

MILPERSMAN 1910-120

SEPARATION BY REASON OF CONVENIENCE OF THE GOVERNMENT - PHYSICAL OR MENTAL CONDITIONS

| | | | |
|---------------------------|---|--------------------------|---|
| Responsible Office | NAVPERSCOM (PERS-832) Active enlisted members | Phone: DSN COM FAX | 882-4431/4428 (901) 874-4431 882-2754 |
| | NAVPERSCOM (PERS-913) Inactive enlisted members | Phone: DSN COM FAX | 882-4503 (901) 874-4503 882-2673 |

| | |
|-------------------|--|
| References | (a) BUMEDINST 1300.2A (b) NAVMED P-117, Manual of the Medical Department (c) SECNAVINST 1850.4E (d) DoD Directive 1332.14, Enlisted Administrative Separations, of 21 Dec 93 (e) SECNAVINST 5300.30D (f) BUPERSINST 1900.8B |
|-------------------|--|

1. Separation Authority (SA)

a. Commanding Officer (CO), Navy Recruit Training Command (NAVCRUITRACOM) serves as SA for recruit personnel.

b. COs with Special Courts-Martial Convening Authority (SPCMA) or higher.

2. Policy

a. Physical or behavioral conditions which impair a member's performance, but do not amount to a physical disability, are covered under this article. They do not amount to a disability, but can affect potential for continued Naval Service (see above references). Conditions included, but not limited to the list of conditions as outlined in references (a) through (c), which covers:

| CONDITIONS | |
|------------|---|
| (1) | Enuresis (bedwetting). |
| (2) | Sleepwalking and/or Somnambulism. |
| (3) | Dyslexia and other learning disorders. |
| (4) | Attention Deficit Hyperactivity Disorder. |
| (5) | Stammering or Stuttering. |
| (6) | Incapacitating fear of flying confirmed by psychiatric evaluation. |
| (7) | Airsickness, Motion Sickness, and/or Travel Sickness. |
| (8) | Phobic fear of Air, Sea, and Submarine Modes of Transportation. |
| (9) | Uncomplicated Alcoholism or Other Substance Use Disorder. |
| (10) | Mental retardation. |
| (11) | Adjustment Disorders. |
| (12) | Impulse Control Disorders. |
| (13) | Sexual Gender and Identity Disorders paraphilias. |
| (14) | Factitious Disorder. |
| (15) | Obesity. |
| (16) | Over height. |
| (17) | Psuedofolliculitis barbae of the face and/or neck. |
| (18) | Medical Contraindication to the Administration of Required Immunizations. |
| (19) | Significant allergic reaction to stinging insect venom. |
| (20) | Unsanitary habits. |
| (21) | Certain anemias - in the absence of unfitting sequelae - including G6PD deficiency, other inherited Anemia Trait, and Von Willebrand's Disease. |
| (22) | Allergy to Uniform Clothing or Wool. |
| (23) | Long Sleeper Syndrome. |
| (24) | Hyperlipidemia. |

b. The government or the member can initiate separation request per this article.

(1) **Command-initiated request:** Per reference (d), involuntary separation processing may not be initiated until the servicemember has been notified formally with NAVPERS 1070/613 (Rev. 7-06), Administrative Remarks, concerning performance deficiencies related to the physical/behavioral condition and

advised of medical resources (if applicable) that may assist in the member's retention. The CO must provide the member reasonable time to overcome deficiencies (if possible) as reflected in appropriate counseling or personnel records.

