Agenda

- Basic MMRB Information
- MEB / DES Mission
- Purpose of the DES Pilot Program
- Basic Terminology
- Responsibilities of Unit Commander, PEBLO and VA MSC
- MMRB Process
- MEB Process
- PEB Process
- Disability ratings
- Misc information
MMRB Options:
- Return To Duty
- Reclassification
- Probation (1-6 mths)

If found Unfit by PEB:
- VA Rating Board

If Fit for Duty by PEB, Soldier is Returned to duty within the limitations of their FFD profile
It all starts with the Physical Profile

DA Form 3349
All Soldiers issued a permanent profile with a “3” or “4” in PULHES will be referred to MMRB.

Permanent “3” or “4” profiles – the MEB physician needs to determine if limitation meets retention criteria IAW Ch 3, AR 40-501.

If the Soldier meets retention criteria, MMRB is mandatory.

If the Soldier does not meet retention criteria, a MEB is mandatory.

The DA 3349 requires profiling officer to check either a MMRB or MEB / PEB box (Block 4c).
Unit Commander Action for Profiling

• Review profile, evaluate appropriateness, determine if soldier can perform mission required by his/her PMOS or duty assignment.
  – If a Soldier has recurrent temporary profiles, the commander may refer to a medical provider for a “fitness for duty evaluation.”

• Complete the “Action by Unit Commander” section of the profile.

• Contact Physician to discuss profile (if needed).

• Provide the S-1/Human Resources profile data for Unit Status Report (USR) purposes.
  – Soldiers with a P3/P4 profile should be reported unavailable for deployment/Permanent Change of Station (PCS) on USR until cleared through MMRB/PEB.
MOS/Military Retention Board (MMRB)

Designed to evaluate Soldiers with permanent medical conditions.

- Determine if Soldier can perform satisfactorily in their Primary Military Occupational Specialty (PMOS) in a worldwide field environment.
- Provide continuity of effort among CDRs, Physicians, Personnel and the Physical Disability system.
- Allows the Commander to evaluate the physical abilities of their Soldiers and determine if referral into the MEB-DES if necessary.

Reference: AR 600-60.
Not a “medical board” per se – is an administrative board to determine capacity to serve in current MOS / AOC under worldwide deployable conditions.

Monthly board (approximately):
- O-6/BDE CDR, Field Grade Medical Officer, CSM, 2 x 1SG, Recorder w/o vote
- 5 Officers (if the Soldier is an officer)

Possible Outcomes of MMRB:
- Retain in current MOS, Reclassify, Trial of Duty, Refer to MEB
- Proceedings approved by General Court Martial Convening Authority
Mission of the MEB-DES Office

- **To provide the Service Member and their families the best care while going through the Medical and Physical Evaluation Board process**

- **To provide information that allows informed decisions throughout the MEB & PEB process**

- **To process cases in a timely and efficient manner**
The MEB Process begins when Medical Retention Determination Point (MRDP) (i.e. optimum medical care) has been reached or when the physician determines a SM will not be able to return to duty.

Designed to evaluate medical condition(s) to determine if they ‘Do’ or ‘Do Not’ meet Medical Retention Standards IAW AR 40-501, Chapter 3.

Documents medical condition(s) and duty limitations.

Refers SM to the Physical Evaluation Board (PEB), when the findings and recommendations stipulate retention standards are not met or when referred by an MMRB.

Does not mean a SM is automatically found unfit by the PEB or discharged from military service.
Soldier **CAN NOT** reclassify their MOS at this point.

Informal board at the Medical Treatment Facility (MTF).

Documents Soldier’s medical status and duty limitations to determine if duty is affected by their medical status.

Unit Commanders authorized to refer Soldiers to MTF for evaluation if Soldier cannot perform duties.

