § 1214, *Right to Full and Fair Hearing* for members recommended for a disability discharge or retirement. The Office of Disability Counsel (ODC) provides the service member's legal support. (See [paragraph 3.35](#)). (**Note:** When requesting representation from the ODC, it is the service member's responsibility to initiate contact with the ODC).

3.3. Training of PEB Members. The AFPC Disability Business Process Owner (BPO) 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, Section 3, paragraph 3.8 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.

3.3.2. Newly assigned PEB members will not adjudicate cases until the Chief, AFPC/DPFD validates all training and certification requirements are met. (**T- 1**)

3.4. Permanent and Alternate Members of the PEB. PEB members are appointed by the Chief, AFPC/DPFD in accordance with DoDI 1332.18, Section 3, paragraphs 3.3(b)(2) and [paragraph 3.3\(c\)\(2\)](#). (**T-0**) 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. Appointment orders designate:

3.4.1.1. Line officer members.

3.4.1.2. Medical Corps officers (physician).

3.4.1.3. ARC members.

3.4.1.4. Other voting members, including non-commissioned officers at E-9 level.

3.4.2. Alternate Members of the PEB. The AFPC/DPFD provides training instructions and directs duty assignments. Alternate presidents must be lieutenant colonels or above or civilian equivalent and alternate medical and non-medical members must be majors or above or civilian equivalent. (**T-1**)

3.5. PEB Composition. The PEB process includes the Informal PEB and Formal PEB. Board composition requirements are detailed in DoDI 1332.18, Section 3, para.3.3.

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. At least one board member will be a military officer in accordance with DoDI 1332.18, paragraph 3.3.c. (2)(b)(1). The board president shall be a permanent line officer member serving in the grade of lieutenant colonel or above or civilian equivalent. **(T-1)**

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 have had any prior involvement in member's care or case processing, cannot be the service member's physician, cannot have served on the service member's MEB or Impartial Medical Review and cannot have participated in a TDRL reevaluation examination of the service member. **(T-1)**

3.5.3.2. One voting member is an ARC officer if the service member is an ARC member. The ARC voting member must be of higher rank or may be of equal rank with a date of rank senior to the member being boarded. An ARC member serving as the medical voting member may be junior in rank to any person, other than a medical officer, being considered by that board (reference 10 USC § 12643, *Boards for Appointment, Promotion, and Certain other Purposes: Composition*). **(T-0)**

3.5.3.3. An enlisted member in the grade of Chief Master Sergeant (E-9) will be available to serve as a board member for enlisted cases but not serve as board president. **(T-1)**

3.5.3.4. Contract personnel may not serve as PEB members.

3.5.3.5. No board member will be unduly influenced by another member on their determination.

3.6. Restrictions on PEB Membership. Voting members should not serve on a PEB that evaluates a case they have previously evaluated (see [paragraph 3.27.1](#)), 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/DPPD.

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 MyFSS. 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 DAF Form 356 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. Additional documentation is required and/or further information/description of conditions, injuries, or defects are required.
- 3.10.2. Further hospitalization, another physical exam, or reconsideration by MEB is needed.
- 3.10.3. Correction or explanation of apparent errors, omissions or inconsistencies in the records or supporting documents is required.
- 3.10.4. If a 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).
- 3.10.5. Extensive administrative errors (e.g., missing signatures, extremely large file size, etc.).
- 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). The case should be deferred until the LOD reconsideration is complete and the MEB case file is sent back to AFPC/DPFDD.

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, Section 6, paragraph 6.5.

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 eligible for retirement as defined by DoDI 1332.18, para 6.5, at the time of DES referral are presumed fit for the

remainder of their service. Service members may rebut a presumption of fitness made by the PEB IAW [paragraph 3.24.3.3](#).

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 because of disability may be eligible for disability compensation. The PEB determines compensability in accordance with DoDI 1332.18, Section 7.

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. 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 Disability Rating Activity Site for IDES cases or by the VASRD guidance for LDES or TDRL cases where an updated VA disability rating decision is unavailable. 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 not considered unfitting 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 within the next 3 years to increase or decrease the disability rating percentage. **(T-1)** See [Chapter 8](#) for further guidance.

3.16. Combat Related/Combat Zone 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; or (2) while engaged in hazardous service, (3) incurred under conditions simulating war, (4) cause by instrumentality of war. **(T-1)**

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 USC § 104, *Compensation for Injuries or Sickness*. **(T-1)** For compensation to be excluded, the member must meet the criteria listed in DoDI 1332.18, Section 10, paragraph 10.2. **(T-0)**

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 LOD as a direct result of armed conflict in accordance with 5 USC § 6303, *Annual leave; accrual*. 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. A vehicle, vessel, or device designed primarily for military service and in use by a military service at the time of the occurrence or injury. 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.

3.16.3. Combat Zone. The PEB makes a determination as to whether service members found unfit for continued service incurred the disability in a designated combat zone tax exclusion area (See DoDI 1340.25 and DoD 7000-14-R).

3.17. Recommended Disposition. Upon review and evaluation of a disability case, the PEB recommends one of the following dispositions:

3.17.1. Return to Duty. Applies to all members found fit for duty (TDRL members must elect to be returned to duty if found fit by the PEB).

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 USC § 1208, *Computation of Service* regardless of the combined compensable disability rating.

3.17.2.1. Service members with unstable conditions rated with a combined rating of at least 80 percent that are not expected to improve to a combined rating of less than an 80 percent will be permanently disability retired. **(T-1)**

3.17.2.2. Service members with unstable unfitting conditions who also have stable unfitting conditions which garner a combined rating of a least 80 percent will be permanently disability retired. **(T-1)**

3.17.3. Placement on TDRL. Applies to service members that meet the requirements for permanent disability retirement except that the disability is determined to not 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 percent where the service member has less than 20 years of service computed pursuant to 10 USC § 1208.

3.17.5. Discharge Under Other Than 10 USC, 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 not PSC as defined DoDI 1332.18, paragraph 7.7e.

3.17.5.3. Were not in LOD and did not qualify under the 8-year rule pursuant 10 USC §§ 1206a and 1207a.

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

3.17.5.5. Were not the immediate 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 USC, Chapter 61 are not entitled to disability compensation.

3.17.6. Discharge under 10 USC § 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. **(T-0)**

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 USC § 1402(a) and (b), *Recomputation of Retired or Retainer Pay to Reflect Later Active Duty of Members Who First Became Members after September 7, 1980*). 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 Rating for LDES and TRDL 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 where an updated VA disability rating decision is unavailable, 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 DAF Form 356. The PEB details the recommended unfitting conditions on the form, and if an IDES case or cases where an updated VA disability rating decision is available, the Department of Veterans Affairs Rating Activity Site will provide 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 DAF Form 356. **(T-1)** 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.

3.19.2. The PEB will not apply disability ratings to non-duty related ARC cases referred for a fitness determination.

3.19.3. The PEB will determine ratings for LDES, and TDRL cases where an updated VA disability rating decision is unavailable, using the VASRD. (T-1) (See [paragraph 1.10](#)).

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

3.19.5. 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 DAF Form 356 to summarize the rationale for its decision. Doubt that cannot be resolved with evidence will be resolved in favor of the service member's fitness through the presumption that the service member desires to be found fit for duty. (T-1) DoDI 1332.18, Section 3, paragraph 3.3(f) requires the PEB to document:

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 LOD 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, including any evidence used and any changes made by a subsequent reviewing authority.

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](#)).

3.21. Documenting Service Member's Election. Use DAF 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, PEB representative or counsel must sign and date block II, Counseling Action, prior to the service member signing and dating the form. (T-3)

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. For IDES and LDES cases, the goal is to complete the Informal PEB fit/unfit determination within 11 calendar days of receiving the complete and correct MEB case file.