(2) **Servicemember-initiated request:** May request separation based on a medical condition not amounting to disability which member's attending military physician believes exists and obviates the member's potential for continued Naval Service. Member may request separation only after all medical avenues of relief have been exhausted. The medical officer must document why member's condition renders member incapable of completing obligated service (OBLISERV) in an operational capacity. This request is considered a voluntary separation; therefore, there are no separation pay entitlements and Selective Reenlistment Bonus (SRB)/Enlistment Bonus (EB), if applicable, will be recouped.

c. Whether command- or servicemember-initiated, specific documentation is required from the medical officer that condition renders member incapable of completing member's OBLISERV, e.g., forced conversion, reassignment, etc. If the request is forwarded to Navy Personnel Command (NAVPERSCOM) for disposition without the specific documentation mentioned above, the request will be disapproved.

d. NAVPERSCOM, Enlisted Distribution Division (PERS-40) can direct separation processing under this article for any member who is not worldwide assignable due to medical limitations.

3. **Procedures.** Administrative separation (ADSEP) packages must include the following:

a. NAVPERS 1070/613 which specifically addresses performance deficiencies related to physical or behavioral condition and resources available, unless servicemember has requested the separation.

b. Request for separation from servicemember, if initiated by servicemember.

c. Administrative notification per MILPERSMAN 1910-402, if initiated by command.

d. Letter of transmittal (recommendation for ADSEP) per MILPERSMAN 1910-600.

e. Medical documentation from a medical officer supporting separation due to the condition, or suitability screening form for operational or overseas assignment, signed by a medical officer.

f. If applicable, ADSEP processing message from NAVPERSCOM (PERS-40) based on operational unsuitability or assignment screening findings. This message is not authority to separate and does not constitute medical documentation; it is strictly direction to process for separation.

NOTE: (1) If CO determines the member has potential for continued Naval Service, albeit unable to execute operational duty orders, submit a separation package with CO's recommendation for retention. The package will be reviewed by NAVPERSCOM and Office of Chief of Naval Operations (OPNAV), Military Personnel Plans and Policy Division (N13), and retention will be determined based on needs of Navy.

NOTE: (2) Per MILPERSMAN 1910-514, if an administrative board is required prior to a separation determination, the administrative board may not disregard or change the approved diagnosis of a medical officer. Members can introduce evidence as to the impact that such a diagnosis may have on their potential for productive future Naval Service.

4. **Characterization of Service.** Honorable (HON), unless an Entry Level Separation (ELS) (MILPERSMAN 1910-308) or General (Under Honorable Conditions) (GEN) (MILPERSMAN 1910-304), is warranted. Selected Reserve (SELRES) personnel are not eligible for ELS.

5. **Human Immunodeficiency Virus (HIV) Personnel.** Personnel enrolled in the HIV program are governed under reference (e) and are not included in this article.

SAMPLE PACKAGE
COMMAND-INITIATED SEPARATION

Letter of Transmittal Format

(Use proper letter format containing the following.)

(date)

From: Commanding Officer (unit name)
To: Commander, Navy Personnel Command (PERS-832/PERS-913)
Subj: (RATE/NAME/USN (R) (SSN (XXX-XX-1234, last four digits));
RECOMMENDATION FOR ADMINISTRATIVE SEPARATION
Ref: (a) MILPERSMAN 1910-600
Encl: (1) NAVPERS 1070/613 (Rev. 7-06), Administrative Remarks
(2) Administrative Separation Notification
(3) Medical Evaluation with separation recommendation
(4) Bureau of Naval Personnel (BUPERS) directed
Administrative Separation Processing message
(5) Other enclosures as required
1. Per reference (a), the following information is submitted:
a. Reason for processing.
b. Basic record data. Active duty (ACDU) start date; date of current enlistment; expiration of active obligated service (EAOS)/expiration of service (EOS); race/ethnicity; marital status and dependents; months on board; date and amount of most recent enlistment/reenlistment bonus; deployment status: deployed/pending deployment (number of months)/not deployed; pending orders (YES/NO/NA); age; total service (active, inactive); participated in Montgomery GI Bill (YES/NO/NA); specialized training (i.e., nuclear power).
c. Involvement with civil authorities (if applicable).
d. Summary of military and civilian offenses (if applicable).
e. Findings of administrative board (if applicable).
f. Recommendations of administrative board (if applicable).

g. Type of discharge recommended by administrative board (if applicable).

h. Comments of commanding officer (CO). (Must include why member's condition renders member incapable of completing obligated service (OBLISERV) in any capacity.)

i. Point of contact (POC)/location of command/telephone (DSN/COMM/E-Mail).

