



## DoD MANUAL 1332.18, VOLUME 1

### DISABILITY EVALUATION SYSTEM MANUAL: PROCESSES

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<b>Originating Component:</b>	Office of the Under Secretary of Defense for Personnel and Readiness
<b>Effective:</b>	February 24, 2023
<b>Releasability:</b>	Cleared for public release. Available on the Directives Division Website at <a href="https://www.esd.whs.mil/DD/">https://www.esd.whs.mil/DD/</a> .
<b>Reissues and Cancels:</b>	DoD Manual 1332.18, Volume 1 “Disability Evaluation System (DES) Manual: General Information and Legacy Disability Evaluation System (LDES) Time Standards,” August 5, 2014, as amended DoD Manual 1332.18, Volume 2, “Disability Evaluation System (DES) Manual: Integrated Disability Evaluation System (IDES),” August 5, 2014, as amended
<b>Incorporates and Cancels:</b>	Directive-Type Memorandum 18-004, “Revised Timeliness Goals for the Integrated Disability Evaluation System (IDES),” July 30, 2018, as amended
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**Purpose:** This manual is composed of several volumes, each containing its own purpose. In accordance with the authority in DoD Directive 5136.01:

- This manual implements policy, assigns responsibilities, and provides procedures for the Disability Evaluation System (DES) pursuant to DoD Instruction (DoDI) 1332.18.
- This volume:
  - Provides procedures for using the Integrated Disability Evaluation System (IDES) and Legacy Disability Evaluation System (LDES) processes to refer, evaluate and return to duty, separate, or retire Service members for disability pursuant to Title 10, United States Code (U.S.C.).
  - Establishes timeliness goals for each phase and stage of the IDES and LDES processes.
  - Establishes timeliness goals for the non-duty-related fitness determination process.

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## **SECTION 1: GENERAL ISSUANCE INFORMATION**

### **1.1. APPLICABILITY.**

This volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

### **1.2. POLICY.**

Pursuant to Title 10, U.S.C., and DoDI 1332.18:

a. The DES is the mechanism to determine fitness for duty, separation, or retirement of Service members (to include initial entry trainees, Military Academy cadets, and midshipmen) because of disability.

b. The applicable standards for all determinations related to disability evaluation must be consistently and equitably applied to all Service members, both Active Component and Reserve Component (RC). This includes Service members in active duty and non-active duty (NAD) status.

c. The DoD's objective in all DES processes is to collaborate with the Department of Veterans Affairs (VA), as appropriate, to ensure the Service member receives continuity of care, timely processing, and a smooth transition from the DoD to the VA in cases of disability separation or retirement.

d. The goal is for the DoD and VA to complete 80 percent of all active duty and NAD Service member IDES cases in no more than 180 days from referral to the IDES and ending on the date of return to duty, retirement, or separation. The calculation of processing time excludes any amount of administrative absences or accrued leave the Service member is authorized to take during transition, or any amount of time in deferment status. For purposes of measuring time in this issuance, days are to be defined as calendar days.

e. Service members will process through the IDES unless the Secretary of the Military Department enrolls a Service member into LDES in accordance with the criteria in Paragraph 7.1.

## **SECTION 2: RESPONSIBILITIES**

### **2.1. ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS (ASD(HA)).**

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), the ASD(HA):

- a. Oversees the development and execution of the policies, and procedures for the DES processes, as specified in DoDI 1332.18, Title 10, U.S.C., and this manual.
- b. Recommends DES changes in policy, procedures, and legislation in coordination with the Secretaries of the Military Departments; Under Secretary for Benefits, Veterans Benefits Administration (VBA); and, Under Secretary for Health, Veterans Health Administration (VHA), to the USD(P&R).
- c. Oversees the Director, Defense Health Agency (DHA), in the execution of DES programmatic and operational responsibilities.
- d. Determines DES funding requirements in coordination with the Director, DHA, and the Secretaries of the Military Departments, and tracks DoD DES examination funding expenditures.
- e. Provides direction to the Secretaries of the Military Departments to operate DoD IDES stages concurrently with the VA's disability processes, as applicable.

### **2.2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR HEALTH SERVICES POLICY AND OVERSIGHT (DASD(HSP&O)).**

Under the authority, direction, and control of the ASD(HA), the DASD(HSP&O):

- a. Oversees the performance of the DES in coordination with the ASD(M&RA) and Secretaries of the Military Departments.
- b. Recommends changes to DES policies, procedures, resources, and statutes to the ASD(HA) and Secretaries of the Military Departments.
- c. In accordance with the procedures in Volume 1 of DoD Manual (DoDM) 8910.01, monitors and assesses the impact of changes to the statutes, laws, and regulations of the VA on the DoD application of the Department of Veterans Affairs Schedule for Rating Disabilities (VASRD) to Service members.

### **2.3. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)).**

Under the authority, direction, and control of the USD(P&R), the ASD(M&RA):

a. In coordination with the ASD(HA) and Secretaries of the Military Departments, ensures that policies for the DES are applied for RC personnel consistent with those established for Active Component personnel and reflect the needs of RC members as required by Title 10, U.S.C.

b. Reviews annual DES performance and recommends improvements to the ASD(HA) to ensure process efficiency and equity for members of the RC.

#### **2.4. DIRECTOR, DHA.**

Under the authority, direction, and control of the USD(P&R), through the ASD(HA), and in coordination with the Secretaries of the Military Departments, the Director, DHA:

a. Develops and issues procedural guidance to ensure DES policy implementation.

b. Assesses and reports the performance of the DES to the ASD(HA) in coordination with the ASD(M&RA).

#### **2.5. GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE.**

In consultation with the General Counsel and the Judge Advocates General of the Military Departments, the General Counsel of the Department of Defense provides policy guidance on legal matters relating to DES policy, issuances, proposed exceptions to policy, legislative proposals, and provides legal representation for the DAC, upon request.

#### **2.6. SECRETARIES OF THE MILITARY DEPARTMENTS.**

The Secretaries of the Military Departments:

a. Ensure their respective Departments comply with Title 10, U.S.C.; Chapter 1, Part 4 of Title 38, Code of Federal Regulations (CFR); DoDIs 1332.18, 5400.11, and 1000.30; Volume 2 of DoDI 6130.03; DoD 5400.11-R; DoDM 6025.18; Administrative Instruction 15; and applicable DoD policy.

b. Recommend changes, in coordination with DASD(HSP&O), to VA disability examination procedures through the VA-DoD Joint Executive Committee structure.

c. Establish a joint agreement with the Under Secretary for Benefits, VBA and the Under Secretary for Health, VHA, to ensure the Departments and the VA share IDES data electronically.

d. Establish procedures in coordination with the Director, DHA, as applicable, to examine and refer Service members to the IDES in accordance with this manual, using VA Form 21-0819, "DoD Referral to Integrated Disability Evaluation System (IDES)," available at <https://www.va.gov/vaforms/>.

e. Establish procedures to track and ensure the completion of DES cases in accordance with established timeliness goals without reducing Service members' statutory rights to due process.

f. Establish procedures to inform Service members upon referral to the DES that they may seek assistance during the DES process from:

(1) Government legal counsel (military or civilian employee) provided by the Military Departments in accordance with Section 4 of DoDI 1332.18. In accordance with Military Department regulations, government legal counsel of the applicable Military Department may, at no cost to a Service member, represent a Service member before the VA during the pre-separation portion of the IDES process if the representation is pursuant to Section 14.629 of Title 38, CFR.

(2) Private counsel retained at the Service member's own expense.

(3) A VA-accredited representative of a service organization that the Secretary of Veterans Affairs recognizes, using VA Form 21-22, "Appointment of Veterans Service-Organization as Claimant's Representative," available at <https://www.va.gov/vaforms>.

(4) A VA-accredited claims agent or attorney using VA Form 21-22a, "Appointment of Individual as Claimant's Representative," available at <https://www.va.gov/vaforms>.

g. Establish procedures to require DES administrators to:

(1) Maintain timely, complete, and accurate data in the designated DES electronic tracking system.

(2) Maintain the association between the designated DES electronic tracking system unique case identifier and the Service member's personal identification number.

(3) Execute DES procedures for the protection of personally identifiable information and protected health information, in accordance with DoD Directive 5136.01, DoDI 1000.30, DoDI 5400.11, DoD 5400.11-R, DoDM 6025.18, and Administrative Instruction 15.

h. Establish procedures, consistent with this issuance, for Service members to appeal determination for fitness in accordance with Section 1214 of Title 10, U.S.C., and Section 524 of Public Law 117-81.

i. Require Service members in the DES meet all DES appointments. Commanders may grant exceptions to this requirement for the welfare or morale of a Service member provided those exceptions do not prevent timely completion of DES appointments.

j. Ensure single sets of disability examinations are provided to Service members referred to the IDES in accordance with Paragraph 2.4. The Secretaries of the Military Departments will develop procedures for conducting disability examinations in coordination with the ASD(HA); Under Secretary for Benefits, VBA; and Under Secretary for Health, VHA.

k. Establish procedures to provide Service members a required standardized multi-disciplinary briefing (MDB) that:

- (1) Establishes Service member expectations for the DES process.
- (2) Prepares Service members for each stage of the DES process.
- (3) Informs Service members of what is expected from them during the DES process.

l. Establish procedures to coordinate all MDB logistics with the VA.

m. Establish procedures, in coordination Director, DHA, to complete the IDES medical evaluation board (MEB), impartial medical review (IMR), MEB rebuttal, and informal physical evaluation board (IPEB) stages concurrently with the VA's disability rating processes. The procedures must ensure that IPEB adjudicators cannot access the VA proposed rating results before making a fitness determination.

n. Ensure DoD-performed disability examinations contain sufficient information to assign DoD ratings. Exams that do not contain sufficient information will be re-accomplished to ensure sufficient information is provided to make relevant determinations.

o. Identify Service members with such serious physical or mental impairments that they are unable to attend a disability examination. Those Service members must be brought to the attention of the responsible VA Military Service Coordinator (MSC) so that VA may decide whether a compensation and pension assessment should be based on a review of medical records in lieu of a disability examination.

p. Use the results of VA disability examinations for the IDES and DoD disability examinations for the LDES to identify any medical conditions that, singularly, collectively, or through combined effect, prevent the Service member from performing the duties of the Service member's office, grade, rank, or rating.