- Refer to Soldier’s Primary Care Manager (PCM)
- Refer to MEB/DES Clinic directly
- Can be referred via memo or a DD Form 689 (i.e. sick call slip)

References: AR 40-400, AR 635-40
Unit Commander Actions for MEB

DA7652 Commander’s Performance & Functional Statement

The DA7652 requires the Commander to be as specific as possible and to provide details about the soldier’s work performance and their ability to perform duties appropriate to his/her rank and branch/MOS.

- Description of Soldier’s current duty performance (uniform, hours of work, etc.)
- Special limitations of duty
- Ability to adequately perform duties (PMOS)
- Discuss current duty assignment, anticipated future assignments, branch, age, and career specialties
- Discuss in as MUCH detail as possible
Per U.S. Army Human Resources Command (HRC)

It is important to understand that this is a performance-based system. Simply because a Soldier has a medical condition does not mean that the Soldier cannot continue to serve on Active Duty or in the Reserve Component.

It is the impact of that medical condition upon the Soldier’s ability to perform duties appropriate to his/her rank and branch/MOS that is important.

A Soldier with a serious medical condition can be found fit within the limits of his/her profile for continued service if the evidence supports that finding.”

https://www.hrc.army.mil/site/active/tagd/pda/ArmyPDES.html#whatsystem

November 15, 2011
Unit Commander Actions for MEB

- Complete a Line of Duty (LOD) investigation (formal or informal) on DA 2173 Statement Of Medical Examination And Duty Status (if required – ask PEBLO if in doubt)

- Ensure Soldier keeps all MEB appointments.
  - Failure to make all MEB/VA appointments will delay the MEB-DES process significantly
Unit / Command Actions for PEB

- Ensure Soldier keeps Command updated of PEB status.
- Assist Soldier as needed in obtaining legal assistance.
- Provide TDY orders for travel to formal PEB hearing.
- Assist with obtaining retirement orders or separation orders.
- Process Soldier promptly.

If undergoing any kind of UCMJ / Article 15 please inform the PEBLO at the earliest. The MEB may have to stop before the case is sent to the PEB pending the outcome of the UCMJ.

* Please contact PEBLO if SM is undergoing UCMJ action *
Commanders –
Be your own Subject Matter Expert!!

- Become familiar with the MMRB / MEB process.
- Educate leaders and Soldiers on MMRB / MEB process.
- Refer Soldier to MTF for evaluation if unable to perform duties.
- Provide statements, info, records to S-1/G-1/PEBLO for Soldier undergoing MMRB/MEBs in a timely manner.
- Complete Line of Duty (LOD) Investigation if required.
- Make appropriate entries in Enlisted/Officer records (ERB,ORB).
- Assign Soldier to duties commensurate with the physical profile and recorded assignment limitations.
- Communicate profile questions/concerns with Soldier’s physician.
- Review all temporary profiles
  - Soldier should not remain on temp profile longer than 1 year total (90 days at a time).
  - Commander can request evaluation through Soldier’s Primary Care Manager (PCM) or directly with the MEB/DES office.
Unit Commander Actions for MEB

➢ For BAMC Warriors in Transition Commanders:

Please ensure **no leave** is granted while the soldier is undergoing the MEB-DES process  *(weekend passes & leave is ok)*

➢ Once all MEB and VA appointments are complete, leave may be allowed but please contact the PEBLO before approving leave to ensure no other appointments have been scheduled.

**highly recommended for all other commanders**
MEB Recommendations

- **Return to duty within profile restrictions**
  - **Must have Unit Commander support**

- **Trial of Duty**
  - **Physician specifies time (ex: 120 days)**

- **Refer to Physical Evaluation Board (PEB)**
Why Does a MEB Take So Long???