CO/Acting CO signature
(not By direction)

Copy to:
DoN CAF, WDC (29A)
(ISIC, TRANSITPERSU, PERSUPP DET where applicable)

ADMINISTRATIVE REMARKS
 NAVPERS 1070/613 (REV. (7-06)
 S/N: 0106-LF-132-8700

| | | |
|--|------------------------------------|------------------------------------|
| SHIP OR STATION: | | |
| SUBJECT: | <input type="checkbox"/> PERMANENT | <input type="checkbox"/> TEMPORARY |
| | | AUTHORITY (IF PERMANENT) |
| <p>(DATE): ADMINISTRATIVE COUNSELING</p> <p>1. You are hereby being counseled regarding your medical condition. You were diagnosed with (explain briefly the circumstances). Your present medical condition has not been considered a physical disability; however, it may be a disqualifying factor in determining your suitability for further Naval Service.</p> <p>2. You are being afforded any and all medical assistance as required by your medical condition. You will adhere to any and all of the recommendations of your attending physician and/or medical board.</p> <p>3. Further assistance is available through: LPO, DEPARTMENT HEAD, COMMAND MASTER CHIEF, CHAPLAIN, XO, CO, AND OFFICERS OF THE MEDICAL CORPS.</p> <p>4. This counseling is made to afford you an opportunity to undertake the recommended corrective action. Any failure to adhere to the guidelines cited above will make you eligible for administrative separation.</p> <p style="text-align: center; margin-top: 20px;">_____ SIGN AND DATE</p> <p style="text-align: center; margin-top: 20px;">_____ WITNESS</p> | | |
| NAME (Last, First, Middle) | SOCIAL SECURITY NUMBER | BRANCH AND CLASS |

NOTE: If the member refuses to sign, document such and have a commissioned officer sign NAVPERS 1070/613 as a witness.

Ensure the following "Notification Procedure" from MILPERSMAN 1910-402 is used when ADSEP is command-initiated.

| ADMINISTRATIVE SEPARATION PROCESSING NOTIFICATION PROCEDURE | | DATE |
|---|----------------|-------|
| From: | | UIC |
| To: | | |
| REASON(S) FOR ADMINISTRATIVE SEPARATION PROCESSING | MILPERSMAN REF | |
| 1) | | |
| 2) | | |
| 3) | | |
| The least favorable characterization of service possible is GENERAL (Under Honorable Conditions) (GEN). | | |
| If your separation is approved, it will result in discharge, suspended discharge, release from active duty (ACDU) to a Reserve component (RC), transfer from Selected Reserve (SELRES) to Individual Ready Reserve (IRR), or release from custody or control of U.S. Navy. | | |
| YOU ARE ENTITLED TO THE BELOW RIGHTS (INITIAL APPROPRIATE BLOCK) | ELECT | WAIVE |
| To consult with qualified counsel. You may consult with civilian counsel retained at your own expense. (Non-lawyer counsel may be appointed as determined by commanding officer (CO)). | | |
| To submit a written statement for consideration by the separation authority (SA). | | |
| To obtain copies of documents that will be forwarded to SA supporting the basis for proposed separation. (Classified documents will be summarized in unclassified form.) | | |
| To request an administrative board, if you have 6 or more years of total active and/or Reserve military service. (Failure to appear without good cause constitutes a waiver of right to be present at the administrative board.) | | |
| To representation at the administrative board by qualified counsel, if you have 6 or more years of total active and/or Reserve military service. | | |
| To representation at the administrative board by civilian counsel at your own expense, if you have 6 or more years of total active and/or Reserve military service. | | |
| If applicable - to request transfer to the Fleet Reserve/Retired/Retired Reserve List, understanding that you have the right to an administrative board to recommend retirement in your current or a reduced paygrade. If you waive such board, a reduction to a reduced paygrade upon transfer may be directed if you are being processed for misconduct, security, or homosexual conduct. | | |
| To General Courts-Martial Convening Authority (GCMCA) review, if you have less than 6 years of total active and/or Reserve military service. GCMCA staff members' cases must be forwarded to another officer having GCMCA or Navy Personnel Command (PERS-832) for review. | | |