q. Comply with Sections 1210 and 1211 of Title 10, U.S.C., including, when necessary, examining and rating veterans who were temporarily retired for disability.

r. Include in all DES case files, an assessment of whether each unfitting condition is permanent and stable in nature based on accepted medical principles.

s. As applicable in accordance with Paragraphs 7.7.i. and 8.1.a. of DoDI 1332.18, accept the disability rating(s) awarded to each of the compensable unfitting condition(s), as derived from the disability rating activity site (D-RAS) pursuant to Part 4 of Title 38, CFR.

t. Determine eligible Service members' individual and combined DoD disability rating and final disposition of return to duty, separation, retirement, or other administrative matters, including final disposition from the temporary disability retired list (TDRL).



u. Provide IDES Service members the opportunity and assistance to request reconsideration of proposed VA disability ratings awarded for the unfitting condition(s) before separation in accordance with Paragraphs 4.5. and 10.5.

v. Provide LDES Service members the opportunity and assistance to appeal IPEB determinations, including disability ratings, to the formal physical evaluation board (FPEB) and FPEB Appeal.

w. Use the appropriate DES separation program designator code(s) in the permanent records of Service members separated from active military service through the DES.

x. Provide VA a copy of the Service member's separation orders indicating the date of separation within 5 days of the separation or retirement through IDES of the NAD Service member who did not receive a Department of Defense (DD) Form 214, "Certificate of Release or Discharge from Active Duty," available at [https://www.esd.whs.mil/Directives/forms/dd0001\\_0499/](https://www.esd.whs.mil/Directives/forms/dd0001_0499/)

y. Provide the results of disability examinations from qualified examiners (e.g., DoD, VA, TRICARE) to VA, for IDES rating purposes.

z. Correct the records, upon former Service members' successful appeal of disability ratings received in the DES. Service members may also appeal post-discharge to VA and their respective Military Department Board for Correction of Military Records or Naval Records. This includes the records of Service members who are veterans temporarily retired through the IDES who appeal ratings that affect unfitting conditions for which the retiree was placed on TDRL.

## SECTION 3: IDES PROCESS

### 3.1. GENERAL.

The IDES process is a joint DoD and VA program in which DoD determines whether an ill or injured Service member is fit to fulfill the duties of their office, grade, rank, or rating and, if unfit, determine appropriate disability rating(s) and compensation for a Service member who is separated or retired for their unfitting duty-related conditions. The VA provides examinations, proposes disability ratings, and determines entitlement to veterans' benefits for all service-connected disabilities. Section 3 applies to the IDES process; Section 7 applies to the LDES process.

a. Although the IDES includes disability examinations, the IDES process is administrative in nature and independent of clinical care and treatment.

b. The IDES comprises all disability examinations and all administrative activities associated with IDES case management from the point of referral by a military medical care provider to the point of return to duty or completion of both DoD and VA benefits decision determinations, including the management of Service members who are temporarily retired for disability through the IDES.

c. Administrative requirements include, but are not limited to:

(1) Creating an IDES case file and entering all data into the electronic system of record.

(2) Educating the Service member on the process, advising the Service member of the results of the MEB and physical evaluation board (PEB), as well as their options, rights, benefits, and entitlements.

(3) Assisting the Service member as the case progresses through the IDES process.

(4) Reevaluating Service members who were temporarily retired for disability through the IDES or who have an approved record correction requiring an examination.

d. Circumstances may warrant deferring an IDES case, for 30 days or more, from moving forward in the process. To maintain transparency and accuracy of IDES reporting, the DoD will exclude authorized deferment time from IDES processing time. Reasons for deferment may include, but are not limited to:

(1) A case where a Service member is determined by the Military Department to be unfit but continued in service for less than 12 months.

(2) The Secretary of the Military Department concerned decides a delay is necessary to facilitate good order and discipline or is in the best interest of the Service member.

### **3.2. PROCESS STEPS.**

This section describes the IDES process. Figure 1 shows the stages that comprise the IDES process. The top two lines of the graphic illustrate the DES core process, which includes the mandatory DoD and VA phases and stages of the process that are not elected by the Service member. The bottom line depicts the Service member initiated actions that may be elected in each phase of the IDES.

a. In consultation with the Service member's commander, a DoD medical care provider refers a Service member to the IDES and provides their referral to the military treatment facility (MTF) patient administrator, DES program manager, or appropriate RC point of contact.

b. The Director, Patient Administration, or DES program manager assigns a PEB liaison officer (PEBLO) to the Service member.

c. The PEBLO informs the Service member of the IDES process, assembles the IDES case file, enters the Service member into the designated IDES electronic tracking system, and refers the Service member to an MSC case manager for VA processing. The PEBLO also ensures the Service member is scheduled to receive or has received the MDB and is referred to a vocational rehabilitation counselor to determine entitlement to the VA Veteran Readiness and Employment Program.

d. Before the Service member meets individually with the MSC, the Service member, or their personal representative, should attend the MDB and acknowledge their participation in writing.

e. The MSC informs the Service member of the VA portion of the IDES process by contributing to the MDB and meeting individually with the Service member to assist in developing the disability claim. The MSC also requests that VA examiners perform the disability examinations required to adjudicate the Service member's disability claim.

f. Qualified medical examiners perform the disability examinations required to adjudicate the fitness for duty determination and VA rating determinations.

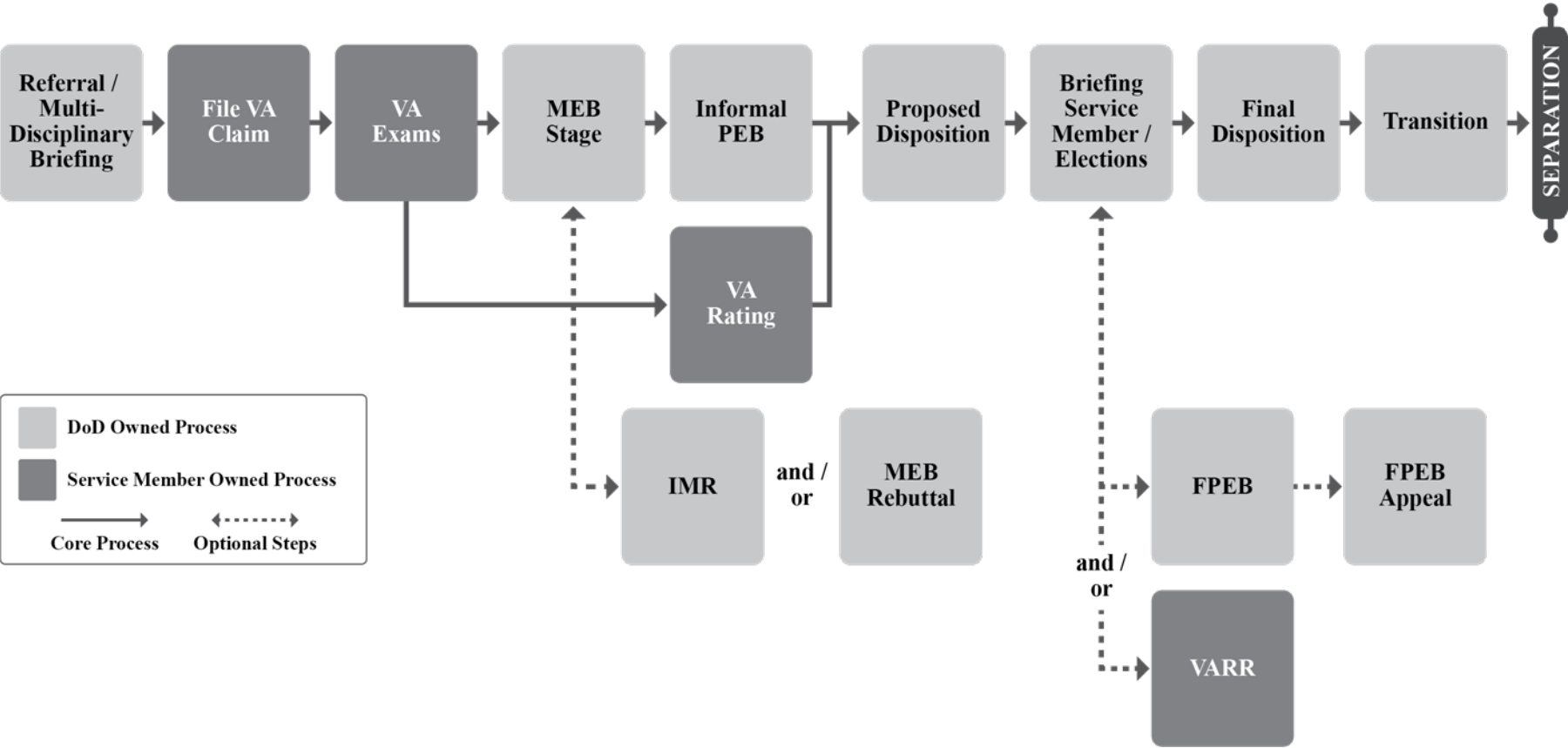
g. The MSC provides the completed VA disability examination results to the Service member's D-RAS of jurisdiction. The MSC provides the examination results to the Service member's PEBLO after the D-RAS of jurisdiction has certified the examination results as sufficient for rating.

h. The IDES splits at this point in the process, enabling DoD to make an initial fitness determination while the D-RAS assigns proposed ratings to the Service member's referred conditions, and claimed conditions as provided for in Paragraph 4.2.

i. Concurrently, the PEBLO incorporates the disability examination results in the IDES case file and provides it to the MEB convening authority.

