



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 7834-02
27 January 2003



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 January 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Director, Bureau of Medicine and Surgery dated 2 December 2002, a copy of which is attached, and your rebuttal thereto.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. In addition, it adhered to the findings and conclusions made during its review of your original application. The Board was not persuaded that the diagnosis which resulted in your discharge is erroneous. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

6010 REPLY REFER TO
028
2 December 2002

From: Director, Bureau of Medicine and Surgery M3F1 (Code 25)
To: Chairman, Board for Correction for Naval Records

Subj: COMMENTS AND RECOMMENDATIONS ICO [REDACTED]

Ref: (a) Letter, Chairman Board of Correction for Naval Records Dated 4 November 2002

Encl: (1) Medical records [REDACTED]

1. As requested in reference (a) we have reviewed [REDACTED] request to the Board of Corrections that his discharge from the United States Marine Corps be changed to delete diagnosis of "personality disorder" and that his reenlistment code be changed from RE-4 to RE-1A so that he might be able to re-enlist into the marine corps.

2. Our review of [REDACTED] medical records revealed that, prior to his entering the Marine Corps, he was evaluated on multiple occasions for migraine headaches which resulted in his being hospitalized on 16 July 1999 for "weakness and headaches." Despite this medical history, he was found physically qualified to join the Marine Corps following an entrance physical examination which included a psychiatric evaluation. Unfortunately, while at Marine Corps basic training, [REDACTED] had numerous physical complaints such as chest pain, numbness and "panic attack symptoms." After extensive medical evaluations failed to reveal an underlying physical disorder, he was referred for psychological evaluation and diagnosed with a "dependent personality disorder." [REDACTED] continued in training but his symptoms persisted and after another episode of chest pain in May 2000, he was again evaluated and again diagnosed with a "dependent personality disorder." Based upon these psychological evaluations, he received an entry-level separation from the Marine Corps on 15 June 2000. A Veterans Administration psychiatrist re-evaluated [REDACTED] on 3 June 2002 and stated that PFC Schwandt "currently had no psychiatric diagnosis."

3. In my opinion, after extensive review of the medical records, and based upon the multiple psychological evaluations between January and June 2000, [REDACTED] was appropriately diagnosed with having a personality disorder after being evaluated by credentialed and privileged mental health providers. The entry-level separation was warranted in view of his inability to complete the requirements of basic training secondary to the presence of his psychological disorder.

4. [REDACTED] is disqualified from re-enlistment based upon DoD Directive 6130.3, "Physical Standards for Accession, Enlistment and Induction" which specifically disqualifies applicants from entering the service if they have "symptoms or behavior of a repeated nature that impaired social, school or work efficiency." [REDACTED] physical symptoms would almost certainly return if he were to be exposed again to the unique stresses of military service.

5. Enclosure one is returned for appropriate administrative action. Thank you for the opportunity to review this interesting case.