| ADDITIONAL NOTICE | | | |
|---|------------------------------------|--------------|-----------|
| <p>For members on active duty not in civilian confinement: You are advised separation proceedings in your case will be suspended for a period of 2 days from the date this notice is delivered to you personally in order to give you a reasonable opportunity to exercise rights set forth herein. Failure to respond will constitute a waiver of all rights and processing may continue in your absence.</p> | | | |
| <p>For members who are Reservists not on active duty: You are advised separation proceedings in your case will be suspended for a period of 30 days from the date this notice is delivered to you personally, or received at your designated mailing address, in order to give you a reasonable opportunity to exercise rights set forth herein. Failure to respond will constitute a waiver of all rights and processing may continue in your absence. If your separation involves transfer to IRR, you are advised characterization of service upon transfer to IRR, also, will constitute the tentative characterization of service upon discharge at the completion of Naval Service obligation, unless you take affirmative action to affiliate with a drilling unit of SELRES, and you participate satisfactorily as a drilling member of SELRES for a period of time which, when added to any prior satisfactory service during this period of obligated service (OBLISERV), equals the period of OBLISERV. If you submit evidence of completion of the above, SA may assign a more favorable characterization of service. If you do not submit such evidence, the characterization of service is the same as the characterization of service upon transfer from active duty or SELRES to IRR. If you are in records review (non-drilling) status, you are entitled to permissive (no-cost) orders to attend any administrative board hearing to which you may be entitled.</p> | | | |
| <p>For members subject to reimbursement: You are advised you may be subject to a reimbursement requirement for recoupment of advance education assistance costs, bonuses, or special pays.</p> | | | |
| <p>For members in civilian confinement: You are advised separation proceedings in your case will be suspended for a period of 30 days from the date this notice is delivered to you personally or received at your confinement address in order to give you a reasonable opportunity to exercise the rights set forth herein. Failure to respond will constitute a waiver of all rights and processing may continue in your absence. If you are eligible and have elected an administrative board, and you are unable to make arrangements which would allow you to appear in person before the board, the proceedings will continue in your absence; in this event, however, you may be represented before the board by your counsel. The below named counsel has been appointed your military counsel for consultation and/or representation for this action.</p> | | | |
| NAME OF MILITARY COUNSEL | ADDRESS OF MILITARY COUNSEL | PHONE | |
| CIVILIAN CONVICTION APPEAL INFORMATION (RESPONDENT INITIAL APPROPRIATE BLOCK) | | YES | NO |
| Do you intend to file an appeal? | | | |
| Do you request separation before your appeal is decided or the time for appeal has passed? | | | |
| COMMAND CERTIFICATION | SIGNATURE | DATE | |
| Commanding Officer or "By direction." | | | |
| MEMBER CERTIFICATION | | | |
| I acknowledge receipt of this notice. | | | |
| My response to this notice is complete. | | | |
| COUNSEL CERTIFICATION (if applicable) | | | |

SAMPLE PACKAGE
ADMINISTRATIVE SEPARATION PER MEMBER'S REQUEST
(Use proper letter format containing the following.)