- j. The MEB convening authority directs an MEB and the PEBLO provides a copy of the MEB findings, including the completed VA disability examination results, to the Service member.
- k. When presented with the MEB findings, the Service member may request an IMR, in accordance with Section 1612 of Public Law 110-181, and rebut the MEB findings, as necessary.
- l. If applicable, the MEB convening authority provides the MEB's written response to the Service member's rebuttal of the MEB findings to the PEBLO.
- m. The PEBLO provides a copy of the completed MEB findings to the Service member.
- n. If the MEB does not refer the Service member's case to the PEB because the service member meets medical retention standards, the D-RAS will be notified to enable appropriate disposition of the VA rating, if any. The MSC will also conduct an exit interview with the Service member and provide a return to duty letter.
- o. If the MEB does refer the Service member's case to the PEB because the member does not meet retention standards the PEBLO forwards the case to the PEB administrator.
- p. The PEB administrator prepares and provides the Service member's case to an IPEB.
- q. The IPEB adjudicates the case and, if the Service member is found unfit, obtains the proposed ratings assigned by the D-RAS. The IPEB adjudicators will not have access to the proposed rating until a fitness determination is made.
- r. The D-RAS provides the Service member's proposed disability rating.
- s. The IPEB provides its findings to the PEBLO.
- t. If the Service member demands an FPEB to appeal the IPEB's unfit findings, the FPEB meets and adjudicates the case pursuant to Section 1214 of Title 10, U.S.C.
- u. Pursuant to Section 524 of Public Law 117-81, a Service member may appeal the FPEB's findings and recommendations to the Secretary of the Military Department concerned or their FPEB Appeal designee.
- v. If the Service member requests a VA ratings reconsideration, the PEB administrator will forward the request and the full case file, including any applicable IMR and MEB rebuttal documentation, to the D-RAS.
- w. The Military Department concerned provides disability benefits to eligible Service members separated or retired through the IDES for disability. The VA provides eligible veterans with compensation at the earliest time allowed by law after the date of separation.
- x. The Military Department concerned periodically reexamines and re-adjudicates the cases, pursuant to Section 1210 of Title 10, U.S.C., of veterans who are temporarily retired for disability.

Figure 1. IDES Process



## SECTION 4: IDES ENTITY PROCEDURES

### 4.1. SERVICE MEMBER PROCEDURES.

- a. The Service member will complete an MDB. If the Service member is incapacitated, a personal representative may receive an MDB on their behalf.
- b. The Service member or a personal representative may:
  - (1) Seek legal assistance from, but not limited to:
    - (a) Government legal counsel provided by the Military Departments in accordance with Section 4 of DoDI 1332.18.
    - (b) Private counsel retained at their own expense.
  - (2) As applicable, complete and submit to the PEBLO:
    - (a) VA Form 21-22 to request assistance from a VA-accredited representative of a service organization recognized by the Secretary of Veterans Affairs, VA Form 21-22a to request a VA-accredited claims agent or attorney.
    - (b) DD Form 2807-1, "Report of Medical History," available at <https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd2807-1.pdf>.
  - (3) Upon receiving notice from the MSC, as required by Section 5101 of Title 38, U.S.C.:
    - (a) Complete the VA Form 21-526EZ, "Application for Disability Compensation and Related Compensation Benefits" to submit claimed conditions along with any information or evidence to substantiate the claim to the MSC. The form is available at <https://www.vba.va.gov/pubs/forms/VBA-21-526EZ-ARE.pdf>. The form can also be filled out online using the web-based application, available at <https://www.va.gov/disability/file-disability-claim-form-21-526ez/introduction>.
    - (b) Waive the opportunity to submit information and evidence consistent with Section 5101 of Title 38, U.S.C.
  - (4) Claim additional conditions after submission of the VA Form 21-526EZ. However, VA will not evaluate the added claimed conditions until after separation from service unless the MEB or PEB refers the condition(s) for further VA or MEB evaluation before issuing a fitness determination.
  - (5) Within the time specified by the MEB, submit to the PEBLO, if desired, request(s) for an IMR or MEB rebuttal or both. The Service member may request an extension of time to prepare the IMR or MEB rebuttal, which must be granted by the MEB convening authority when good cause is shown.

(6) Accept the IPEB's fitness determinations or demand a FPEB by notifying the PEBLO, in writing, during the Elections stage.

(7) Appeal the FPEB determinations and recommendations by notifying the PEBLO, in writing, during the Elections stage.

#### **4.2. DOD MEDICAL CARE PROVIDER REFERRAL PROCEDURES.**

An authorized qualified DoD medical care provider, must:

a. In coordination with the Service member's commander, refer the Service member to the IDES process in accordance with Section 3.

b. Complete page 1 of VA Form 21-0819. At a minimum, the referring provider must complete block 17 and sign/date blocks 18 and 19, provide the form to the PEBLO, and initiate a request for a TRICARE authorization via the MTF's referral management process for the Service member to be examined by the VA.

c. Notify the Service member of their referral to the IDES and direct the Service member to the MTF patient administrator or appropriate RC point of contact.

d. Notify the MTF patient administrator or appropriate RC point of contact of a Service member's referral to the IDES.

e. In coordination with the PEBLO, prepare and gather the minimum MEB elements required in Section 8.

f. For new conditions identified after the VA Form 21-0819 is submitted, document on the examination report whether these newly identified conditions, singularly, collectively, or through combined effect, may render the Service member unfit to perform the duties of the member's office, grade, rank, or rating, or are otherwise cause for referral to the PEB, as established by DoDI 1332.18 or Military Department regulations.

g. Construct the narrative summary (NARSUM) and MEB report when requested by the Director, Patient Administration, or DES program manager.

#### **4.3. PATIENT ADMINISTRATION OR DES PROGRAM MANAGER PROCEDURES.**

The Director, Patient Administration, or DES program manager, must:

a. Assign a PEBLO to the Service member within 3 days of the date the DoD medical provider refers the Service member to the IDES.

b. Receive the VA disability examination results from the qualified VA disability examiner through the PEBLO and ensure the examination results are recorded in the Service member's service treatment record (STR).

c. Provide the Service member's STR and disability examination results to the provider who will construct the NARSUM and MEB report.

d. Ensure the PEBLO receives the NARSUM within 3 days of the date of signature by the DoD medical care provider.

e. Assist Service members who request to consult with an impartial medical reviewer or legal counsel or rebut their MEB findings.

#### **4.4. MDB BRIEFER PROCEDURES.**

a. Each Military Department:

(1) Ensures that the Service member, or their personal representative, receives the MDB.

(2) Obtains written acknowledgement from the Service member, or their personal representative, that they have received the MDB.

b. Each Military Department should provide the MDB before the Service member meets individually with the MSC.

c. At a minimum, MDB briefers provide information to the Service member, or their personal representative, on the subjects outlined in Paragraphs 4.4.c.(1) through 4.4.c.(12) during the MDB:

(1) The stages and phases of the IDES and LDES processes, including the VA Benefits Delivery at Discharge (BDD) Program.

(2) The significance and consequences of determinations.

(3) The roles and responsibilities of the Military Department, DHA, and VA in the disability evaluation process, including the roles of the PEBLO, MSC, and government legal counsel.

(4) Disability examinations and the importance of attending all scheduled exams.

(5) The rights, benefits, entitlements, and responsibilities of the Service member, including the availability of government legal counsel to provide advice with regard to Service member rights and elections.

(6) Potential veterans' benefits provided by the U.S. Government.

(7) The necessary medical records, and any records to verify the status of the Service member's dependents, a Service member will need to successfully complete the disability process, including any additional information and evidence to support or substantiate a claim.



(8) The difference between claimed and referred conditions, the information and evidence necessary to substantiate a claim for VA disability compensation, and the benefits of claiming all eligible conditions.

(9) The line of duty (LOD) determination process.

(10) Online resources for ill and injured Service members (e.g., National Resource Directory, VA.gov).

(11) Services provided by military, veteran, or national service organizations.

(12) Available resources related to suicide prevention, including:

(a) The Defense Suicide Prevention Office Website.

(b) The telephone number for the Veteran/Military Crisis Line.

(c) The respective Military Department's suicide prevention resources.

#### **4.5. PEBLO PROCEDURES.**

##### **a. General.**

The PEBLO is one of the most important contacts for the Service member in the IDES and should communicate with the Service member, their commander, and the VA throughout the IDES process. Not later than 3 days after a DoD medical provider refers a Service member to the IDES, the Director, Patient Administration, or DES program manager assigns a PEBLO to the Service member. The PEBLO:

(1) Notifies the Service member's commander once a Service member is referred into the IDES.

(2) Coordinates with the MSC as the MSC assists the medical provider's administrative staff in scheduling all necessary IDES appointments for the Service member.

(3) Maintains full cognizance of the case and communicates with the Service member from the point of referral into the IDES until the case is completely closed, regardless of whether the Service member is returned to duty or either separated or retired from military service.

##### **b. PEBLO Actions.**

The PEBLO must:

(1) Within 3 days of case assignment to PEBLO:

(a) Initiate the DES case file.

(b) Inform the Service member of the DoD IDES process, and that they may seek assistance during the IDES process from, but not limited to:

1. Government legal counsel provided by the Military Departments in accordance with Section 4 of DoDI 1332.18;

2. Private counsel retained at their own expense;

3. A VA-accredited representative of a service organization recognized by the Secretary of Veterans Affairs, using the VA Form 21-22; or

4. A VA-accredited claims agent or attorney, using the VA Form 21-22a.

(c) Provide Service members who are referred to the IDES with:

1. A brochure or handout detailing the benefits, anticipated process timeline, right to legal counsel, and possible decisions at each step of the IDES. In addition to the brochure or handout, PEBLOs may also provide supplemental resources containing information related to the IDES, including a smartphone application.

2. The link to the most recent Wounded, Ill, and/or Injured Compensation and Benefits Handbook.

3. A copy of VA Form 21-22, ensuring the word “veteran” in Block 1 is deleted and replaced with “Service member.”

(d) Inform the Service member that they are required to ensure their STR is complete, including civilian records, and provide any missing records to the PEBLO for inclusion in the DES case file during the IDES Referral stage.

(e) Enter the IDES case into the designated IDES electronic tracking system. The PEBLO must enter or update the case data required in the designated IDES electronic tracking system upon the data becoming available or as soon as practical thereafter.

(2) Within 5 days of the date the case is assigned to the PEBLO, request a non-medical assessment from the Service member’s commander.

(3) Within 7 days of the date of case assignment to the PEBLO:

(a) Provide the MSC a copy of the Service member’s IDES case file, VA Form 21-0819, and STR, including entrance physical, mental health records, and records from the Armed Forces Health Longitudinal Technology Application, the Composite Health Care System, and other applicable sources of electronic health records.

(b) Certify that the PEBLO provided a complete STR to the MSC by completing Section III of VA Form 21-0819. If a Service member’s complete STR is not available or elements are missing, describe the actions taken to locate the missing records and inform the MSC that the medical records are not available in blocks 21 and 22 of VA Form 21-0819.

(4) Within 3 days following receipt of the IDES case file and disability examination requirements from the MSC, inform the Service member and the Service member's commander of all scheduled disability examinations.