3.23.1. For IDES only, 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 DAF Form 356. (T-1)

3.23.2. Conditions revealed, incurred, or discovered during the ratings process, that are potentially unfitting may warrant a recall of the MEB case (see [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 DAF Form 356 along with the VA rating(s) if applicable, to the PEBLO or appropriate ARC agency.

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 before the PEBLO briefs the member within three calendar days of receipt of the Informal PEB DAF Form 356. (See DAFMAN 48-108). (T-1)

3.24.1.1. The PEBLO assists the service member with completing their election on the DAF 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 DAF Form 1180.

3.24.1.2. Service members who disagree with the IPEB's findings may make their election on the DAF Form 1180 to request a Formal PEB hearing.

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 DAF Form 1180 or the reconsideration request is denied.

3.24.1.4. Failure or Refusal to Reply or Make an Election. 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 DAF Form 1180 and provides a copy of DAF 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 DAF Form 1180, rebuttal or reconsideration request documentation if applicable, to AFPC/DPFDD within 1 duty day of member's signature. Rebuttal documents are attached to the DAF 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. Such a request must be rendered in writing before the scheduled hearing and contain justification indicating there is good cause to postpone the hearing IAW FPEB Rules of Procedure, located on the myFSS Air Force Disability Evaluation System page.

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 for consideration to change VASRD codes and rating percentages as determined by the VA under the IDES. 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 DAF 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. An explanation for the denial is provided in writing to the service member through the PEBLO.

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 DAF 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 1.13](#)), 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 DAF 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, government legal counsel will be assigned in accordance with [paragraph 3.36](#) 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)**

3.26. 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 DAF 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 USC § 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 (FPEB) meets this statutory requirement. Service members, at a minimum, have the following hearing rights:

3.27.1. To demand an IPEB member not serve on the same case at the FPEB. Unless the service member objects, IPEB members may serve as FPEB members for the same case. Objections by the member must be raised to the board President no later than the time required of the service member's contention to the board. **(T-1)**

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, must provide written notification of the preference to appear at the formal hearing. **(T-1)**

3.27.3. To be represented by government appointed counsel provided by the ODC. 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, other than to answer procedural questions at the start of the hearing or to make an unsworn statement, if desired.

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 Federal Travel 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. PEB members must add to the case file any documents or information material to their decision that is not already in the file. **(T-1)** If documentation is discovered or becomes relevant during or after formal hearing, which were relied upon by the FPEB in making their recommendation, unless such records are exempt from disclosure by law, the service member will be given time at the discretion of the board President to review and respond to the evidence. **(T-1)** Approval to recess a hearing or reconvene for additional testimony is at the sole discretion of the board President.

3.27.8. AFPC/DPPD will review and update the FPEB Rules of Procedure on annual basis or as needed as supplement to this section. Service members and their legal representative should review prior to their 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 their 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/DPPD, or other final reviewing authority, decides that a formal hearing is in the best interest of the service member and the DAF.

3.28.4.1. In these cases, the official concerned directs the hearing in writing. The service member may appear by video teleconference, telephonically or through a personal representative.

3.28.4.2. Waivers for Formal hearings must be approved by the directing official.

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 PEB 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. MAJCOM/FLDCOM/CC's appeals to unfit determinations.

3.29.1. Squadron commanders (or equivalent), with the service members' consent, may seek MAJCOM/FLDCOM/CC recommendation to retain a service member who appeals an unfit determination by the IPEB. When the member is in the ANG or the AFR, the MAJCOM/FLDCOM/CC recommendation will come from the Director, ANG, or Commander, AFR.

3.29.2. The service member's chain of command and legal representative are responsible for staffing/obtaining the completed MAJCOM/FLDCOM/CC recommendation in time to meet the service member's scheduled FPEB. The FPEB will not delay the adjudication of the service member's fitness determination for the sole purpose of obtaining a MAJCOM/FLDCOM/CC recommendation. Upon receipt of this request, the MAJCOM/FLDCOM/CC will have 15 calendar days to provide their recommendation to retain the member. **(T-1)**

3.29.3. The FPEB and/or SAFPC will give due consideration to the MAJCOM/FLDCOM/CC recommendations in their determination of a service member's fitness for continued military service.

3.29.4. If the FPEB finds the member unfit and the member elects to appeal the finding to SAFPC, the member's case (including the MAJCOM/FLDCOM recommendation for retention) will be referred to SAFPC for FPEB appeal. Should SAFPC find the member unfit, SAFPC will not finalize the decision, but will forward the case to the Assistant Secretary of the Air Force (Manpower and Reserve Affairs (SAF/MR), through Air Force Surgeon General (AF/SG) and General Counsel of the Department of the Air Force (SAF/GC), for final decision. An informational copy will be sent to the Chief of Staff of the Air Force or Chief of Space Operations.

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

3.30.1. Forwards all medical records to Air Force Personnel Center Formal Physical Evaluation Board (AFPC/DPFDF) immediately upon service member's request for a formal hearing.

3.30.2. If approved for an in-person hearing IAW [paragraph 3.27.2](#), coordinates issuance of orders with the appropriate office placing service member on temporary duty (TDY) to AFPC/DPFDF 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 4.10](#)).

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

3.31.1. Schedules the service member for formal hearing with a minimum of ten calendar day notification. **(T-0)** The service member may, for good cause, request a different hearing date.

Requests shall be in writing and are subject to approval or disapproval by the Chief, Air Force Formal Physical Evaluation Board in accordance with the FPEB Rules of Procedure. Additionally, the service member may submit a written request for extension of additional preparation time to the board President explaining reason (s) for requested delay in accordance with the FPEB Rules of Procedures.

3.31.2. 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. A service member may waive, in writing, the right to confer with government legal counsel prior to the hearing.

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

3.31.4. 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 Vol 1, DAFMAN 48-123, *Medical Examinations and Standards*, VASRD guidance, and any other directives or publications referred to in this instruction that may apply.

3.31.5. Provides the service member with reporting instructions and 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. Informs the service member on uniform requirements for a Formal PEB hearing appearance. RegAF, USSF, and ARC members on orders must wear the service uniform of the day unless they cannot wear it for medical reasons. The military uniform must conform with all requirements of DAFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*. (T-3) TDRL members may wear business or business casual attire when appearing in a Formal PEB hearing.

3.31.6. If, in the course of processing or pre-hearing preparation, the FPEB becomes aware of a significant error in fact in the IPEB findings and recommendation that changes the member's disposition, the case may be referred to the AFPC/DPFD to determine if a correction to the IPEB findings and recommendation is appropriate. When a correction to the IPEB findings and recommendation are made that change the member's disposition, further processing will be halted, and the member will be provided 6 calendar days following notification of the corrected IPEB decision to decide whether to waive the FPEB and accept the decision or elect to continue with the formal board hearing.

3.32. 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).

3.32.1. 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:

3.32.1.1. To reschedule the board hearing with sufficient justification IAW the FPEB Rules of Procedure.

3.32.1.2. A hearing via telephonically or by video teleconference.

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

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

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

3.32.2. The Formal PEB president can decide to either:

3.32.2.1. Request through the Chief, Air Force Formal Physical Evaluation Board to reschedule the hearing in accordance with the FPEB Rules of Procedures.

3.32.2.2. Proceed in absentia.

3.32.2.3. Process case as a waiver.

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

3.32.3. 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 appear before the Formal PEB. Should this occur, the IPEB results will be final without further review from the Formal PEB. **Note:** A statement of circumstances is included in the record for any failure to appear.

3.33. Waiver of Formal Appeal. A service member may elect to waive their appeal to the Formal PEB before the hearing via DAF Form 1180. For directed formal PEB reviews, the directing official is the waiver approval authority. The request for waiver becomes a permanent part of the record.

3.34. Representation by Legal Counsel. The ODC provides legal counsel for the Formal PEB. Service members may use either:

3.34.1. Members need to request 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 DAF.

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 FPEB rebuttal, and/or rating reconsideration and/or when requested.