(date)

From: (Rate/Full Name/Branch/SSN (XXX-XX-1234, last four digits))
To: Separation Authority (Special Courts-Martial Convening Authority (SPCMA) or higher)

Subj: REQUEST FOR SEPARATION BASED ON PHYSICAL OR BEHAVIORAL CONDITION(S) NOT AMOUNTING TO A DISABILITY

Ref: (a) MILPERSMAN 1910-120

Encl: (1) Copy of medical documentation describing condition
(2) Copy of mishap/safety investigation (where applicable)

1. Per reference (a), I request separation based on the medical condition which I and/or my attending physician believe exists, but does not amount to a disability per current Navy guidance. The medical condition is (briefly describe/explain medical condition) and is supported by enclosure (1).

2. The following information is provided:

- a. Active Duty Start Date:
- b. Expiration of Service:
- c. Date Reported Current Command:
- d. Projected Rotation Date (PRD):
- e. This medical condition (existed/did not exist) upon my entry into Navy.
- f. This medical condition (was/was not) the result of, or contributed to, my own misconduct.
- g. A mishap/safety investigation (was/was not) conducted regarding this medical injury/problem. If conducted, attach as enclosure (2).

3. Remarks: Explain the history of your medical condition and why it prevents you from completing your obligated service **in any capacity**.

(Member's Signature)

NOTE: CO's endorsement must verify information provided in paragraph 2 of member's letter is correct and, also, include why member's condition renders him/her incapable of completing OBLISERV in any capacity.

6. Separation Program Designator (SPD). Per reference (f), the following SPD codes are to be used:

| SPD CODE | EXPLANATION |
|----------|--|
| GFV | Involuntary discharge, approved recommendation of an administrative board. |
| HFV | Involuntary discharge directed in lieu of further processing or convening of an administrative board (board waiver). (Use when administrative board was waived.) |
| JFV | Involuntary discharge, no administrative board entitlement. |
| KFV | Voluntary discharge allowed by established directives. |

MILPERSMAN 1910-122

SEPARATION BY REASON OF CONVENIENCE OF THE GOVERNMENT - PERSONALITY DISORDER (S)

| | | | | |
|---------------------------|--|--------|-------------------|--|
| Responsible Office | NAVPERSCOM (PERS-832) Enlisted active duty members | Phone: | DSN COM FAX | 882-4431 (901) 874-4431 882-2754 |
| | NAVPERSCOM (PERS-913) Enlisted inactive duty Reservists | Phone: | DSN COM FAX | 882-4470 (901) 874-4470 882-2673 |

| | |
|-------------------|---|
| References | (a) Diagnostic and Statistical Manual of Mental Disorders, 4 th Ed. (DSM IV), 1994; Text Revision DSM-IV-TR, 2000 (b) NAVMED P-117, Manual of the Medical Department (c) DoDI 1332.14 of 28 Aug 2008 (d) SECNAVINST 6320.24A |
|-------------------|---|

1. **Separation Authority (SA)**. Commanding officers (COs) with Special Court-Martial Convening Authority (SPCMCA), unless member has served in a war zone. In such cases, SA resides with the General Court-Martial Convening Authority (GCMCA) or Navy Personnel Command (NAVPERSCOM).

2. **Policy**

a. Servicemembers returning from deployment in a hostile fire/imminent danger war zone area diagnosed with Post Traumatic Stress Disorder (PTSD) or a Traumatic Brain Injury (TBI) may not be separated based on a personality disorder. Members with PTSD/TBI should be referred to a Physical Evaluation Board (PEB) for possible disability determination.

b. Per references (a) through (d) and MILPERSMAN 1910-120, members may be processed for separation based on a clinical diagnosis of a personality disorder when

(1) the disorder is so severe that the member's ability to function effectively in the Navy environment is significantly impaired; and

(2) the impairment interferes with the member's performance of duty, or poses a threat to the safety or well-being of the member or others, and the member has not responded to leadership and counseling.

c. Separation processing may not be initiated until the member has been counseled formally concerning deficiencies and has been afforded an opportunity to overcome those deficiencies as reflected in appropriate counseling or personnel records. For personality disorders, the member will also be counseled that the diagnosis of a personality disorder does not qualify as a disability.