(5) Monitor the Service member's completion of IDES appointments, including disability examinations, by:

(a) Approving and coordinating the Service member's requests for rescheduling VA examination appointments by contacting the MSC. Within 3 days of receipt of rescheduled VA examination appointments, the PEBLO must inform the Service member and Service member's commander of new appointments.

(b) Informing the Service member's command if an MSC or VA examination facility notifies the PEBLO that a Service member failed to report for any scheduled IDES appointments, including an initial interview or examination appointment(s). The PEBLO must then contact the MSC to reschedule the missed appointment(s).

(6) Assemble the IDES case file to include all medical and non-medical information for the MEB to consider.

(7) Inform the Service member that their case is being forwarded to the MEB.

(8) Forward the Service member's case file to the MEB.

(9) Within 3 days of receiving the MEB results, provide a copy of the MEB findings to the MSC and notify the Service member of the MEB results, including the medical conditions that may singularly, collectively, or through combined effect prevent the Service member from performing the duties of their office, grade, rank, or rating. Upon request and with the Service member's consent, PEBLOs will provide the Service member's designated representative or legal counsel with the Service member's completed DES case file.

(10) Inform the Service member of their right to request an IMR and/or MEB rebuttal while the case is under consideration by the MEB.

(11) If applicable, forward the results of the IMR or the Service member's request for an MEB rebuttal to the MEB as required.

(12) If the MEB finds the Service member has medical conditions that may singularly, collectively, or through combined effect prevent the Service member from performing the duties of their office, grade, rank, or rating, assemble the MEB case file with all attachments and forward the complete MEB case file to the PEB. The PEBLO will then advise the Service member of the date of PEB referral.

(13) If the MEB does not refer the Service member to the PEB, notify the MSC of the change in status.

(14) Upon receiving the IPEB findings from the PEB administrator:

(a) Provide a copy of and inform the Service member of the IPEB findings, the VA decision sheet and proposed ratings, and the benefits estimate letter.

(b) Inform the Service member of their options, including consultation with government legal counsel.

(c) Notify and provide a copy of the PEB findings to the MSC if the PEB finds the Service member fit.

(d) Advise the Service member of their right to legal counsel regarding the preparation of an appeal of their fitness decision or disability rating, if applicable.

(15) Within 6 days of receiving the Service member's IPEB findings:

(a) Assist the Service member with administratively completing their post-IPEB elections and forward the elections as required by Military Department regulations, including any requests by the Service member to appeal the IPEB's or FPEB's decision(s) or recommendations. However, the PEBLO is not a Service member legal advocate and may not provide advice, legal counsel, or other assistance regarding substantive aspects of the appeal.

(b) If applicable, administratively assist the Service member in preparing a request to the D-RAS to reconsider the proposed VA disability ratings of unfitting conditions and provide the Service member's request for reconsideration to the PEB and MSC. Additionally, the PEBLO will inform the Service member of their right to consult with and be represented before VA for rating reconsideration by an individual outlined in Paragraphs 2.6.f.(1) through 2.6.f.(4).

(c) If applicable, inform the Service member or their representative of VA's decision to propose a finding of incompetency, and record the date and name of the person who signed the letter to the Service member.

(d) Inform the MSC and Service member's commander of the Service member's acceptance of findings, request for reconsideration, or request for an FPEB.

(16) Notify the Service member and their commander of the FPEB date, if applicable.

(17) Monitor case progress and resolve complications related to the FPEB.

(18) Within 3 days after receiving the FPEB findings from PEB administration, inform, or ensure a Military Department representative, such as a PEB official, informs the Service member of the FPEB findings and their right to appeal the findings to the Secretary of the Military Department concerned or designated FPEB Appeal authority.

(19) Within 3 days of receiving the decision of the Secretary of the Military Department concerned or the designated FPEB Appeal authority, inform, or ensure a Military Department representative, such as a PEB official, informs, the Service member of the Military Department's final fitness disposition.

(20) Notify and provide documentation of the reason for disenrollment to the MSC and PEB when Service members are disenrolled from the IDES.

(21) Inform the Service member to schedule and attend an exit interview with the MSC before exiting the IDES process.

(22) Upon request and with the consent of the Service member, provide Service member or the Service member's legal counsel with a complete copy of the IDES case file.

#### **4.6. MEB CONVENING AUTHORITY PROCEDURES.**

The MEB convening authority must:

a. In accordance with Section 3 of DoDI 1332.18 and in coordination with DHA and the Secretary of the Military Department concerned, assemble an MEB using information the PEBLO provides in the DES case file. MEB members will consult and decide whether the Service member has medical conditions that, singularly, collectively, or through combined effect, may render the member unfit to perform the duties of the member's office, grade, rank, or rating. Any MEB listing a psychiatric diagnosis must contain a thorough psychiatric evaluation and include the signature of at least one psychiatrist or psychologist with a doctorate degree in psychology.

b. Ensure the MEB completes their deliberations and documents their decision, which must include the specific condition(s), singularly, collectively, or through combined effect, that may cause the Service member to be unfit to perform the duties of the member's office, grade, rank, or rating. The MEB returns the DES case file, with the completed finding, to the PEBLO.

c. Ensure that MEB rebuttal procedures include:

(1) Appointment of a physician or other medical provider to address the Service member's MEB rebuttal.

(2) MEB documentation specifically addressing evidence presented in the MEB rebuttal to either amend the MEB or explain why the preponderance of evidence continues to support the MEB findings.

(3) A copy of the MEB response to the Service member or their representative, provided by the PEBLO.

#### **4.7. MSC PROCEDURES.**

##### **a. General.**

The VA-employed MSC is a critical contact for the Service member throughout the IDES process. Assigned immediately after the PEBLO is assigned to assist the Service member, the

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

**b. MSC Actions.**

The MSC must:

(1) Within 5 days of receiving a Service member's IDES case file, including a complete copy of the STR:

(a) Inform the Service member of their rights and VA actions in the IDES, including:

1. The information and evidence necessary to substantiate a claim for VA disability compensation, noting that a claim can be filed with VA for any condition(s).

2. The opportunity to be represented before VA by any attorney, agent, or representative of a recognized veterans' service organization who is providing representation to Service members and who has complied with Part 14 of Title 38, CFR.

(b) Notify the Service member that they may submit a claim as required by Section 5101 of Title 38, U.S.C., and provide any additional information and evidence to support their claim. The MSC may inform the Service member of the option to waive the 30-day period to submit any information or evidence to substantiate the claim. Absent a waiver, VA will assist the Service member with collecting supporting information for claimed conditions.

(c) Assist the member in completing VA Form 21-526EZ.

(2) When the Service member completes Section 2 of VA Form 21-526EZ, enter the information from the form into the VA claims processing system. If the Service member:

(a) Does not desire to claim additional disabilities during the initial education session, the MSC will document in writing that the Service member does not desire to file a claim for VA disability benefits or does not want to claim any additional disabilities.

(b) Refuses to complete VA Form 21-526EZ, the MSC will annotate on the form that the Service member declined to claim additional disabilities and document the information in the designated IDES electronic tracking system.

(3) After receiving the Service member's DES case file from the PEBLO:

(a) Request required disability examinations using the VA Compensation and Pension Record Interchange, the Exam Management System, or other appropriate systems, as required and agreed to by the ASD(HA) and VBA.

(b) Simultaneously gather additional information and evidence required to substantiate the claim, such as Service member medical records and other pertinent records from previous periods of service, VA treatments or examination records, civilian medical treatment records, and additional information from the Service member.

1. Continue processing the case while gathering additional information and evidence required to substantiate the claim. If unable to locate all relevant records, contact the Service member to:

a. Notify them that relevant records are missing (identify the records).

b. Explain the efforts made by VA to obtain them and describe any further action VA will take with respect to the records.

2. The MSC may request additional examinations in coordination with the PEBLO and MTF liaisons if the Military Department concerned refers the Service member with new potentially unfitting medical conditions discovered through the course of routine care and treatment, or as found by the examiner.

3. After coordinating with the PEBLO, the MSC will assist the VA medical provider's administrative staff in rescheduling examinations the Service member missed and pending examinations that the Service member may not be able to attend. It is the Service member's responsibility to notify the MSC and PEBLO if the member will be unable to attend an examination or appointment.

(4) Inform the Service member of the progress of the case.

(5) When all examinations have been completed:

(a) Forward the VA claim folder to the appropriate D-RAS of jurisdiction.

(b) Provide the PEBLO the completed disability examination results after the VA D-RAS has certified the examinations as sufficient for rating.

(6) Upon notification of the Service member's final disposition, conduct an exit interview with the Service member before the member departs the installation, gather any additional required information to expedite payment of VA benefits after separation, and explain the VA appeal process and the rights available to the Service member when the VA decision is finalized.

#### **4.8. COMMANDER PROCEDURES.**

Commanders:

a. Must provide the commander's non-medical assessment of the Service member's ability to perform their current job and the duties expected of the member's current office, grade, rank, or rating within 5 days of the PEBLO's request, except in cases in which the illness or injury is so severe that return to duty is not likely.

b. Are required to provide the PEBLO a complete LOD determination, as required by regulation(s) of the Military Department concerned, within 14 days of the request date or by the next Reserve drill.

- c. Will ensure Service members attend all IDES appointments and VA disability examination appointments, but may grant exceptions to this requirement for the welfare or morale of a Service member, provided those exceptions do not prevent timely completion of IDES appointments.
- d. May discuss the contents of the non-medical assessment with the Service member and their personal representative, and may provide the Service member a copy.
- e. Will inform the PEBLO of any scheduling conflicts with IDES appointments.
- f. Must ensure that IDES-referred Service members are assigned military duties appropriate to their condition and have a recovery care plan established, as applicable.
- g. Will inform the PEBLO if the Military Department initiates actions that may lead to administrative discharge or any unfavorable actions that arise during the Service member's IDES process.