- Additional medical conditions are discovered during the MEB process
- Soldier has appeal rights to ensure due process
- Availability of specialty consults services
- Awaiting personnel/performance data from command
- LOD investigations are not completed
- Soldier misses appointments
- Soldier requests second opinion (IMR)
- MEB returned for additional admin or clinical input
- Case put on hold for additional surgery/rehab to ensure Soldier has reached Medical Retention Determination Point (MRDP) (i.e. optimum medical care)
IDES Briefing

IDES Process Timeline

DoD

Examine

Rate

Transition

Reintegrate or Separate

Compensate

300 Days

VA

Examine

Rate

Compensate

240 Days

Treatment

MEB

PEB

VA Rating

Transition

Reintegrate

Service member is wounded, ill, or injured

Physician assesses and treats Service member

Up to 1 Year

Referral (10 days AC)

Informal Board (15 days)

One Physical

Physical Exam (45 days)

Evaluation Board (35 days)

VA Rating

Single Rating Agency

Proposed Rating (15 days)

Rating Reconsideration (15 days)

Seamless Transition

Finalize DES Disposition

Process to Unit or for separation

Return to Duty

OR

Separate

VA benefits letter one month following separation

VA Appeals

Active Component

100 days

120 days

45 days

30 days

295

Reserve Component

140 days

120 days

45 days

305

1. Reserve Component member entitlement to VA disability compensation begins upon release from active duty or separation.
The MEB Process begins when Medical Retention Determination Point (MRDP) has been reached or when the physician determines a SM will not be able to return to duty.

- Designed to evaluate medical condition(s) to determine if they ‘do’ or ‘do not’ meet the Medical Retention Standards IAW AR 40-501, Chapter 3.
- Documents medical condition(s) and duty limitations.
- Refers SM to the Physical Evaluation Board (PEB), when the findings and recommendations stipulate retention standards are not met or when referred directly from an MMRB.
- Does not mean a SM must be found unfit by the PEB or discharged from military service.
A MEB is NOT...

➤ A MOS reclassification Board
   -- reclassification is considered by the MOS/Medical Retention Board (MMRB) for Soldiers with P3 who meet retention standards

➤ Service Member DOES NOT sit in front of a panel of board members.

➤ The MEB is an informal process comprised of at least two physicians who compile, assess, and evaluate medical history to determine if duty is affected by the medical condition(s).
Based on the fact that a military medical care provider has identified potentially military unfitting medical condition(s), a Service Member is referred to the Integrated Disability Evaluation System (IDES).

Originally called DES Pilot, this is a new disability process implemented in 2007. It brings together the resources of the two agencies to evaluate both referred and claimed medical conditions.

The process is intended to quickly deliver a finding regarding fitness for continued military service and if determined to be unfit provide a single sourced disability rating determined by the Department of Veteran’s Affairs.
The immediate benefits include the fact that a Service Member will NOT have to undergo examination and evaluation through two separate systems (Army and VA).

The Service Member will experience a seamless transition to the benefits and compensation available through the DVA immediately upon separation or retirement, if determined to be unfit for continued military service.
Responsibilities of PEBLO

- Initiates referral form from health care provider
  
  - Completes the IDES Referral Form (Section 2) and Section 1 of the VA/DoD Joint Disability Board Claim Form VA Form 21-0819
  
  - Notify Military Service Coordinator (MSC) of SM’s referral
    Provide copy of all available STRs to MSC for scheduling of VA Compensation & Pension (C&P) Exam
  
  - Continue to process DES case

** Keeps Service Member informed throughout the IDES process **
Responsibilities of VA Military Service Coordinator (MSC)

* MSC is the link between the Service member and the VA *

- Within 10 days of notification from PEBLO
  - MSC counsels on the DVA disability process
  - Assists in completing VA Form 21-0819 Sections 2-4, identifying all MTF referred, SM claimed, and chronic medical conditions revealed by review of the Service Treatment Records (STRs) (i.e. medical records)
  - Enters and requests appropriate medical examination appointment(s) using VA templates (single comprehensive physical examination)
  - Counsels/explains the VA rating decision in detail
  - Counsels in detail on appeal rights and VA benefits prior to transition
MEB Process