3.35.7. Designated legal counsel cannot carry out the responsibilities of an applicant's personal representative unless counsel is duly appointed as the member's personal representative in accordance with [paragraph 4.2](#) of DoDI 1332.18.

3.36. Special Cases. If the service member is determined incompetent to act on his/her own behalf, (see [paragraph 1.13](#) and [3.28.3](#)) 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-1)**

3.37. Formal Hearing Instructions. AFPC/DPFDF establishes and provides the Formal PEB hearing format and procedures to AFPC/DPFDF. Formal board hearings are audio recorded and a copy is provided to the service member (or designated or legal representative) and appellate review board of PEB results under limited circumstances (see [Chapter 5](#)) 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 DAF 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 before the PEBLO briefs the member within three calendar days of receipt of the FPEB DAF Form 356. (See DAFMAN 48-108). **(T-1)**

3.38.1. After counseling, the PEBLO signs the counseling portion of the DAF Form 1180 and helps the service member complete their election. The service member has six calendar days to either accept the findings of the FPEB or make an election to appeal the FPEB fitness determination in an FPEB appeal to SAFPC. The member will indicate their decision on DAF Form 1180.

3.38.2. If the service member wishes to appeal the FPEB fitness determination, the service member or legal counsel/designated representative must submit a written rebuttal. See [paragraph 5.4.1](#) for specific requirements.

3.38.3. Except in cases referred to the DES for a fitness determination only ([Chapter 4, Section 4E](#)), if the service member agrees with the FPEB unfit findings but not with the disability codes and/or rating(s) provided by the VA or otherwise assigned by the FPEB (e.g., LDES and/or TDRL cases where VA's ratings are unavailable), the service member submits rating reconsideration documentation with the DAF Form 1180 (see [paragraph 3.40](#) for VA

reconsideration process in IDES cases). 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.

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. **Exception:** The case will be referred to SAFPC for adjudication if referral is required under certain provisions of [paragraph 5.2](#). AFPC/DPFDD will include a statement of circumstances requiring SAFPC review 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](#) and [2.8.3](#)).

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 BCMR 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 ODC 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 of PEB results (see [Chapter 5](#)). The service member must indicate desire to request rating reconsideration on DAF Form 1180 and submit supporting documentation within six calendar days of receiving the PEB findings. **(T-1)**

3.40.2. AFPC/DPFDD or AFPC/DPFDF forwards service member's request, with supporting documentation, to the VA for reconsideration and notifies the PEBLO of the decision. If the VA changes the VASRD codes and/or rating percentages for the service member's unfitting conditions, the PEB will prepare an amended DAF Form 356.

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, Section 5, paragraph 5.3 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 Disability Evaluation Processing. Refer to guidance in DAFI 36-2910, *LOD Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*, for ARC members with potentially unfitting conditions incurred or aggravated in the LOD, condition(s) deemed to be Prior Service Condition(s) (see DoDI 1332.18, paragraph 7.7e), and/or conditions compensable under the DES under the 8-year rule (see DoDI 1332.18, paragraph 7.7c(2)), are eligible for IDES/LDES disability processing.

4.2.1. For ARC sexual assault cases processing through the Disability Evaluation System (DES), either a restricted (AF Form 348R, *Line of Duty Determination for Restricted Report of Sexual Assault*) or unrestricted LOD (AF Form 348, *Line of Duty Determination*) is required for fitness for duty or disability determinations per DAFI 90-6001, *Sexual Assault Prevention and Response (SAPR) Program* and DAFI 36-2910. **(T-0)** This confidential disclosure is limited to only the information necessary to process duty or disability determinations.

4.2.2. Member's LOD must be finalized prior to referral into the DES, including any appeal of the LOD determination. For non-duty DES cases, see **Chapter 4, Section 4E**. (See DAFI 36-2910)

4.2.2.1. Any appeal of a Final LOD will be done through the ARC process.

4.2.2.2. A member can also apply to the BCMR for an LOD appeal.

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.

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 following guidance provided in DAFI 36-2910.

4.5. Duty and Pay Status:

4.5.1. 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 (original, Title 10, or Title 32) solely for processing under this instruction. (Refer to DAFI 36-2910, for medical continuation orders and DAFMAN 48-108 for placing ARC members on medical hold).

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

4.5.3. Service members with disabilities incurred or aggravated in the LOD may be entitled to pay and allowances (37 USC § 204[g] and [h], *Entitlement*). **Note:** refer to this DAFI for process to request extension of pay and allowances.

4.6. Movement of Member. The PEBLO or MTF Commander or designee advises the service member's unit commander (or equivalent) 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

4.7. Case Records for the PEB. Assemble the case. An MEB Checklist is located at Air Force Medical Agency (AFMED) IDES Knowledge Exchange (KX) Website to assist in compiling all needed documents. The PEBLO or appropriate ARC agency, includes a statement identifying any documents they were unable to find and sends the case to the PEB.

4.8. 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 DAF.

4.9. Other Administrative Actions. Do not retire or discharge a service member whose case is undergoing disability evaluation until completion of the disability case. **(T-1)** Do not administratively discharge under DAFI 36-3211 if the service member is retired or discharged for disability under this instruction (see **paragraph 1.6**) for administrative actions due to misconduct. **(T-1)** The dual action authority, outlined in **paragraph 1.6.2**, will make the final determinations as to whether the service member will be discharged administratively or for disability.

4.10. Movement of Member to Formal PEB. If approved for an in-person IDES/LDES hearing and an ARC member is scheduled, 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**).

4.10.1. Commanders may fund ARC members who have a medical condition found not within the LOD (non-duty DES cases) and place on TDY orders to travel to the FPFB, following guidance provided in AFMAN 36-2136.

4.10.2. If unit funding is not available, then service members are responsible for their personal travel and other expenses.

Section 4C—Special PEB Waiver and Disposition Processing

4.11. Waiver of PEB Action for Existed Prior to Service Cases. An ARC member who has a potential unfitting 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 the PEB, the appropriate ARC agency (AFRC/SGP (AFR) or NGB/SGPS (ANG)) 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:

- 4.11.1. The service member's qualification to perform duties of their office, grade, or rank is questionable, as determined by ARC/SG.
- 4.11.2. The disqualifying defect or condition existed before entry on current period of duty and such duty has not aggravated the defect or condition.
- 4.11.3. The service member knowing about their medical condition is not harmful to their well-being.
- 4.11.4. The service member does not require further hospitalization or institutional care.
- 4.11.5. The service member desires to waive after consulting with the Office of the Disability Counsel (ODC) and being advised of their right to a full and fair hearing.
- 4.11.6. The service member acknowledges he or she must undergo PEB evaluation to receive disability benefits, if applicable; however, waiving PEB evaluation does not prevent the service member from applying for VA benefits.
- 4.11.7. The service member acknowledges he or she will follow applicable AFR or ANG directives while awaiting the final outcome of the case.
- 4.11.8. **(ANG Only)** AGR members may require an AF Form 348 if they undergo an IDES process on a case-by-case basis.

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

- 4.12.1. The MTF or ARC medical unit Commander or designee prepares the notification memorandum with the following wording: “(Grade name) has a potential unfitting condition 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.”
- 4.12.2. The MTF or ARC medical unit Commander processing the case, or designee, distributes copies of the waiver statement including the original DAF Form 618, narrative summary to:
 - 4.12.2.1. Service member.
 - 4.12.2.2. Air Reserve Personnel Center Reserve Separations (ARPC/DPTTS) for Reserve members (all categories).
 - 4.12.2.3. NGB/A1 (Air National Guard Bureau Directorate of Manpower, Personnel, Recruiting, and Services) for ANG members.
 - 4.12.2.4. Unit commander or FSS. File the case with the health records in the member's Field Records Group.
 - 4.12.2.5. If the service member is on active duty undergoing training, the MTF Commander or ARC medical unit 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.