#### **4.9. QUALIFIED EXAMINER PROCEDURES.**

- a. Qualified examiners may come from a variety of sources (e.g., DoD, VA, TRICARE, or contractor). While not prohibited, it is highly discouraged for the treatment provider to perform the disability examination. This allows the treatment provider to concentrate on medical care and the examiner to objectively focus on quantifying impairment.
- b. The qualified examiner must:
  - (1) Complete the general medical and specialty disability examinations for Service members being considered for separation through the IDES within 30 days of receiving an IDES disability examination request and STR from the MSC.
  - (2) Review the Service member's complete STR (to include VA disability claim forms) in conjunction with disability examination(s), and before issuing the final examination report(s). Disability examinations for seriously or very seriously injured Service members who are unable to leave their bed, or otherwise attend an examination, may consist of a review of the medical records developed as a part of the Service member's treatment.
  - (3) In all disability examinations, include a complete review of systems and a comprehensive evaluation of medical conditions referred to the IDES. If the Service member is on active duty, the disability examination will also address conditions that may have existed before service or that otherwise are considered not in the LOD. Disability examinations will:
    - (a) Include an evaluation of medical conditions identified and claimed by the Service member as having been incurred in, or aggravated by, military service.
    - (b) To the extent practical, be documented according to VA standards or templates.



(c) Serve as the separation or retirement physical if separation or retirement from military service occurs through the IDES.

(4) Note any conditions found during the exam in the exam report and share exam report with the PEBLO. If a new condition is ultimately found to fail retention standards by the MEB, the PEBLO will notify the MSC. If the condition was previously claimed, the D-RAS will determine if new exams are necessary to rate the condition.

(5) Perform TDRL re-examinations when necessary.

#### **4.10. PEB ADMINISTRATION PROCEDURES.**

##### **a. General.**

PEB administration ensures the IDES case file received from the PEBLO is processed through the IPEB, FPEB, and FPEB Appeal.

##### **b. PEB Administrator Actions.**

The PEB administrator, after receiving the complete and correct MEB case file from the PEBLO, must:

- (1) Prepare the case for the PEB.
- (2) Notify the PEBLO of the IPEB's fitness/unfitness findings, administrative determinations, and D-RAS proposed ratings.
- (3) Obtain the proposed disability rating from the D-RAS via secure electronic measures for all unfit findings from the IPEB, when appropriate.
- (4) Send the full PEB case file with the request to D-RAS for review if the Service member requests a VA rating reconsideration.

##### **c. FPEB.**

Upon receiving the Service member's demand for an FPEB, the PEB administration must schedule an FPEB, and:

- (1) Provide Service members, their personal representative, or legal counsel a minimum of 10-days' notice of the formal hearing before the FPEB. This 10-day requirement may be waived, in writing, by the Service member.
- (2) At a minimum, an assigned government legal counsel will consult with the Service member before the scheduled formal hearing, if the Service member has not waived their right to consult with legal counsel, in accordance with guidance in Section 4 of DoDI 1332.18.
- (3) Allow Service members travelling to an FPEB enough time to arrive (more than 1 day) in advance of the scheduled hearings to confer with government legal counsel.

#### **d. FPEB Appeal.**

(1) Upon receiving the Service member's demand for an FPEB Appeal, the PEB administration must arrange for an FPEB Appeal, and:

(a) Notify the Secretary of the Military Department concerned or their FPEB Appeal designee of the Service member's appeal submission and obtain a hearing date.

(b) Provide Service members, their personal representative, or legal counsel notice of the formal appeal hearing, if requested, before the FPEB Appeal hearing.

(2) At a minimum, an assigned government legal counsel will consult with the Service member before the scheduled FPEB Appeal hearing, if the Service member has not waived their right to consult with legal counsel, in accordance with Section 4 of DoDI 1332.18. Service members will also have the option to be represented during the FPEB Appeal hearing by legal counsel.

#### **e. Findings.**

Upon receiving findings from an IPEB, FPEB, or FPEB Appeal (or designated appellate authority), the PEB administrator must:

(1) Incorporate the IPEB, FPEB, or FPEB Appeal findings into the Service member's case file.

(2) Notify the PEBLO of the findings.

### **4.11. IPEB, FPEB, AND FPEB APPEAL PROCEDURES.**

#### **a. General.**

The IPEB, FPEB, and FPEB Appeal determine a Service member's fitness due to physical disability in accordance with Section 6 of DoDI 1332.18. In the IDES, the VA proposes disability ratings for conditions to be used by the Military Departments concerned, except in instances covered by Paragraph 8.1.d.(4) of DoDI 1332.18.

#### **b. IPEB Actions.**

The IPEB must:

(1) Within 11 days of receiving the complete and correct MEB case file from the PEB administrator, adjudicate the Service member's case, and forward the findings and recommendations to the PEB administration staff.

(2) Upon obtaining proposed disability ratings from the D-RAS, apply the ratings using the diagnostic code(s) provided by the D-RAS to the Service member's unfitting conditions and issue the disposition recommendation.

**c. FPEB Actions.**

The FPEB must:

(1) Accept a Service member's demand for an FPEB (if found unfit). The PEB President may also accept a Service member's request for an FPEB if found fit. Upon acceptance, the PEB administrator will prepare the case for an FPEB.

(2) If not previously rated by D-RAS within the Proposed Rating Stage, obtain an updated proposed rating from the D-RAS when a new unfitting condition is added to ensure VA's proposed rating accurately reflects the PEB's final recommendations of unfitting conditions.

(3) Consider the Service member's rebuttal(s) of fitness determinations for unfitting/potentially unfitting conditions, the stability and compensability of unfitting conditions, and applicable administrative determinations.

(4) Render and formally prepare a recommendation within 21 days from the date the Service member elected to rebut the IPEB decision.

**d. FPEB Appeal Actions.**

The Secretary of the Military Department or their FPEB Appeal designee must:

(1) Consider the Service member's rebuttal(s) of the FPEB's determinations. If applicable, obtain any updated proposed ratings from the D-RAS as appropriate to ensure currency of information considered in pending appeal.

(2) Render a decision within 10 days from the date the Service member submitted their election for FPEB Appeal to the PEB administrator.

**4.12. D-RAS PROCEDURES.**

a. After receiving the disability examination report from the MSC, the D-RAS determines whether the disability evaluation report is sufficient for disability rating purposes and notifies the MSC if the disability evaluation report is insufficient.

b. The D-RAS will return the entire case file to the appropriate examining facility for correction or completion if the disability examination report is inadequate and notify the Service member's PEBLO and MSC when a case file is being returned for additional required information.

c. The D-RAS will rate the referred and claimed service-connected disabilities, as well as conditions identified pursuant to Paragraph 4.2.(f), and provide a proposed rating decision, with rationale.

(1) The D-RAS will make the proposed ratings available to the PEB administrator through means agreed upon between the VA and Military Departments.

(2) The D-RAS will defer rating all other claimed conditions identified after the Service member signs the VA form 21-526EZ until after separation from service.

(3) The VA decision review officer will consider any new documentation or information from the Service member and provide the PEB updated proposed ratings, if:

(a) New medical evidence is received, or the Service member can provide sufficient justification, such as error, to warrant the reconsideration.

(b) The request for D-RAS reconsideration is based on appropriate grounds.

(c) Additional conditions are found to be unfitting at the IPEB, FPEB, FPEB Appeal, or additional pre-discharge Military Department reviews.

(d) The Service member exercises their one-time right to request a rating reconsideration on those new unfitting conditions before separation or retirement from military service. Subsequent appeals of ratings to the VA must occur after the Service member has attained veteran status and been formally notified of the rating decision.

(4) The D-RAS will enter or update the case data required in the designated IDES electronic tracking system within 3 days of the data becoming available.

#### **4.13. MILITARY DEPARTMENT PROCEDURES.**

The Military Department concerned:

a. Places RC Service members on orders, as needed, according to their respective regulations.

b. Processes IDES decisions in accordance with this volume and their respective regulations.

c. Determines if Service member is fit/unfit and makes determination on whether Service member will be returned to duty, or is medically separated or medically retired due to physical disability, or assists the Service member to complete an inter-Service transfer in accordance with Paragraph 11.3. of DoDI 1332.18, as appropriate.

d. Upon receiving the approval authority's decision to separate the Service member, establishes a separation date in accordance with their respective regulations; the separation date should generally be within 26 days from the date of approval of the disposition for all Service members. The 26-day goal excludes any amount of administrative absences or accrued leave the Service member is authorized to take.

e. Notifies the MSC of the Service member's separation date and provides a copy of the member's DD Form 214 or separation orders to the VA.

f. Advises RC Service members that the earliest possible date of entitlement to VA compensation may begin when the Service member's period of active duty service ends, and the Service member becomes a veteran.

g. Notifies the responsible VA regional office after correcting the record of a veteran who was separated or retired through the IDES.

h. Reviews Disability Advisory Council reports and other reports and data from the IDES and, in coordination with the Office of the DASD(HSP&O) and the VA, adjusts their IDES procedures to ensure due process for all Service members in the IDES.

i. Trains PEBLOs on the IDES process, including Service member options, rights, benefits, entitlements, and the timeliness goals and performance associated with the IDES process.

j. In accordance with Section 1219 of Title 10, U.S.C., will not require a Service member to sign a statement relating to the origin, incurrence, or aggravation of their illness or injury. Any such statement against the Service member's interests, signed by the member, is invalid.

## SECTION 5: IDES CASE TRACKING PROCEDURES

- a. Upon referral of a Service member to the IDES, the PEBLO assigned to the Service member's case will initiate the case in the designated IDES electronic case tracking system.
- b. If at any point the Service member is disenrolled from the IDES, the PEBLO or PEB must notify the MSC and the D-RAS of case disenrollment using secure electronic measures or commercial delivery service.

(1) The Air Force and Navy PEBs must forward IDES case information to:

U.S. Department of Veterans Affairs  
Providence VA Regional Office  
ATTN: DES  
380 Westminster Street  
Providence, RI 02903  
E-mail: [des.vbapro@va.gov](mailto:des.vbapro@va.gov)

(2) The Army PEBs must forward IDES case information to:

U.S. Department of Veterans Affairs  
SeaTac Processing Center  
17930 International Blvd  
Suite 100  
SeaTac, WA 98188  
E-mail: [des.vbadea@va.gov](mailto:des.vbadea@va.gov)

## SECTION 6: IDES TIMELINESS GOALS

### 6.1. OVERALL IDES PROCESS GOAL.

a. The goal is for the DoD and VA to complete 80 percent of all Service member cases in no more than 180 days, starting from the date of referral to the IDES and ending on the date of return to duty, separation, or retirement.

b. The calculation of processing time excludes any amount of administrative absences or accrued leave the Service member is authorized to take during transition, or any amount of time in a deferred status. Time that should be considered excludable from the IDES processing time calculations may include time used in the instances outlined in Paragraphs 6.1.b.(1) through 6.1.b.(5):

(1) Case pending non-disability administrative action;

(2) Additional recovery or treatment time needed;

(3) The Service member is continued on active duty, continued on active reserve, granted permanent limited duty, or granted limited assignment status for less than 12 months;

(4) Awaiting concurrence, in accordance with Section 1216 of Title 10, U.S.C., by the Secretary of Defense for flag, general, or medical officers' cases; or

(5) Secretary of the Military Department concerned, or their designee, determines that a delay is in the best interest of the Service member or Military Department.

c. A case should not be deferred due to reasons within control of the IDES, such as those outlined in Paragraphs 6.1.c.(1) and 6.1.c.(2):

(1) Delays in obtaining case file documentation required to process the case (e.g., LOD determination, disability benefits questionnaires, commander's letter.)