- The PEBLO will schedule an initial counseling with the SM to complete Part 1 of VA Claim Form 21-0819

- SM will turn in **ALL** their STRs to the PEBLO

- The VA MSC will schedule a meeting with the SM to complete Part 2 of the VA Claim Form 21-0819

- The MSC will forward the form to the VHA (Frank Tejeda Outpatient Clinic in San Antonio), who will schedule the C&P Examination

- The PEBLO will notify the Case Manager and/or Unit of all of appointments scheduled for the SM and continue to process the MEB

- The PEBLO will refer the SM to other resources as required (ex: Army Career and Alumni Program (ACAP), Army Wounded Warrior (AW2) Program, etc.) prior to any separation or retirement
Comprehensive Physical Examination done by the Department of Veteran Affairs

- Service Member receives **ONE** comprehensive physical from the VA

- It is imperative that SM list all medical conditions known.

- This is their opportunity to have all medical conditions addressed by the MEB to determine whether they do or do not meet retention standards and to ensure the VA review for possible compensation for all claimed conditions.
What is in the MEB Package?

MEDICAL INFORMATION

- **Coversheet** (DA Form 3947) – Lists all medical conditions stating whether you do/do not meet retention standards of AR 40-501, Chapter 3

- **Narrative Summary (NARSUM)**

- **Addendum** – An addition to the MEB if something was not included in the original NARSUM

- **Consults** from clinics visited.

- **Copy of Permanent Profile.**

- **Copy of the Comprehensive Physical Examination done by the VA**

- **Copy of medical record**
What is in an MEB?

Personnel / Performance Data

Required documents for all SM’s:

- Commander’s Evaluation Form DA7652
- ERB / ORB / PQR
- NCOERs / OERs (E-5 and above) (Last 3)
  (if E-5 and no NCOER’s, DA4856 Developmental Counseling Forms may be substituted. E-4 and below last 3 DA4856s is required)
- LES (Current End of Month)
- ACAP Pre-Separation Counseling checklist (DD2648 or DD 2648-1)
- DA Form 4187 (Name changes, loss of rank, promotions, etc)
- DD 214 (if applicable)

Recommended documents for all SM:
- Purple Heart, Combat Badge (CIB, CAB, CMB) and any other awards the SM wants to include.
  - RC Soldiers have additional requirements (see next slide)
Reserve Component Personnel/Performance Data

- Orders for **all active duty periods**
- Reserves – Chronological Statement of Retirement Points (ARPC 249-2-E) (commonly known as RPAS)
- National Guard – Retirement Points History Statement (NG Form 23) (commonly known as RPAM)
- Approved Line of Duty (if necessary)
- DD214 from prior service
- 15/20 Year Letter if applicable
If found UNFIT by the PEB
Is there any way to stay in?

- **YES!!** The soldier can submit a request for **Continuation on Active Duty (COAD)** or **Continuation on Active Reserve Status (COAR)**

- The PEBLO will provide the SM with specific criteria/details related to requesting this.

- The SM can also obtain information and counseling on COAD/COAR from the Office of Soldiers Counsel.

- Generally, HRC is the approval authority for most requests
MEB Process

- After completion of the MEB, the SM will be counseled and review the Board’s findings and recommendations.

- The SM has the opportunity to seek advice from an Impartial Healthcare Professional when reviewing the MEB Findings and preparation of MEB Rebuttal.

- The SM can consult with a lawyer from the OSC, MEBOC or any other advocate before signing the MEB.

- The MEB will state whether do or do not meet retention standards IAW AR 40-501 (the MEB does NOT say whether Fit or Unfit for duty).

- The SM receives a copy of the MEB and supporting documents for their files.
MEB DISPOSITIONS

- Generally, if retention standards are met within the limits of the profile the SM is returned to duty in their Primary MOS.