4.13. Disposition of Ineligible Member. For members with an unsuiting condition (See [paragraph 1.4.1](#)) not qualified for PEB evaluation under this instruction. The MTF Commander or ARC medical unit commander or designated representative must advise member that they:

4.13.1. Are not eligible for processing under this instruction. (T-3)

4.13.2. Cannot remain in a duty status. (T-3)

4.13.3. Are to await discharge under applicable AFR or ANG directives. (T-3)

4.13.3.1. 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:

4.13.3.1.1. AFRC/SGP for AFR Category A unit members.

4.13.3.1.2. ARPC/DPTTS for all other categories of Reserve members.

4.13.3.1.3. NGB/A1 for ANG members.

4.13.3.2. The MTF or ARC medical unit 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

4.14. Disposition of Eligible Member. 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:

4.14.1. Physically Fit. Returns the member to the unit of assignment or, if the period of service has expired, sends the member home.

4.14.2. 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 DAFMAN 48-123 and DAFMAN 48-108.

4.15. 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.

4.15.1. The ARC agency completes retirement or discharge processing, including removing the ARC member from status, if applicable, and issues appropriate instructions to the FSS.

4.15.2. 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:

4.15.2.1. The Air Reserve Personnel Center Directorate of Assignments Facilities (ARPC/DPA) for AFR member not assigned to a specific Reserve unit.

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

4.15.2.3. NGB/A1 for ANG member.

4.16. Inactive Status List Transfers. Per 10 USC § 1209, *Transfer to Inactive Status List Instead of Separation*, ARC members approved for disability discharge under 10 USC § 1203, *Enlisted Members* or 1206, *Members on Active Duty for 30 Days or Less on Inactive-duty Training, Separation* and who have 20 or more years of satisfactory federal service computed under 10 USC § 12731, *Age and Service Requirements* may elect either Discharge with Severance Pay or transfer to the retired reserve to await retired pay at age 60 under 10 USC § 12732. Per 10 USC § 12731b, *Special Rule for Members with Physical Disabilities Not Incurred in Line of Duty*, 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

4.17. Eligibility. Refer to DoDI 1332.18, Section 5, paragraph 5.3(b) and [paragraph 1.4](#) of this instruction.

4.18. Case Processing. Forward requests for fitness only determinations to AFPC/DPFDD by the appropriate ARC agency and include the following documentation:

4.18.1. 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. **(T-0)** Medical documentation must provide a clear and adequate written description of the medical condition(s) that, singularly, collectively, or through combined effect, may prevent the RC service member from performing the duties of their office, grade, rank, or rating.

4.18.2. Written determination by the ARC agency that the referred condition(s) was/were not incurred or aggravated in the LOD, with documentation supporting the determination, to include any LOD determinations or appeals mounted by the member under DAFI 36-2910. Documentation should also include rationale indicating why the referred condition(s) were not deemed to be PSC applicable.

4.18.3. Statement from service member requesting referral into the DES for a fitness determination, to include an acknowledgement from the member that the referred conditions are non-duty related conditions. Also, refer a case to the PEB when the service member fails or refuses to sign a statement.

4.18.4. DAF Form 1185 (see [paragraph 2.6](#)).

4.18.5. ARC (NGB or AFRC) recommendations which clearly delineate which conditions were determined to warrant referral.

4.18.6. Current AF Form 469, *Duty Limiting Condition Report*.

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

4.18.8. Referral start date is the date member is found medically disqualified by ARC HQ (AFRC/SGP or NGB/SGPS).

4.19. 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.

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

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

4.20.1.1. Case is returned to ARPC/DPTTS.

4.20.1.2. ARPC/DPTTS notifies the Medical Unit and/or the FSS and counsels the service member on the decision and provides AFPC/DPFDD with the service member's concurrence or non-concurrence within 21 (45 for ANG) calendar days from the service member's receipt of the PEB decision.

4.20.1.3. 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.](#)).

4.20.1.4. 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. AFPC/DPFDD will include a statement of circumstances in the member's file.

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

4.20.2.1. ARPC/DPTTS notifies the Medical Unit and/or the FSS and counsels the service member on the decision and provides AFPC/DPFDD with the service member's concurrence or non-concurrence within 21 calendar days from the service member's receipt of the PEB decision.

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

4.20.2.3. 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. AFPC/DPFDD will include a statement of circumstances in the member's file.

4.21. Service Member Election. If the service member agrees with the Informal PEB Unfit determination, or member is found unfit by the Formal PEB, AFPC/DPFDD notifies the appropriate ARC agency to finalize the separation case through appropriate administrative channels. If the service member disagrees with the Informal PEB fitness 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.](#)

4.22. Other Entitlements . ARC Airmen who are separated after a fitness only unfit determination are not entitled to terminal leave or permissive TDY. Any leave accrued will be processed following guidance provided in DAFI 36-3003, *Military Leave Program.*

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, with certain exceptions noted in Addendum B of HAFMD 1-24 (e.g., general officer and certain medical officers), 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 precedence.

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 USC, Chapter 61 and DoDI 1332.18 in all cases except those specified below which require adjudication by the SAFPC:

5.2.1. The service member does not concur with the FPEB fitness determination and 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 USC § 1207 (intentional misconduct, willful neglect, or unauthorized absence), without entitlement to disability benefits.

5.2.3. The service member is a general officer. **(T-1)**

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. **(T-1)**

5.2.5. The AFPC/DPFD Special Assistant believes the case warrants review by SAFPC.

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

5.2.7. Dual action (disability and concurrent involuntary administrative separation action) cases pertaining to officers and certain enlisted members (those enlisted members who have attained 16 or more years of active service, or ARC enlisted members with more than 18 years of total active federal military service) (See [paragraph 1.6](#)).

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

5.2.7.1.1. Separation of second lieutenants found "Not Qualified for Promotion" as described in DAFI 36-3211.

5.2.7.1.2. Drop from the rolls actions.

5.2.7.1.3. Retirement in lieu of any adverse action.

5.2.8. An enlisted grade determination is required under the provisions of 10 USC § 1372 or 1212. (**Note:** Officer Grade Determinations (OGD) are not required in accordance with 10 USC § 1372)

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

5.2.10. The service member is in entry-level status but is approved for an honorable service characterization under the Secretary's plenary authority based on unusual circumstances associated with personal conduct and performance of military duty. (see DAFI 36-3211).

5.3. Composition of Air Force Personnel Board (AFPB). The AFPB reviews and acts on personnel matters, to include disability evaluations. All commissioned officers and duly appointed civilians on the SAFPC are members of the AFPB. Additional members may be appointed by the Director, Air Force Review Boards Agency, on special orders. A minimum of three members constitutes a quorum of the AFPB. For disability evaluations, the board reviewing the case includes a medical corps officer and a legal representative. See AFI 36-2023 for additional information.

5.4. Cases to be sent to SAFPC:

5.4.1. FPEB Appeal. When the member does not concur with the FPEB fitness determination and timely submits (see [paragraph 3.38.1](#)) a written rebuttal.

5.4.1.1. The written rebuttal must include the following (**T-1**): A memorandum from the member or duly appointed legal counsel which clearly states the service member's reason for the PEB appeal. It must also indicate if the written rebuttal constitutes the member's written FPEB appeal, or if the member is electing a hearing be conducted where the member will have the option to be represented by legal counsel. Any rebuttal not including a contention memo and/or an election for a written appeal/hearing, will be returned without action.

5.4.1.2. The written rebuttal should include the following:

5.4.1.2.1. New evidence not available to the FPEB 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. **Note:** It is not necessary to attach copies of documents already considered by the IPEB or FPEB as these documents are included in the case file referred to SAFPC as part of the appeal.

5.4.1.2.2. Evidence to substantiate a mistake of law or policy. The appeal should cite the specific law or policy violated and clearly state how the alleged mistake of law or policy impacted the outcome of the case.