(2) Service member not complying with the requirements of the IDES process (e.g., refusing to attend medical exams).

### 6.2. IDES PHASE AND STAGE GOALS.

Case processing timeliness goals for each phase and stage of the IDES are described in Table 1, stated as numeric averages.

**Table 1. IDES Phase and Stage Goals with Description**

PHASE	STAGE	DESCRIPTION
MEB Phase 72 days	Referral	Complete the Referral stage in no more than 7 days. The Referral stage starts the date of referral to the IDES by a DoD medical care provider and ends on the date the PEBLO provides the Service member's complete STR, including the Service member's entrance physical and VA Form 21-0819 to the MSC.
	Claim Development	Complete the Claim Development stage in no more than 7 days. The Claim Development stage starts on the date the PEBLO provides the Service member's complete STR and VA Form 21-0819 to the MSC and ends on the date the MSC requests the Service member's medical examination(s).
	VA Disability Examination	Complete the VA Disability Examination stage in no more than 31 days starting on the date the MSC requests the Service member's disability examination appointment(s) and ending on the date the MSC provides the completed disability examination results to the PEBLO and the D-RAS.
	MEB	Complete the MEB stage in no more than 20 days starting on the date the MSC provides the completed disability examination results and ending on the date the Military Department's MEB determines a Service member meets medical retention standards without referring them to an IPEB, or forwards the MEB case file to PEB administration to begin processing for an IPEB if MEB determines medical retention standards are not met.
	IMR and / or MEB Rebuttal	Complete these Service member initiated actions in no more than 7 days from the date the PEBLO receives the Service member's request.
PEB Phase 82 days	IPEB	Complete the IPEB stage in no more than 11 days starting on the date the PEB receives the complete MEB case file and ending on the date the PEB forwards the initial fitness decision to the PEBLO, if found fit. If the Service member is found unfit, VA ratings will be applied to the unfitting conditions.
	Proposed Ratings	Complete the Proposed Ratings stage in no more than 19 days starting on the medical examination end date and ending when the proposed rating is complete and sent to the PEB administrator. (These days are counted concurrent with the MEB and IPEB.)



**Table 1. IDES Phase and Stage Goals with Descriptions, Continued**

PHASE	STAGE	DESCRIPTION
PEB Phase 82 days (continued)	Proposed Disposition	Complete the Proposed Disposition stage in no more than 5 days starting on the end of the IPEB or the end of the proposed rating, whichever date is last, and ending on the date the PEB sends the assembled case file to the PEBLO for counseling the Service member.
	Elections	Complete the Elections stage in no more than 6 days starting on the date the PEB makes the proposed disposition available to the PEBLO and ending on the date the PEBLO returns the case file to the PEB with the Service member's election to accept the IPEB findings, request an FPEB, or demand an FPEB.
	FPEB	Complete the Service member initiated FPEB stage in no more than 24 days, starting on the date the Service member elects an FPEB and ending on the date of the Service member's decision to accept the FPEB disposition, submit an FPEB Appeal, or request a VA rating reconsideration, if appropriate.
	FPEB Appeal	Complete the Service member initiated FPEB Appeal stage in no more than 10 days, starting on the date the Service member submits an election for FPEB appeal and ending on the date the Service member receives the FPEB Appeal decision or requests a VA Rating Reconsideration, if appropriate.
	Rating Reconsideration	Complete the Service member initiated VA Rating Reconsideration stage in no more than 2 days starting on the date the PEB forwards the rating reconsideration request to the D-RAS and ending on the date the D-RAS sends the rating reconsideration result to the PEB.
	Final Disposition	Complete the Final Disposition stage in no more than 5 days starting on the date the Service member accepts their disposition decision and ending on the date the Secretary of the Military Department concerned approves the Service member's final disposition.
Service Member Transition 26 days	N/A	The Service Member Transition phase of the IDES includes processing the Service member for separation or retirement. The IDES goal is to complete the Service member transition phase of the IDES process for Service members in 26 days, excluding any amount of administrative absences or accrued leave the Service member is authorized to take, starting from the date the Secretary of the Military Department concerned approves the final disposition and ending on the date of the Service member's separation or retirement from military service.

### **6.3. VA DISABILITY COMPENSATION DELIVERY PHASE.**

a. The IDES goal is to complete the VA disability compensation delivery phase of the IDES process for former active duty Service members in no more than 30 days, starting on the date of the Service member's separation or retirement from military service and ending on the date VA issues the disability benefits decision letter.

b. This VA phase of the IDES process does not apply to NAD Service members who are not on active duty if the ratings provided during the Proposed Rating stage were complete and final. However, eligibility for disability compensation begins immediately upon separation for NAD Service members.

c. For NAD Service members who meet the definition of a veteran in accordance with Part 3 of Title 38, CFR, the proposed rating provided to DoD for the unfitting condition(s) will also serve as the actual rating, and VA will notify the veteran of the VA decision at that time.

## SECTION 7: LDES PROCESS

### 7.1. GENERAL.

The LDES is the disability evaluation mechanism that is administered entirely by DoD to assess ill or injured Service members' fitness for continued military service and, if unfit, the appropriate disability disposition. Unless otherwise noted below, the LDES process incorporates the same procedures as the IDDES.

a. The Secretaries of the Military Departments may enroll a Service member into the LDES if:

- (1) Requested by a Service member;
- (2) There is a compelling and individualized reason; or
- (3) A Service member refuses to claim or submit a VA disability claim for a potentially unfitting condition.

b. The Secretaries of the Military Departments may not enroll a Service member into the LDES if the Service member's case has started the VA Disability Examination stage of the IDDES process.

c. In accordance with DoDI 1332.18, Service members should attend an MDB within 10 days of when the Service member enters the LDES.

d. Before the Secretary concerned enrolls a Service member into the LDES, the Service member must acknowledge, in writing, that they received:

(1) A briefing on the procedural differences between the LDES and the IDDES from a representative of their respective Military Department's legal counsel.

(2) A briefing on the VA BDD Program.

(3) The opportunity to accept referral to a vocational rehabilitation counselor to determine entitlement to the VA Veteran Readiness and Employment Program.

e. The LDES comprises all disability examinations and all administrative activities completed by DoD from the point of referral by a military medical care provider to the date of return to duty, retirement, or separation.

f. Administrative requirements include, but are not limited to:

(1) Creating the LDES case file.

(2) Educating the Service member on the process, advising the Service member of the results of the MEB and PEB, as well as their options, rights, benefits, and entitlements.

(3) Assisting the Service member as the case progresses through the LDES process.

(4) Reevaluating Service members who were temporarily retired for disability through the LDES or who have an approved record correction requiring an examination.

## **7.2. SPECIALTY CONSULTATION.**

Service members who have been referred to the LDES and who require specialty care consultation will be scheduled and seen within TRICARE standards.

## **7.3. COMMANDER DOCUMENTATION.**

The Service member's unit commander must provide all official military personnel documents required for disability processing within 5 days of either the PEBLO's, MEB's, or PEB's request. Examples of these documents include the commander's non-medical assessment, a copy of the LOD determination (if applicable), physical performance records, and personnel evaluations as required by the Service member's respective Military Service.

## **7.4. OVERALL LDES PROCESS GOAL.**

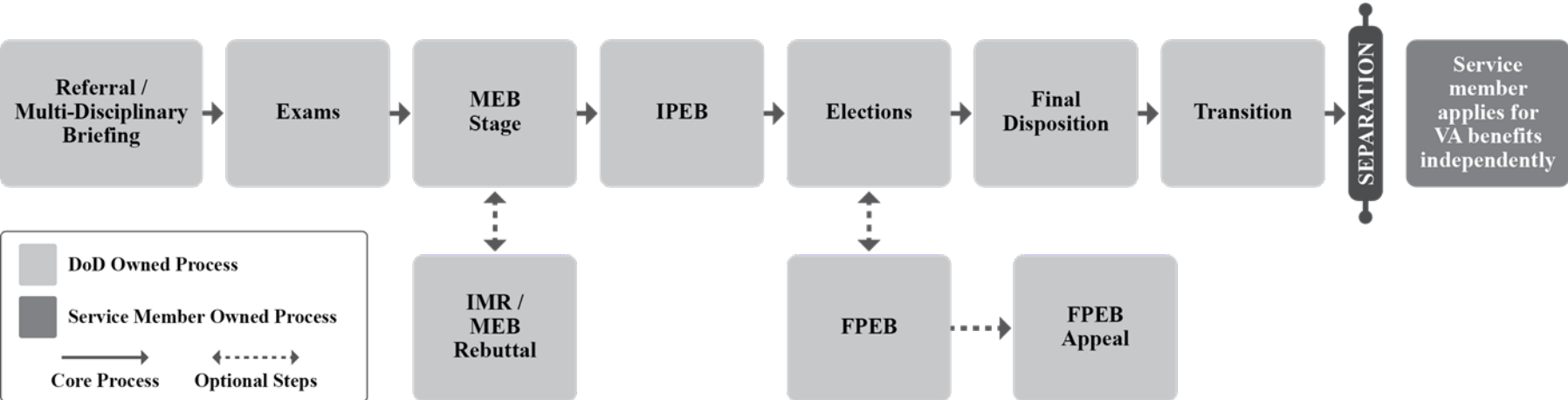
The goal is for the DoD to complete 80 percent of all Service member cases in no more than 103 days, starting from the date of referral for disability evaluation and ending on the date of return to duty, retirement, or separation. The calculation of processing time excludes any amount of administrative absences or accrued leave the Service member is authorized to take during transition, or any amount of time in a deferred status.

