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Physical Disability Board of Review



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Physical Disability Board of Review (PDBR) Recovering Warrior Task Force



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Background



- Congressional concern on how Military Departments were separating Wounded Ill and Injured Service members... perceived disparity among the Services
 - Solution: Establish a DoD level board to reassess DoD disability ratings (USAF, USA, USN, USMC, & USCG)
- 2008 National Defense Authorization Act:
 - Signed into law January 28, 2008
 - Directed OSD to establish the Physical Disability Board of Review (PDBR) to review disability determinations during period beginning on September 11, 2001 and ending on December 31, 2009, in all cases rated at 20% or less and found to be ineligible for retirement
- Jan 2009 PDBR established; first case adjudicated in Jun 2009.
 - Secretary Air Force chosen as Executive Agent to operate board
 - Air Force established operations as a joint services organization under its Review board agency



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Why Does Air Force Operate the PDBR?



- **Secretary Air Force (SAF) Review Board Agency appointed Lead Component by Department of Defense**
 - DoD needed an entity with Military review board competency and organization
 - Air Force has least number of potential applicants
- **PDBR is run as a joint service entity**
 - Joint Collaborative Effort: Army, Navy, Air Force, Marines, Coast Guard and Reserve Components involved in the design of operating procedures
- **Funding for board operation on a pro rata, reimbursable basis**



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What Does PDBR Review?

From the DoD PDBR Policy Instruction (DODI 6040.44):

*“The PDBR is designed to reassess the accuracy and fairness of the combined disability ratings assigned Service members who were discharged ... with a **combined disability rating of 20 percent or less and were not found to be eligible for retirement**, and to recommend corrections where discrepancies and errors in such ratings exist.”*

*“Provisions of DoD, Military Department regulations or guidelines relied upon by the PEB **will not be considered by the PDBR to the extent they were inconsistent with the VASRD** in effect at the time of the adjudication.”*

The PDBR will review:

Medical conditions determined to be specifically unfitting for continued military service, as previously determined by the Military Department Physical Evaluation Board

Medical conditions identified but not determined to be unfitting by the either the Medical or Physical Evaluation Boards of the Military Department concerned



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The PDBR Intake and Review Process



- SAF Review Board Agency accepts applications centrally at its intake unit located at Randolph AFB, TX
- The Intake Unit acts as liaison with Military Dept Physical Evaluation Boards (PEB) and VA Regional Offices (VARO):
 - Military Department disability files/records collected from PEBs
 - Service Treatment Records and Compensation and Pension Exams collected from VAROs
 - Applicant case assembled and forwarded to PDBR
- Joint Service (and component) case adjudication occurs at PDBR
 - One Medical action officer sits on each board; concept similar to Military Dept. higher level appeal of Formal PEB findings
 - One Line officer **from** the applicant's component also sits on each board



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Important Considerations



- The PDBR cannot recommend lowering a previously standing disability determination
- The PDBR recommendation cannot be further appealed by the Veteran within the military review board system



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The PDBR Recommends Corrective Action



- Once an Applicant's case is reviewed by the PDBR:
 - The board makes recommendations and sends to the Military Department Designated Decision Authority (DDA) for final decision and correction of records (when appropriate)
- The DDA closes out each case:
 - By notifying Applicant and VA of final decision
 - By effecting service BCM/NR change of record, if applicable
 - By notifying Defense Finance and Accounting Service if change in pay/status is warranted



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Metrics



- **PDBR Metrics (a/o 20 Nov 12)**
- **Core applications + Sabo cases**
 - 5087: Total applications received (since Jan 2009)
 - 2350: Total adjudicated cases (**36%** re-characterized to retirement)
 - Army : 40%
 - Air Force : 31%
 - Navy/USMC : 30%
 - 789: Total traditional cases administratively
 - 501: Sabo -- administratively closed (1105 PDBR eligible, completed adjudication on 265 Sabo cases prior to settlement)
 - 1447: Inventory
 - 195: Backlog (in JCAU more than 105 days)



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PDBR Recommendations to DDA



	<u>USAF</u>	<u>USN/USMC</u>	<u>USA</u>	<u>USCG</u>		
					Totals	Percent
Remain Disability Separation	191	395	899	10	1495	64%
Recharacterization to Retirement	85	169	600	1	855	36%
	31%	30%	40%	9%		
				Total	2350	

- Adoption Rates by service:
 - Army: 99%
 - Navy/USMC: 93%
 - Air Force: 100%
 - USCG: 100%



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Questions/ Discussion

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Backup Slides



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DoD-VA Collaborative Outreach



- Total PDBR Eligible Population 77,000
- Five mailings are planned
- VA mailing #1 mailed to 17,265 veterans
 - 18% returned addresses (VA tracking correct addresses)
 - 8% application rate to the PDBR (similar to overall application rate prior to mailing) [less than anticipated]
- VA mailing #2 planned for Sep, but delayed due to Mental Health Review Considerations (Commitment to Congress to expedite)
 - Plan is to resume mailing once Mental Health Review policy and procedures have been sorted out