5.4.1.2.3. Evidence to substantiate allegations of fraud, misrepresentation, or abuse of discretion during the DES process. The evidence should support the conclusion that the alleged fraud, misrepresentation, or abuse of discretion resulted in a different outcome in the case.

5.4.1.3. Evidence Considered in FPEB Appeal. All records comprising the service member's DES case file (e.g., impartial medical review, IPEB and FPEB decisions, and any additional relevant documentation submitted by the service member) will be considered. Should the member elect a hearing as part of their FPEB appeal, testimony offered will also be considered.

5.4.1.4. FPEB Appeal Hearing. All hearings will be conducted via video teleconference to ensure all Airmen and Guardians, regardless of location or component (e.g., Regular or Reserve), have fair and equal opportunity to exercise their right to appear at the FPEB appeal hearing, while also ensuring the Department's ability to comply with the timeliness requirements prescribed in DoDM 1332.18, Volume 1, as provided for elsewhere in this publication, the service member may be assisted by legal counsel. Failure of the service member or duly appointed personal representative (as defined in **paragraphs 3.4(d)** and G.2 of DoDI 1332.18) to appear at the scheduled hearing constitutes a constructive waiver of the right to appear before FPEB appeal hearing and SAFPC will adjudicate the case based solely on the service member's written rebuttal and evidence contained in the record. A service member or representative may request a delay of a hearing for good cause, but such a request must be submitted in writing at least one duty day prior to the scheduled hearing with a full explanation as to why the interests of justice are served by approving a delay.

5.4.1.5. Appeals. Should the service member believe the outcome of their FPEB appeal represents an error or injustice, they have the right to appeal the matter to the Air Force BCMR. An application to the BCMR does not suspend the processing of the service member's DES case, or any other pending personnel action.

5.4.2. Dual Action Consideration. 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, except those referenced in **paragraph 1.5.2.1.**

5.4.3. Enlisted Grade Determination. Establish the highest grade an individual satisfactorily held in order to calculate disability or retirement pay or separation pay under 10 USC, Chapters 61 and 69.

5.4.4. AF Personnel Board Consideration Required. When AF Personnel Board consideration is required as set forth in **paragraph 5.2**, or in Addendum B of HAF Mission Directive 1-24, Assistant Secretary of the Air Force (Manpower and Reserve Affairs).

5.4.5. High-Interest Reporting. Any proposed final IPEB or FPEB decision involving a matter identified as being of high sensitivity or having the potential for significant Congressional, media, or public interest will be referred to SAFPC to determine whether high interest reporting to the Secretary of the Air Force is required (see paragraph 2. of Addendum B of HAF Mission Directive 1-24). The proposed decision will be withheld until such time that SAFPC determines whether high-interest reporting is required. Should SAFPC deem high interest reporting is required, AFPC will initiate official high interest reporting in accordance with the requirements of Addendum B of HAF Mission Directive 1-24.

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 5.7](#).

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

5.6.1. Defer final determination until receipt of additional records or reports deemed essential for final evaluation and disposition of the case.

5.6.2. 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).

5.6.3. 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.

5.6.4. Direct some other disposition of the case, if not specifically prohibited by law.

5.6.5. Assign a disposition according to 10 USC, Chapter 61. (See [paragraph 3.17](#) for list of recommended dispositions).

5.6.6. Return the case without action.

Section 5B—DoD Review and Approval

5.7. Legal Basis. Retirement or separation for physical disability of a general officer, or a medical officer in any grade, who is also being processed for retirement for age or length of service. These cases must be reviewed by the Assistant Secretary of Defense (Health Affairs) and the Undersecretary of Defense (Personnel & Readiness) before retirement or separation for physical disability may be approved, IAW DoDI 1332.18, *Disability Evaluation System (DES)*. See also *Addendum B of HAF Mission Directive 1-24. (T-0)*

5.8. 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 Secretary of the Air Force for a recommendation prior to referral to the appropriate DoD officer for review and action.

Section 5C—Final Separation or Retirement Processing

5.9. Service Computation. 10 USC § 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.

5.10. 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 and USSF, members, and DFAS-Indianapolis Center computes disability severance pay for ARC members. (See [Table 5.1](#).)

5.10.1. 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 a service member 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 USC § 1401, *Computation of Retired Pay* and 8991, *Computation of Retired Pay* retired pay may not 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.

5.10.2. 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 (as determined by the Secretary of the Air Force Decorations Board because they were awarded certain high-level valor decorations as determined by the Air Force Decorations Board) 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 DAF Form 1180 "Remarks" section and attaches copies of supporting documents to the DAF 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.

5.10.3. 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 USC § 1402.

5.11. 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 USC § 1372):

5.11.1. 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.

5.11.2. 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.

5.11.3. Higher Grade. The highest temporary grade in which the service member served satisfactorily on active duty, as determined by SAFPC on behalf of SecAF. Service in a higher grade is usually satisfactory unless the higher grade was terminated for cause; 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. (**Note:** Officer Grade Determinations (OGD) are not required in accordance with 10 USC § 1372).

5.11.4. 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 USC § 1372 was amended effective 23 Sep 96).

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

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

5.12.2. Higher Grade Determined by SAFPC on behalf of SecAF. A grade in which the service member served satisfactorily on active duty, as determined by the SecAF, pursuant to 10 USC § 1212.

5.12.3. Grade to Which Promoted. The Fiscal Year 2002 National Defense Authorization Act amended 10 USC § 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.

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

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

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

5.13.3. 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.

5.14. 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.

5.15. Establishment of Disability Separation/Retirement Dates.

5.15.1. AFPC/DPFDD determines the retirement or discharge date at the time the orders are published. Appropriate processing and permissive TDY for house/job hunting time are considered when establishing the effective separation or retirement date.

5.15.2. Service members who are pending permanent or temporary disability retirement and who are eligible for a length of service retirement at the time of their disability evaluation may elect to be retired for disability or for length of service. However, when retirement for length of service is elected, the service member's retirement date must occur within the time frame that their disability retirement is expected to occur. **(T-1)**

5.15.3. 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 DAFI 36-3003.

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

5.15.4.1. The date of separation (DOS) is established upon finalization of the service member's case. **(T-3)** AFPC/DPFDD calculates the effective discharge date by calculating the member's accrued leave (to include leave accrued from date of order to DOS), 15 days out-processing and approved permissive TDY for house/job hunting from the date the case is finalized.

5.15.4.2. Basic Trainees:

5.15.4.2.1. 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.

5.15.4.2.2. 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.

5.15.4.2.3. 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.

5.15.4.3. Technical Training Students:

5.15.4.3.1. Active Duty. Refer to **paragraph 5.14.3.1** unless prior arrangements have been made with the training squadron.

5.15.4.3.2. 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.

5.15.4.3.3. 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.

5.15.4.3.4. Cadets. Cadet members are brought on active duty under functional category A for the sole purpose of establishing medical discharge or retirement benefits. The date of separation is established 1 calendar day after EAD effective date.

5.15.5. AFPC/DPFD has authority to make the following exceptions:

5.15.5.1. Early Discharge or Retirement Date Requests. The service member or the service member's commander, in the best interest of all concerned, may request an earlier discharge date at the time of concurrence. If the request is less than 30 days, the request must be routed through the FSS/MPS Career Development Element for endorsement (excluding basic trainees/cadet/and tech training students) prior to submission to AFPC/DPFDD. Curtailment requests submitted after disposition instructions are disseminated or retirement orders are published will not be approved except in unique circumstances or an unusual hardship. Such exceptions must be submitted in writing, with commander's concurrence, to AFPC/DPFD for approval.

5.15.5.2. 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, with Commander's concurrence, through the PEBLO. (**Note:** For Cadet Cases, USAFA Superintendent may authorize a senior cadet be extended for the sole proposes of graduating without commissioning).