- If retentions standards are not met, the case will be referred to the Physical Evaluation Board (PEB) for further disposition.

- If the MEB is a MOS/Medical Retention Board (MMRB) directed MEB, the case is forwarded to the Physical Evaluation Board (PEB), even if retention standards are not met.

- If the profile is upgraded to a P2 and retention standards are met, the SM is Returned to Duty (RTD).
Can the MEB be appealed?

- **YES** - If the SM disagrees with any portion of the Medical Board, they maintain the right to appeal it.

- The SM is entitled to an Impartial Medical Review (IMR). The IMR will have no more than 5 calendar days to comment on whether the findings of the MEB adequately reflect the complete spectrum of the condition(s).

- The SM has 7 calendar days to request and prepare a written appeal stating why/what they disagree with on the MEB to the DCCS.

- The OSC can assist the SM with their appeal.

- The written appeal is submitted to the Deputy Commander for Clinical Services (DCCS) for further consideration and becomes part of the MEB Board.

**NOTE:** Timelines may be different depending on whether Soldier seeks an Impartial Medical Review (IMR).
Special Note

- If a SM transfers from a facility that is conducting the Integrated Disability Evaluation System (IDES) to a location this is not conducting the IDES, the case will revert to the traditional APDES processing procedures.

For example:

If a SM transfers before the MEB or PEB is completed the VA will not rate the disabilities until the SM is separated from the Army and any unfitting conditions will be provided a disability rating from the PEB.
Any Questions
About the MEB Process?
Physical Evaluation Board (PEB)

There are 3 PEBs worldwide for all soldiers regardless of Active duty or Reserve or National Guard

- Washington D.C.
- Ft. Sam Houston, Texas
- Ft Lewis, Washington
The PEB is the only board in the Military that can determine fitness or unfitness for continued Military Service.

Once the fit or unfit determination has been made the PEBLO will notify the SM of the Preliminary PEB findings.

If found fit for duty, the case will not be referred to the VA for a disability determination.

If found unfit, the PEB will forward the case to the Department of Veteran’s Affairs (DVA) Rating Board for a determination of the appropriate disability rating for all of the medical conditions.
The DVA Rating Board can return the case for additional information or clarification of data, in order to make a determination of the appropriate disability rating.

Only those medical conditions that render a SM unfit for further Military Service will be considered for determining the final disposition by the PEB.

**The PEB rating is not to be confused with the Department of VA Ratings**
Once the PEB has rendered a decision (Fit/Unfit), the PEBLO will be notified.

The PEBLO will schedule a review and counseling session of the PEB’s findings and recommendations, usually within 24 hours but NLT three (3) calendar days upon receipt.

The SM is given ten (10) calendar days to concur or non-concur.

The SM can also consult with an attorney from the OSC to determine how they want to respond to the PEB findings.
PEB Appeal Process

- Formal PEB hearing

- One-time VA reconsideration of the disability ratings if they non-concur with the Informal PEB or after the Formal PEB

- VA will only reconsider re-evaluation of ratings if new medical evidence is received or if the Service Member provides sufficient justification to warrant the reconsideration
DVA Rating Board

- Determines the single disability rating, for both referred medical conditions and member claimed additional disabilities

- Issues veteran’s benefits letter within 20 days after separation

- SM retains full VA appeal rights once separated
Types Of PEB Dispositions

➢ **Fit for Duty**

➢ **Unfit for Duty**

  – **SWOB** (no % given) \(\text{(Separate Without Benefits)}\)
  – **SWSP** \(\text{(Separate With Benefits)}\)
    • Rating of 0%-20% and less than 20 YOS \(\text{minimum of 3 years, combat related 6 years to a limit of 19}\)
  – **TDRL** \(\text{(Temporary Disability Rating List)}\)
    • Rating of 30% or more or 20 YOS and medical condition is NOT stabilized enough for permanent rating
    • Periodic re-exams every 12 - 18 months \(\text{5 yr maximum}\)
    • Minimum of 50% pay for TDRL retirement check
    • NOTE: Some conditions warrant an initial 6 month reevaluation post placement on TDRL
  – **PDR** \(\text{(Permanent Disability Rating)}\)
    • Rating of 30% or more or 20 YOS