## **7.5. LDES PHASE AND STAGE GOALS.**

a. For Service members requesting the LDES process instead of the IDES, the start date of their LDES timeline will be the date of referral for disability evaluation. For Service members referred to the LDES by the Military Department Secretary, the established LDES time standards will apply as written in this volume. The LDES process is shown in Figure 2.

b. Case processing timeliness goals for each phase and stage of the LDES are described in Table 2, stated as numeric averages.

Figure 2. LDES Process.



**Table 2. LDES Phase and Stage Goals with Descriptions**

<b>PHASE</b>	<b>STAGE</b>	<b>DESCRIPTION</b>
MEB Phase 31 days	Referral	Complete the Referral stage in no more than 7 days. The Referral stage starts on the date of referral to the DES by a DoD medical care provider and ends on the date the PEBLO compiles and updates the Service member's complete STR, including entrance physical and non-medical information.
	Examination	Complete the Examination stage in no more than 7 days. The Examination stage starts on the date the PEBLO completed the referral stage and schedules an exam to investigate all of the Service member's conditions and ends on the date the exam is made available to the MEB.
	MEB	Complete the MEB stage in no more than 10 days. The MEB stage starts on the date the exam results are made available to the Military Department's MEB and ends on the date the MEB returns the Service member to duty or forwards the MEB case file to PEB administration to begin processing for an IPEB, excluding IMR and rebuttal time.
	IMR and / or MEB Rebuttal	Complete the MEB Rebuttal and/or IMR stage in no more than 7 days from the date the PEBLO receives the Service member's request.
PEB Phase 56 days	IPEB	Complete the IPEB stage in no more than 11 days. The IPEB stage starts on the date the PEB receives the complete MEB case file and ends on the date the PEB makes the proposed disposition available to the PEBLO.
	Elections	Complete the Elections stage in no more than 6 days. The Elections stage starts on the date the PEB makes the proposed disposition available to the PEBLO and ends on the date the PEBLO returns the case file to the PEB with the Service member's election to accept the IPEB findings, request an FPEB, or demand an FPEB.
	FPEB	Complete the Service member initiated FPEB stage in no more than 24 days. The FPEB stage starts on the date the PEB receives the case file with the Service member's request or demand for an FPEB and ends on the date the Service member accepts the FPEB disposition decision or demands an FPEB Appeal.
	FPEB Appeal	Complete the Service member initiated FPEB Appeal stage in no more than 10 days, starting on the date the Service member submits an election for FPEB Appeal and ending on the date the Service member demands an FPEB Appeal and ending on the date the Service member receives the FPEB Appeal decision or requests a VA Rating Reconsideration.

**Table 2. LDES Phase and Stage Goals with Descriptions, Continued**

<b>PHASE</b>	<b>STAGE</b>	<b>DESCRIPTION</b>
PEB Phase 56 days (continued)	Final Disposition	Complete the Final Disposition stage in no more than 5 days. The Final Disposition stage starts on the date the Service member accepts their disposition decision and ends on the date the Secretary of the Military Department concerned approves the Service member's final disposition.
Service member Transition 26 days	N/A	The Service member Transition phase of the LDES includes processing the Service member for separation or retirement. The LDES goal is to complete the Service member transition phase of the LDES process for Service members in 26 days, excluding any amount of administrative absences or accrued leave the Service member is authorized to take during transition, or any amount of time in a deferred status, starting from the date the Secretary of the Military Department concerned approves the final disposition and ending on the date of the Service member's separation or retirement from military service.

## **SECTION 8: TIMELINESS GOALS FOR NON-DUTY-RELATED EVALUATIONS**

### **8.1. OVERALL NON-DUTY-RELATED PROCESS GOAL.**

The goal is for DoD to complete 80 percent of all Service member cases in no more than 130 days, starting from the date of the administrative review of the potentially disqualifying medical information submitted to the designated RC medical authority and ending on the date of the decision of the PEB. Service members that should be referred into the non-duty-related process include RC members not on active duty, whose fitness for duty comes into question for non-duty-related medical conditions, and who request referral or are directed into the non-duty-related process solely for fitness and duty-related determinations.

### **8.2. NON-DUTY-RELATED PHASE GOALS.**

#### **a. Medical Disqualification Phase.**

The medical disqualification case processing time should not exceed 90 days. The 90 days start from the date of the administrative review of the potentially disqualifying medical information submitted to the designated RC medical authority and end the date the PEB receives and accepts the Service member's case file.

#### **b. PEB Phase.**

Non-duty-related case processing time should not exceed 40 days from the date the PEB accepts the case file or physical exam to the date of the decision by the PEB.



## SECTION 9: DOCUMENTATION OF MEB RESULTS

In addition to documents that may be required by each Military Service (e.g., performance assessments), MEB results must include these elements:

a. Cover sheet, or equivalent, with MEB convening authority signature and MEB decision (added after the MEB).

b. NARSUM describing history, present status, and prognosis of all referred conditions, and may also include conditions claimed by the Service member to determine if they may be unfitting. For medical conditions that, singularly, collectively, or through combined effect, may render the Service member unfit to perform the duties of the member's office, grade, rank, or rating, the MEB results will describe:

(1) The medical history and current clinical condition inclusive of findings of VA or DoD medical examinations. They must document whether additional medical exams or diagnostic tests were performed due to the results substantially affecting identification of the existence or severity of potentially unfitting conditions.

(2) The impact on required duty and associated operational assignment limitations.

(3) Whether the medical conditions are likely to improve sufficiently for the Service member to perform the full duties of the member's office, grade, rank, or rating within 12 months.

(4) How the severity of the member's medical condition(s) is likely to change within the next 3 years.

(5) The requirement to monitor or provide treatment for the member's chronic conditions within the next 12 months.

c. Documentation from examinations that meet minimum disability examination criteria for all medical conditions that could, singularly, collectively, or through combined effect, prevent the Service member from performing the duties of their office, grade, rank, or rating.

d. Complete STR as defined in DoDI 6040.45.

e. Commander's non-medical assessment letter.

f. MEB addendums.

g. LOD determinations when required by Military Department regulations.

h. Service member IMR (if applicable), MEB rebuttal, and surrebuttal if requested by the Service member.

i. Competency statement, as appropriate, when conditions outlined in Paragraph 3.2.g. of DoDI 1332.18 are met.

## **SECTION 10: TDRL PROCEDURES**

### **10.1. PEB PROPOSED DISPOSITION.**

When a Service member receives an unfit determination, the PEB will apply the disability ratings provided by the D-RAS for all compensable unfitting conditions, except in instances covered by Paragraph 8.1.d.(4) of DoDI 1332.18, to prepare a proposed rating decision for IDES Service members. The PEB will review all applicable medical examination results necessary for determinations of stability and permanency of all referred conditions, including future examination requirements established by the D-RAS. For LDES Service members, the PEB will utilize the VASRD to prepare rating decisions, in accordance with Section 1216a of Title 10, U.S.C.

### **10.2. D-RAS ADJUDICATION.**

The D-RAS will rate all service-connected disabilities, claimed and referred, for IDES Service members. The D-RAS will determine if a future examination is required for any of the service-connected disabilities in accordance with Part 4 of Title 38, CFR, the existing record of medical evidence, and existing VA policies and procedures in effect at the time of the rating determination and indicate this on the proposed rating.

### **10.3. PEB DISPOSITION.**

The Military Department PEBs will consider the future examination requirements set by the D-RAS, if applicable, as an indicator of stability when making a recommendation of stability and case disposition to the Secretary of the Military Department concerned. For LDES Service members, the PEB will use all relevant, available medical evidence for condition stability and permanency determinations and recommendations.

### **10.4. TDRL REEVALUATION.**

VA will conduct exams and prepare rating decisions for veterans who were temporarily retired for disability in accordance with VA laws and regulations. VA will provide a copy of the most current rating and the medical evidence upon which the most current rating is based in accordance with Section 7332 of Title 38, U.S.C. If VA does not provide examination and rating information sufficient to adjudicate the veteran's case or if the most recent VA exam is older than 18 months, the Military Department will execute required TDRL examinations and ratings in accordance with Title 38, CFR.

### **10.5. LEGAL REPRESENTATION.**

Uniformed U.S. Government or civilian attorneys of the Military Departments, private counsel retained by the Service member at the Service member's expense, and attorneys or agents of

recognized veterans service organizations, who satisfy the requirements of Part 14 of Title 38, CFR are authorized to assist TDRL members with requests for reconsideration of VA rating determinations on medical disabilities determined to be unfitting and that affect Military Department decisions on their military benefits.

## **10.6. TDRL TIMELINESS.**

The overall timeliness goal for TDRL cases from the point of placement on the TDRL to the point of final disposition depends on the pace at which the unfitting conditions for which the veteran was placed on the TDRL become stable for rating purposes.

### **a. TDRL Reevaluation Process.**

With respect to timeliness, the TDRL reevaluation process begins at the point the Service member is separated and notified of placement on the TDRL. The timeliness goals outlined in Paragraphs 10.6.a.(1) through 10.6.a.(4) are established for the remainder of the TDRL reevaluation process:

#### **(1) Initiation.**

Initiate the TDRL reevaluation process no later than 16 months after placing a veteran on the TDRL or after the veteran's previous reevaluation. Within that time, the PEB will obtain all available medical treatment and rating documentation from DoD and VA.

#### **(2) Examination.**

Complete the reevaluation for unstable unfitting conditions no later than 18 months after placing a Service member on the TDRL or after the veteran's previous reevaluation, provided the previous examination was conducted within the 18-month timeframe required by Section 1210 of Title 10, U.S.C. The MTF will send medical examination reports, including reports from civilian providers, in accordance with Paragraph 9.2.m. of DoDI 1332.18, to the PEB within 45 days of examination; including all laboratory studies and consultations with the completed report.

#### **(3) Ratings.**

Finalize rating decisions, in accordance with Part 4 of Title 38, CFR, not later than 15 days after receiving a complete examination report and current D-RAS rating decision, if applicable.

#### **(4) PEB.**

Complete each PEB re-adjudication phase of TDRL cases, including IPEB, FPEB, and FPEB Appeal adjudications, administrative processing, and Military Department appeals, no more than 90 days from the date the PEB receives the medical and rating documentation, as required by DoDI 1332.18, for unfitting conditions for which the veteran was placed on the TDRL to the date the Military Department informs the veteran of their TDRL disposition.