5.16. Error Discovered in IPEB or FPEB Findings and Recommendation:

5.16.1. If, in the course of final processing of a service member’s case, a DPFDD case manager discovers a significant error in fact that changes the member’s disposition in either the findings and recommendations of the IPEB or the FPEB, the case may be referred to AFPC/DPFDD to determine if a correction to the board’s findings and recommendations is appropriate.

5.16.1.1. When correction to the IPEB or FPEB findings and recommendations are made that changes the member’s disposition, member will be provided a copy of this change. For the IPEB findings, further processing will be halted, and member will be allowed 6 days to decide whether to accept the revised decision or elect further appeal option via an AF 1180.

5.17. Appeal Procedures. A service member may appeal to the Air Force BCMR under DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, if member believes the disposition of their case constitutes an error or injustice. Final processing and discharge will not be withheld pending application to and processing of a BCMR request.

Table 5.1. Disability Severance Pay Computation.

RULE	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, computer under 10 USC 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 5.12.
2	Removed from 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 the service member 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 5.12) (Note 2)
<p>Notes:</p> <p>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 USC § 1212 and 37 Comptroller General 832).</p> <p>2. Compute the member's pay based on the base pay scale in effect when placed on the TDRL.</p>		

Table 5.2. Disability Retired Pay Computation.

RULE	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 USC § 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 USC §§ 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 and DoDM 1332.18, Volume 1 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. The PEBLO will 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 DAFMAN 48-108, 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.

6.3.2. Permanent Change of Station. Air Force Personnel Center Career Development Branch (AFPC/DPMA) 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/DPMNR for Airman Medical Transition Unit requests. (See DAFMAN 48-108).

6.3.2.2. AFPC Humanitarian, Exceptional Family Member Program (AFPC/DPFX) office for service members requesting a Humanitarian or Exceptional Family Member Program assignment.

6.3.2.3. AFPC Military Assignments Programs Branch (AFPC/DP3AM) office for an exception to policy request to permanent change of station or permanent change of assignment while undergoing the DES. (See DAFI 36-2110, *Total Force Assignments*).

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 of AFPC/DPFDD in writing.

6.3.5. 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 48-133, *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 their 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 their 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 DAFMAN 36-2102, *Base-Level Relocation Procedures* by the following office after receiving disposition instructions from AFPC/DPFDD:

6.7.1. AFPC Total Force Service Center (AFPC/DPSTSS), prepares and publishes discharge orders for active duty service members and former US Air Force Academy Cadets (**Note:** US Air Force Academy Cadets are converted to Active Duty enlisted status prior to discharge).

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, and other recruits in initial entry training status.

6.8. Retirement Special Order-Physically Unfit. AFPC/DPFDD prepares and publishes permanent retirement and TDRL disability retirement orders for RegAF, USSF, ARC members, and initial entry trainees.

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 DAFI 36-3203, for commander's responsibility to allow the service member a proper retirement ceremony.

6.9.2. Placed on the TDRL with 20 years of active military service. Refer to DAFI 36-3203, for commander's responsibility to allow the service member a proper retirement ceremony.

6.9.3. Place on TDRL with less than 20 years of service. Refer to myFSS/Active Duty Retirement Home Page/Air Force Disability Evaluation System for a sample TDRL certificate and ceremony script for members being placed on the TDRL.

6.9.4. Refer to **Section 8D** for final disposition actions for service members being removed from the TDRL.

6.10. Retirement or Discharge Documents. Refer to DAFMAN 36-2102 or DAFI 36-3211 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 following guidance provided in DAFI 36-3003.

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 AFI 36-3203, DAFI 36-3211, DAFMAN 36-2102, and AFI 24-602V1, *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, Section 11, paragraph 11.3(a)(2). The USAF and USSF provides unfit members the opportunity to apply for continued service via the LAS program.

7.2. Program Objectives.

7.2.1. The LAS program conserves manpower by retaining needed experience and skills the USAF or USSF can economically use when in the best interest of the USAF or USSF.

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. 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 USAF or USSF 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. Active Duty, fulltime Active Guard Reserve (AGR)s and Statutory Tour members who have 15 or more but less than 20 years' service as computed under 10 USC § 12733 or deemed combat wounded.

7.3.2. All other ARC service members with 15 or more but less than 20 years' service as computed under 10 USC § 12732 or deemed combat wounded.

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

7.3.4. The unfit medical condition must be essentially stable.

7.3.5. 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.

7.3.6. 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, which was suspended in favor of the disability separation/retirement under dual action provisions.

7.4.2. The unfitting condition is unstable.

7.4.3. Have over 20 years of service in accordance with paragraphs [7.3.1](#) or [7.3.2](#) as applicable.

7.5. LAS Consideration. Applications are reviewed by a series of action offices prior to AFPC/DPFD approval/disapproval. AFPC obtains a recommendation from (1) the unit Commander, (2) AFPC/DPMNR (AFRC/SGP for AFR members or NGB/A1 for ANG members) and (3) assignment functional OPR or equivalent for ARC service members.

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 and rating appeals. Use the application template located at myFSS/Active Duty Retirement Home Page/Air Force Disability Evaluation System, accessible by the PEBLO or ODC legal counsel. Service members may not request LAS while undergoing an appeal of their PEB findings.

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 the member in a limited status, with rationale as to why the member's retention on LAS despite being unfit for continued service is in the best interest of the DAF. **(T-1)**

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 DAF Form 1180 concurring with the PEB findings or three duty days from the date counseled by the PEBLO on final disposition of an appellate review under limited circumstances (see [Chapter 5](#)) or DVA rating reconsideration. 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 through the PEBLO. If the service member meets the basic eligibility standard, process the application as follows:

7.7.1. Medical Review. AFPC/DPFDD sends the LAS application and related documentation to AFPC/DPMNR or appropriate office for review (AFRC/SGP for AFR members or NGB/A1 for routing of ANG member cases).

7.7.2. AFPC/DPMNR or appropriate ARC office (AFRC/SGP for AFR members or NGB/A1 for ANG members with NGB/SG coordination) 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/DPMNR or appropriate ARC office (AFRC/SGP for AFR members or NGB/A1 for ANG members) returns the case to AFPC/DPFDD for further action or appropriate ARC assignment actions office for functional review.

7.7.4. Functional Review. The functional area resource manager determines if the USAF or USSF can productively use the service member's services within the limitations specified by AFPC/DPMNR or appropriate office (AFRC/SGP for AFR members or NGB/A1 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. The assignment functional OPR is further defined below:

7.7.4.1. Lt Col/SMSGt and below, the OPR is AFPC/DPMA or Space Force Talent Management Office (SF/ETMO) (or Space Force Senior Leader Management (SF/S1L) for USSF SMSgts).

7.7.4.2. For Colonels, the OPR is Directorate of Assignments Medical Service Office Management Division, Colonel's Group (AF/DPO) (SF/S1L) (AFRC/REG) or NGB equivalent office.

7.7.4.3. For general officers, the OPR is Office of General Officer Matters (AF/DPG) (SF/S1L) (AFRC/REG) or NGB equivalent office.

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

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

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

7.7.4.7. ANG members, the OPR is NGB/A1. NGB/A1 coordinates with the appropriate Career Functional Manager for review.

7.7.4.8. Service member's Assigned Overseas. For outside the continental United States assignment consideration, recommendations are required by the:

7.7.4.8.1. Gaining wing commander or designee; and

- 7.7.4.8.2. 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.
- 7.7.5. If the applicant is a combat wounded warrior who is incapable of continued service within their primary Air Force/Space Force Specialty Code, they will be considered for retraining. **(T-1)**
- 7.7.5.1. See AFI 36-2606, *Reenlistment or Extension of Enlistment in the United States Air Force*, Chapter 5 and AFMAN 36-2100, *Military Utilization and Classification*, 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/DPFDD 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/DPFDD completes administrative processing, notifies the service member of approval via the PEBLO or referring MTF, and AFPC/DPMNR (AFRC/SGP for AFR members or NGB/A1 for ANG members) for assignment limitation code updates.
- 7.8.1.1. Assignment Limitation Code "C". (See DAFMAN 48-108 and DAFI 36-2110).
- 7.8.1.2. Assignment Limitation Code "W". (See DAFI 36-2110).
- 7.8.2. If disapproved, AFPC/DPFDD advises the service member through the PEBLO or referring MTF the reasons for disapproval and resumes disability case processing.