➢ **Disability Compensation**: The PEBLO will **ESTIMATE** disability severance and/or retired pay
PEB Appeal Process For Fit For Duty

- SM is entitled to submit a written appeal
- SM may request a formal hearing, as an exception to policy
- The PEB President decides whether to grant a request for formal hearing to contest a fit finding
PEB Appeal Process

- SM cannot request a formal PEB to question any disability percentages provided by the VA.
- SM can only appeal the PEB finding of fit or unfit for duty.
- If the disposition is “UNFIT FOR FURTHER MILITARY SERVICE”, SM has the right to request a formal hearing with or without personal appearance.
- SM can also submit a written appeal regarding their fitness for duty. SM may submit any relevant and material evidence regarding the fitness of their medical conditions.
- SM has the right to be represented by an attorney from JAG or by counsel of choice (civilian attorney at their own expense) for the formal hearing.
- SM may also elect to have no-charge representation from various veterans organizations if available (i.e. Disabled American Veterans).
**Physical Disability Agency (PDA)**

Reviews and approves/disapproves findings and recommendations of the PEB

- The PDA may:
  - Return case to PEB for reconsideration, clarification, further investigation, formal hearing or other action
  - Issue modified finding which could change Soldier’s fit or unfit decision
  - If PDA makes any changes to the findings or disposition, the Soldier has appeal rights (counsel + 10 days to sign)

**Another appeal by the soldier is possible**

If Physical Disability Agency modifies PEB findings and SM non-concurs, their case is forwarded automatically for an appeal with the US Army Physical Disability appeals Board (USAPDAB) for final review and decision.
Final Disposition
Physical Disability Agency

Physical Disability Board receives case from PDA and takes final administrative actions

- **If Unfit for Duty:**
  - Transmits message to Transition Center for disability separation/retirement orders
  - Assigns final separation/retirement date of ‘Not Later Than 90 days’
  - Transition Center or Unit will publish appropriate orders – not PEBLO

- **If Fit for Duty:**
  - Issues a fit memorandum to the MTF
  - The fit memorandum completes the disability evaluation processing
What about confidentiality?

- A SM’s medical board is personal and private

- **Limited information can be provided to the unit:**
  - The fact that their SM is undergoing disability processing
  - Where they are in the board process
  - Whether they were found fit or unfit

- Family members do not have automatic access to medical records/board status without the SM’s written permission

**SM is encouraged to keep everyone concerned informed**
DO NOT miss any appointments - Be on time, with ID card, in the appropriate uniform

No shows for any medical appointment are reported to the commander and will delay medical board proceedings

Always provide accurate phone numbers

If units or assignments change, please notify your PEBLO as soon as possible
Be Informed

- Service members and their Company Commander’s are invited to ask questions
- This is this Service Members career and will follow them for the rest of their lives
- Before submitting administrative documents to the PEBLO, take the time to review all documents for accuracy
- Commanders: You are a key part of your Service Member’s MEB-DES process

If or your Service member you don’t understand something – please ask!!
Soldiers are able to track the progress of their MEB via the ‘MyMEB’ Portal on AKO. If they have any questions about the data they see in the ‘MyMEB’ Portal, please contact their PEBLO.

My MEB Portal [https://www.us.army.mil/suite/page/417118](https://www.us.army.mil/suite/page/417118) or AKO search for “MYMEB”
In addition to the Office of the Soldier’s Counsel (JAG), the MEB Outreach Counsel is also available for any SM undergoing the MEB-DES process.

The MEB Outreach Counsel is available to Soldiers for both MEB and PEB assistance.
Thank you!

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