**b. TDRL Termination.**

No veteran may remain on the TDRL for more than 3 years, pursuant to Section 1210 of Title 10, U.S.C. Veterans placed on the TDRL before January 1, 2017 may remain on the TDRL for no more than 5 years after placement. The disposition of veterans placed on the TDRL rests solely with the Secretary of the Military Department concerned.

## GLOSSARY

### G.1. ACRONYMS.

<b>ACRONYM</b>	<b>MEANING</b>
ASD(HA)	Assistant Secretary of Defense for Health Affairs
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
BDD	Benefits Delivery at Discharge
CFR	Code of Federal Regulations
DASD(HSP&O)	Deputy Assistant Secretary of Defense for Health Services Policy and Oversight
DD	Department of Defense (form)
DES	Disability Evaluation System
DHA	Defense Health Agency
DoDI	DoD instruction
DoDM	DoD manual
D-RAS	disability rating activity site
FPEB	formal physical evaluation board
IDES	Integrated Disability Evaluation System
IMR	impartial medical review
IPEB	informal physical evaluation board
LDES	Legacy Disability Evaluation System
LOD	line of duty
MDB	multi-disciplinary briefing
MEB	medical evaluation board
MSC	Military Service Coordinator
MTF	military treatment facility
N/A	not applicable
NAD	non-active duty
NARSUM	narrative summary
PEB	physical evaluation board
PEBLO	physical evaluation board liaison officer
RC	Reserve Component

<b>ACRONYM</b>	<b>MEANING</b>
STR	service treatment record
TDRL	temporary disability retired list
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
VA	Department of Veterans Affairs
VARR	Veterans Affairs Rating Reconsideration
VASRD	Department of Veterans Affairs Schedule for Rating Disabilities
VBA	Veterans Benefits Administration
VHA	Veterans Health Administration

## G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this volume.

<b>TERM</b>	<b>DEFINITION</b>
<b>accepted medical principles</b>	Defined in DoDI 1332.18.
<b>active duty</b>	Defined in the DoD Dictionary of Military and Associated Terms.
<b>BDD</b>	A program that allows a Service member on full-time active duty (including members of the National Guard, Reserves, or Coast Guard) with a known separation date in the next 180 to 90 days to apply for disability benefits before separation.
<b>compensable unfitting condition</b>	A service-connected medical condition incurred or aggravated in the LOD that prevents the Service member from reasonably performing the duties of their office, grade, rank, or rating due to physical disability; and meets the statutory criteria pursuant to Title 10, U.S.C., for entitlement to disability retired or severance pay.
<b>day</b>	Calendar day.
<b>deferment</b>	Period of time when a case is halted due to actions or decisions beyond the control of the Military Department DES agencies or if beneficial to the Service member.

<b>TERM</b>	<b>DEFINITION</b>
<b>DES</b>	The DoD mechanism for determining fitness for duty, separation, or retirement of Service members because of disability in accordance with Chapter 61 of Title 10, U.S.C.
<b>designated representative</b>	A person designated to make DES decisions for the Service member. This could be a court-appointed guardian or a representative in accordance with DoDM 6025.18.
<b>disability</b>	A medical impairment, mental disease, or physical defect which is severe enough to interfere with the Service member's ability to adequately perform their duties, regardless of assignment or geographic location. A medical impairment, mental disease, or physical defect standing alone does not constitute a disability. The term includes mental disease, but not such inherent defects as developmental or behavioral disorders.
<b>Disability Advisory Council</b>	A DoD-only group that reviews the effectiveness of DES functions, identifies best practices, addresses inconsistencies between policy and law, addresses difficulties administering the DES, and provides a forum to develop and plan improvements.
<b>election</b>	The Service member's decision to accept or appeal the MEB or PEB findings.
<b>fitness determination</b>	A determination by the PEB of a Service member's ability to reasonably perform the duties of their office, grade, rank or rating.
<b>government legal counsel</b>	A U.S. Government attorney, representing the interests of the Service member, who may be an assistant staff judge advocate, general schedule civilian employee, or contracted attorney paid for by the U.S. Government.
<b>IDES</b>	The joint DoD-VA process by which DoD determines whether ill or injured Service members are fit for continued military service and DoD and VA determine appropriate benefits for Service members who are separated or retired for disability. In the IDES, the Service member receives a single set of physical disability examinations conducted according to VA examination protocols, a proposed disability rating prepared by VA for use by DoD, and simultaneous processing by both Departments to ensure the earliest possible provision of disability benefits for those who must leave military service. The Departments use the common disability examinations and proposed rating results to make their respective determinations, to the extent allowed by law.

<b>TERM</b>	<b>DEFINITION</b>
<b>IMR</b>	A process which involves upon request of the Service member, the DoD assigning a physician or other appropriate health care professional who is independent of the MEB to the Service member to serve as an independent source for review of the findings and recommendations of the MEB. During the IMR, the independent physician or healthcare professional will provide the Service member with advice and counsel regarding the findings and recommendations of the MEB and will advise the Service member on whether the findings of the MEB adequately reflect the complete spectrum of their conditions.
<b>Joint Executive Committee</b>	A forum of VA and DoD senior leaders who work to remove barriers and challenges that impede collaborative efforts, assert and support mutually beneficial opportunities to improve business practices, ensure high quality cost-effective services for VA and DoD beneficiaries, and facilitate opportunities to improve resource utilization.
<b>LDES</b>	A DoD-only disability evaluation mechanism to assess ill or injured Service members' fitness for continued military service and, if unfit, the appropriate disability disposition. Service members processed through the LDES must be afforded the opportunity to apply for veterans' disability benefits through the VA pre-discharge BDD Program.
<b>LOD determination</b>	An inquiry used to determine whether a Service member incurred an injury or disease while in a qualified military duty status; whether it was aggravated by military duty; and/or whether incurrence or aggravation was due to the Service member's intentional misconduct or willful negligence.
<b>MDB</b>	A briefing that consists of, at a minimum, PEBLOs, MSCs, and legal counsel, and establishes Service member expectations, prepares Service members for each stage of the DES process, and informs Service members of what is expected of them during the DES process.



<b>TERM</b>	<b>DEFINITION</b>
<b>MEB</b>	For Service members entering the DES, the MEB conducts the medical evaluation on conditions that potentially affect the Service member's fitness for duty. The MEB documents the Service member's condition and medical history with a NARSUM, sometimes referred to as the MEB report. The MEB is composed of at least two members. At least one member will be a physician (civilian employee or military), and, in exceptional circumstances, when it is impracticable to have two or more physicians, the other members may be either physician assistants or nurse practitioners (civilian employee or military).
<b>MEB convening authority</b>	A senior medical officer, appointed by the Military Departments or DHA, who has detailed knowledge of standards of medical fitness, retention standards, and disposition of patients and disability separation processing and who is familiar with the VASRD.
<b>MEB process</b>	For Service members entering the DES, the MEB conducts the medical evaluations on conditions that potentially affect the Service member's fitness for duty. The MEB documents the Service member's medical condition(s) and history with an MEB NARSUM as part of an MEB packet.
<b>MSC</b>	A VA employee assigned to serve as a liaison for the Service member throughout the VA disability evaluation and claims process.
<b>NAD</b>	RC Service members not on active duty orders, to include Service members on active duty for 30 days or less or on inactive-duty training.
<b>office, grade, rank, or rating</b>	<p><b>office.</b> A position of duty, trust, and authority to which an individual is appointed.</p> <p><b>grade.</b> A step or degree in a graduated scale of office or military rank that is established and designated as a grade by law or regulation.</p> <p><b>rank.</b> The order of precedence among members of the Military Services.</p> <p><b>rating.</b> The name (such as "Boatswain's Mate") prescribed for Service members in an occupational field.</p>
<b>PEB findings</b>	The PEB's record of proceedings, which includes the fitness decision, code and percentage rating for each unfitting and compensable condition, stability and permanency of the disability, and administrative determinations.

<b>TERM</b>	<b>DEFINITION</b>
<b>PEBLO</b>	The non-medical case manager who provides information, assistance, and case status updates to the affected Service member throughout the DES process.
<b>personally identifiable information</b>	Defined in Office of Management and Budget Circular A-130.
<b>protected health information</b>	Defined in DoDI 6025.18.
<b>separation program designator</b>	A designator code that indicates rationale for which a Service member is discharged from military service.
<b>STR</b>	The chronologic record of medical, dental, and mental health care received by Service members during the course of their military career. It includes documentation of all outpatient appointments (i.e. without overnight admittance to a hospital, clinic, or treatment facility), as well as summaries of any inpatient care (Discharge Summaries) and care received while in a military theater of operations. The STR is the official record used to support continuity of clinical care and the administrative, business-related, and evidentiary needs of the DoD, the VA, and the individual.
<b>surrebuttal</b>	The Military Department's response to the Service member's MEB rebuttal.
<b>unfitting condition</b>	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.
<b>Veteran</b>	A person who served in the active military and who was discharged or released under conditions other than dishonorable.

## REFERENCES

- Administrative Instruction 15, “OSD Records and Information Management Program,” May 3, 2013, as amended
- Code of Federal Regulations, Title 38
- DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
- DoD Directive 5136.01, “Assistant Secretary of Defense for Health Affairs (ASD(HA)),” September 30, 2013, as amended
- DoD Instruction 1000.30, “Reduction of Social Security Number (SSN) Use within DoD,” August 1, 2012, as amended
- DoD Instruction 1332.18, “Disability Evaluation System,” November 10, 2022
- DoD Instruction 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019, as amended
- DoD Instruction 6025.18, “Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule Compliance in DoD Health Care Programs,” March 13, 2019
- DoD Instruction 6040.45, “DoD Health Record Life Cycle Management,” November 16, 2015, as amended
- DoD Instruction 6130.03, Volume 2, “Medical Standards for Military Service: Retention,” September 4, 2020, as amended
- DoD Manual 6025.18, “Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs,” March 13, 2019
- DoD Manual 8910.01, Volume 1, “DoD Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- Office of Management and Budget Circular A-130, “Managing Information as a Strategic Resource,” July 28, 2016
- Office of the Chairman of the Joint Chiefs of Staff, “DoD Dictionary of Military and Associated Terms,” current edition
- Public Law 117-81, Section 524, “National Defense Authorization Act for Fiscal Year 2022,” December 27, 2021
- Public Law 110-181, Section 1612, “National Defense Authorization Act for Fiscal Year 2008,” January 28, 2008
- United States Code, Title 10
- United States Code, Title 38