7.9. Rules for Members Retained in LAS.

- 7.9.1. The USAF or USSF does not guarantee retention for any specified period of active service. LAS should not exceed 20 years of service or beyond 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 or SF/S1 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/CD or FLDCOM/CD (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 DAFMAN 48-108 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, USSF, 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 a final evaluation by a PEB. **Exception:** Service members initially approved for LAS at 19-plus years of service do not require subsequent DES processing, RILO evaluation by AFPC/DPMNR, or application of Assignment Limitation Code "C" coding. The current DES 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/DPMNR or appropriate ARC office (AFRC/SGP for AFR members or NGB/SG for ANG members). AFPC/DPMNR or appropriate ARC office (AFRC/SGP for AFR members or NGB/SG for ANG members) advises the MTF when a periodic LAS reevaluation is due and directs appointment scheduling for members reaching 20 years of service as defined in paragraphs [7.3.1](#) and [7.3.2](#).

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/DPMNR or appropriate ARC office for review (AFRC/SGP for AFR members or NGB/SG for ANG members). See DAFMAN 48-108 for documents required in the modified review in-lieu-of MEB.

7.10.2. AFPC/DPMNR or AFRC/SGP for AFR members or NGB/SG for ANG members Actions. 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/DPMNR or appropriate ARC office (AFRC/SGP for AFR members or NGB/SG for ANG members) recommends the service member either remain on LAS (update assignment limitation code information if required) or direct a MEB. The decision is relayed to the PEBLO.

7.10.3. When MEB processing is directed or required, the MTF follows the outlined guidance in DAFMAN 48-123, DAFMAN 48-108 and this instruction.

7.10.4. The commander of a member in LAS may, at any time, refer the member to a local medical facility for reevaluation if the member cannot satisfactorily perform duties in their grade and specialty. Reference DAFMAN 48-108.

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/DPMNR or appropriate office (AFRC/SGP for AFR members or NGB/A1 for ANG members) and/or the proper functional area resource manager for review and direct a MEB 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 is not likely to 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. (For behavioral disorders due to traumatic stress, reference DoDI 1332.18, para 8.2, for additional guidance).

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 DAF 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. DoDM 1332.18-Volume 1, paragraph 10.6 (a.)(4) 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 USC § 1210, *Members on Temporary Disability Retired List* 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 will obtain any new DoD and VA medical treatment documentation and ratings from the servicemember's records within 12-16 months from placement on the TDRL (or last TDRL reevaluation).

8.5.1.1. New documents will be forwarded to the IPEB for review and adjudication.

8.5.1.2. If the IPEB determines the documents are insufficient for adjudication, the case will be sent back to AFPC/DPFDC to initiate contact with the service member to either schedule a TDRL medical examination with a military treatment facility or give them the option to visit their civilian doctor and provide a medical narrative within 30 days. **(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, Section 9 instructs the MTF to schedule the appointment utilizing the same appointment process used for active-duty service members. The MTF notifies AFPC/DPFDC within 10 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 their 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 and the appointment will be scheduled no less than 20 days from report date.

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 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 USC § 1210 and the Joint Travel Federal Regulation, [chapter 2](#)). The DAF 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 USC § 1095, *Health care services incurred on behalf of covered beneficiaries: collection from third-party payers*). 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 AFMAN 65-116, Volume 1, Chapter 50, *DJMS-AC, Financial Management Flight Procedures* and DAFMAN 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 their 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 BCMR for records correction.

8.15. Failure to Report for Periodic Examinations. In accordance with 10 USC § 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 Air Force retirement benefits will be suspended. **(T-0)**.

8.15.1. If unable to contact the member after a second attempt, member's entitlement to Air Force retirement benefits will be suspended.

8.15.2. AFPC/DPFDC will stop a TDRL member's eligibility to receive Air Force retirement benefits 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-1)**. 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, Air Force retirement benefits will be reinstated effective on the date the examination was performed.

8.15.4. If the service member can show appropriate justification for not reporting, reinstate eligibility to receive Air Force retirement benefits retroactively for a period of not more than one year (10 USC §1210a).

8.15.5. If the service member does not undergo a periodic physical examination after Air Force retirement benefits are 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-1)**

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-1)**

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-1)**

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 LOD 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). 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 DAF 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 BCMR process.

8.18.4. Conditions newly diagnosed during temporary retirement will be compensable when both:

8.18.4.1. The condition is unfitting.

8.18.4.2. The condition was caused by, or directly related to, the treatment of a condition for which the service member was previously placed on the TDRL.

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 USC § 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 USC § 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 DAF Form 356, DAF Form 1180, 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.

8.21.1. Time Limits. The member is provided 10 calendar days to reply to the Informal PEB final disposition. AFPC/DPFDC may grant additional time if needed. 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](#). When the Informal PEB recommendation is "Removal from the TDRL (Fit)", AFPC/DPFDC sends a memorandum to the service member with a 10-day suspense outlining required actions. If member agrees, AFPC/DPFDC notifies the appropriate offices, (i.e., promotions, enlisted retention, officer appointments and officer procurement). (ANG only: the completion of AF 1180 is final and cannot be recalled. The date of separation must be processed within 60 duty days from the date the unit receives the SAFPC letter.)

8.21.2.1. 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 10 calendar days. AFPC/DPFDC may grant additional time if needed. If the member fails to respond in the prescribed time, AFPC/DPFDC will process the case as if the member did not desire appointment or enlistment.

8.21.2.2. 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.

8.21.2.3. 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.

8.21.2.4. 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 IPEB recommends retention on TDRL, AFPC/DPFDC furnishes the service member a copy of DAF 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 14 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) another 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 who have completed 20 years of credible service or Airmen/Guardians who are permanently retired for disability but have not completed 20 years of active military service are authorized and may request DD Form 363AF, *Certificate of Retirement* or SF Form 363SF, *Certificate of Retirement*. Members may also request an AF Form 1344, *Certificate of Appreciation for Spouse of Retiring Member* or SPF Form 1344,

Certificate of Appreciation for Spouse of Retiring Member, and a DD Form 2542, *Certificate of Appreciation for Service in the Armed Forces of the United States*, whether retiring for years of service or disability. Replacement of a lost or destroyed DD Form 363AF, when permanently retired off the TDRL under 10 USC §§ 1201/1204 may be requested from AFPC/DPFDC.

ALEX WAGNER
Assistant Secretary of the Air Force
Manpower and Reserve Affairs

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

5 USC § 6303, *Annual leave; accrual*

10 USC, Chapter 61, *Retirement or Separation for Physical Disability*

10 USC § 1095, *Health care services incurred on behalf of covered beneficiaries: collection from third-party payers*

10 USC § 1142, *Preseparation Counseling; Transmittal of Certain Records to Department of Veterans Affairs*

10 USC § 1203, *Enlisted Members*

10 USC § 1206, *Members on Active Duty for 30 Days or Less on Inactive-duty Training, Separation*

10 USC § 1207, *Disability from Intentional Misconduct or Willful Neglect: Separation*

10 USC § 1208, *Computation of Service*

10 USC § 1209, *Transfer to Inactive Status List Instead of Separation*

10 USC § 1210, *Members on Temporary Disability Retired List*

10 USC § 1212, *Disability Severance Pay*

10 USC § 1214, *Right to Full and Fair Hearing*

10 USC § 1216(a), *Determinations of Disability*

10 USC § 12731, *Age and Service Requirements*

10 USC § 12731b, *Special Rule for Members with Physical Disabilities Not Incurred in Line of Duty*

10 USC § 1372, *Grade on Retirement for Physical Disability*

10 USC § 1401, *Computation of Retired Pay*

10 USC § 1402(a) and (b), *Recomputation of Retired or Retainer Pay to Reflect Later Active Duty of Members Who First Became Members after September 7, 1980*

10 USC § 8991, *Computation of Retired Pay*

10 USC § 9013, *Secretary of the Air Force*

10 USC § 12643, *Boards for Appointment, Promotion, and Certain other Purposes: Composition*

26 USC § 104, *Compensation for Injuries or Sickness*

37 USC § 204(g) and (h), *Entitlement*

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DAFI 36-2110, *Total Force Assignments*, 15 November 2022

DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, 3 October 2022

DAFI 36-2903, *Dress and Personal Appearance of United States Air Force and United States Space Force Personnel*, 11 April 2022

DAFI 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*, 3 September 2021

DAFI 36-3003, *Military Leave Program*, 24 August 2020

DAFI 36-3211, *Military Separations*, 23 June 2022

DAFI 90-6001, *Sexual Assault Prevention and Response (SAPR) Program*, 14 July 2020

DAFI 24-602, Volume 1, *Passenger Movement*, 14 December 2020

AFI 24-602, Volume 4, *Personal Property Moving and Storage*, 15 October 2020

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

DAFI 36-2023, *The Secretary of the Air Force Personnel Council (SAFPC)*, 2 June 2022

AFI 36-2606, *Reenlistment and Extension of Enlistment in the United States Air Force*, 19 September 2019

AFI 36-3203, *Service Retirements*, 29 January 2021

AFI 48-133, *Duty Limiting Conditions*, 6 August 2020

AFMAN 36-2100, *Military Utilization and Classification*, 7 April 2021

DAFMAN 36-2102, *Base-Level Relocation Procedures*, 16 December 2020

DAFMAN 48-108, *Physical Evaluation Board Liaison Officer (PEBLO) Functions: Pre-disability Evaluations System (DES) and Medical Evaluation Board (MEB) Processing*, 5 August 2021

DAFMAN 48-123, *Medical Examinations and Standards*, 8 December 2020

DAFMAN 90-161, *Publishing Processes and Procedures*, 15 April 2022

AFMAN 65-116, Volume 1, Chapter 50, *DJMS-AC, Financial Management Flight Procedures*, 23 October 2019

Prescribed Forms

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

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

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

Adopted Forms

DAF Form 618, *Medical Board Report*

DAF Form 847, *Recommendation for Change of Publication*

DD Form 363AF, *Certificate of Retirement*

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

AF Form 469, *Duty Limiting Condition Report*

AF Form 1344, *Certificate of Appreciation*

AF Form 348R, *Line of Duty Determination for Restricted Report of Sexual Assault*

AF Form 348, *Line of Duty Determination*

VA Form 21-0819, *Duty Referral to Integrated Disability Evaluation System*

Form Letter 4

Abbreviations and Acronyms

AFPC—Air Force Personnel Center

AFR—Air Force Reserve

AFRC—Air Force Reserve Command

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

ANG—Air National Guard

AFPB—Air Force Personnel Board

AMROB—Airmen Medical Readiness Optimization Board

ARC—Air Reserve Components

ARPC—Air Reserve Personnel Center

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

GCMCA—General Court Martial Convening Authority
IDES—Integrated Disability Evaluation System
INCAP—Incapacitation
IRILO—Initial Review-In-Lieu-Of (MEB)
IRR—Individual Ready Reserve
LAS—Limited Assignment Status
LDES—Legacy Disability Evaluation System
MEB—Medical Evaluation Board
MTF—Military Treatment Facility
NGB—National Guard Bureau
ODC—Office of Disability Counsel
OPR—Office of Primary Responsibility
PEB—Physical Evaluation Board
PEBLO—Physical Evaluation Board Liaison Officer
RegAF—Regular Air Force
USSF—United States Space 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
USC—United States Code
VA—Department of Veteran's Affairs
VASRD—Veterans Administration Schedule for Rating Disabilities

Office Symbols

AF/DPG—Air Force General Officer Matters
AF/SG—Air Force Surgeon General
AFMED/SG3PF—Air Force Medical Agency, IDES Compliance and Quality Assurance Branch
AFPC/DP3AM—Air Force Personnel Center, Military Assignments Programs Branch
AFPC/DPPD—Air Force Physical Disability Division
AFPC/DPPDB—Air Force Disability Business Process Owner

AFPC/DPFDC—Air Force Disability Transition Branch

AFPC/DPFDD—Air Force Physical Disability Operations Branch

AFPC/DPFDF—Air Force Personnel Center Formal Physical Evaluation Board

AFPC/DPF-QA—Quality Assurance Office

AFPC/DPFX—Air Force Personnel Center Humanitarian, Exceptional Family Member Program

AFPC/DPMA—Air Force Personnel Center Career Development Branch

AFPC/DPMNR—Air Force Medical Retention Standards Office

AFPC/DPS—Air Force Personnel Center Personnel Support Directorate

AFPC/DPSTSS—Air Force Personnel Center Total Force Service Center

AFRC/REG—Air Force Reserve Center Colonel’s Group

AFRC/SGP—Air Force Reserve Command Surgeon’s Office

ARPC/DPA—Air Reserve Personnel Center Directorate of Assignments Facilities

ARPC/DPTTS—Air Reserve Personnel Center Reserve Separations

DFAS-CL—Defense Finance and Accounting System Cleveland

NGB/A1—Air National Guard Bureau Directorate of Manpower, Personnel, Recruiting, and Services

NGB/SGPS—National Guard Bureau Command Surgeon’s Office

SAF/GC—General Counsel of the Department of the Air Force

SAF/MR—Assistant Secretary of the Air Force (Manpower and Reserve Affairs)

SAFPC—Secretary of the Air Force Personnel Council

SF/ETMO—Space Force Talent Management Office

SF/S1L—Space Force Senior Leader Management

Terms

Accepted Medical Principle—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, USSF, 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 USC, 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 USC § 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 their 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, Financial Management 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 their 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 USC, 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).

Drop from the Rolls—An administrative action that may be taken in limited circumstances that terminates a commissioned officer’s military status along with any rights, benefits, and pay to which the officer may have otherwise been entitled because of that status. Drop from the rolls is distinguished from dropping from the unit rolls, which is an administrative procedure used by the Military Services to remove a Service member from the unit of assignment but does not end the member’s military status.

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, incurred during a break in service, or incurred 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 their 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 in use by a military service at the time of the occurrence or 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 their 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 LOD.

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 Disability 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 USC §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 USC, 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—When, after careful consideration of all procurable and assembled data, a reasonable doubt arises regarding service origin, the degree of disability, or any other point, such doubt will be resolved in favor of the claimant. By reasonable doubt is meant one which exists because of an approximate balance of positive and negative evidence which does not satisfactorily prove or disprove the claim. It is a substantial doubt and one within the range of probability as distinguished from pure speculation or remote possibility. It is not a means of reconciling actual conflict or a contradiction in the evidence. Mere suspicion or doubt as to the truth of any statements submitted, as distinguished from impeachment or contradiction by evidence or known facts, is not justifiable basis for denying the application of the reasonable doubt doctrine if the entire, complete record otherwise warrants invoking this doctrine. The reasonable doubt doctrine is also applicable even in the absence of official records, particularly if the basic incident allegedly arose under combat, or similarly strenuous conditions, and is consistent with the probable results of such known hardships.

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 LOD 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 LOD.

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 their 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 their 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 their own personal well-being or for the well-being of another. Willful neglect is the same as gross negligence.