d. Separation on the basis of personality disorder is authorized only if a diagnosis by a psychiatrist or PhD-level psychologist utilizing reference (a), and per procedures established by the Navy, concludes that the disorder is so severe that the member's ability to function effectively in the military environment is significantly impaired. For servicemembers who have served or are currently serving in imminent danger pay areas, a diagnosis of personality disorder as addressed in the previous sentence must be corroborated by a peer or higher-level mental health professional and endorsed by the Surgeon General of the Navy. The diagnosis must address post-traumatic stress disorder (PTSD) or other mental illness co-morbidity. The onset of personality disorder is frequently manifested in the early adult years and may reflect an inability to adapt to the military environment as opposed to an inability to perform the requirements of specific jobs or tasks or both. As such, observed behavior of specific deficiencies should be documented in appropriate counseling or personnel records and include history from sources such as supervisors, peers, and others, as necessary to establish that the behavior is persistent, interferes with assignment to or performance of duty, and has continued after the servicemember was counseled and afforded an opportunity to overcome the deficiencies.

e. Separation for personality disorder is not appropriate nor should it be pursued when separation is warranted on the basis of unsatisfactory performance or misconduct. In such circumstances, the member should not be separated under this paragraph regardless of the existence of a personality disorder. Unless found fit for duty by the disability evaluation system, a separation for personality disorder is not authorized if service-related PTSD is also diagnosed.

f. Nothing in paragraph 2 of this article precludes separation of a servicemember who has a personality disorder or other designated physical or mental conditions under any other basis set forth in MILPERSMAN 1910-120 or for any other reason authorized by this article.

g. Prior to involuntary separation under this provision, the notification procedure in paragraph 6 shall be used. Documentation must include evidence that the servicemember is unable to function effectively because of a personality disorder.

3. Procedures for Requesting a Mental Health Evaluation (MHE).

Use the following sample letter to schedule a member for a referral to an inpatient/outpatient MHE (use proper letter format):

NOTE: In the event compliance with any of the rights or procedures in this letter is not practicable due to the need for emergency referral, operational commitments, or other circumstances, prepare a memorandum signed by the CO, citing the reasons. Provide copies of the memorandum to the member and to the mental health professional (MHP) for inclusion in the member's medical record.

From: Commanding Officer
To: (Rate/Rank, Name, Branch)

Subj: REFERRAL FOR MENTAL HEALTH EVALUATION AND PATIENT RIGHTS

Ref: (a) MILPERSMAN 1910-122

1. You are being referred for a mental health evaluation (MHE). You are directed to report to (point of contact) at (location), no later than (time and date) to undergo an MHE.
2. The following behavior(s) or verbal expression(s) were considered in determining the need for this MHE: (brief but clear description; e.g., your verbal expression of an inability to perform your duties and responsibilities, a fear of committing a self-destructive act, etc.)
3. Prior to making this referral, (rank/title/name), a mental health professional (MHP), was consulted. **Or:** No mental health professional (MHP) has been consulted prior to making this referral because (list reason).
4. Per reference (a), you are entitled to the following rights. Initial in the space provided those rights you desire:

() The right to meet with a military judge advocate (MJA) (or civilian attorney employed by the Department of Defense (DoD)) who is available to advise you of your rights regarding redress should you question this referral.

() The right to submit to the Inspector General (IG) for investigation any allegation that your MHE referral was a reprisal for making or attempting to make a lawful communication to a member of Congress, appropriate authority in your chain of command, an IG, or members of an audit, inspection, investigation, or law enforcement organization.

() The right to a second MHE by an MHP of your own choosing, provided reasonably available. Reasonably available means MHP must be available to conduct the evaluation within 10 working days of this letter. Evaluations by an MHP of your own choosing will be at your own expense. You will not be charged for any DoD professional fees; however, ancillary costs such as travel to the site of the evaluation will be at your own expense.

() The right to communicate lawfully, without restriction, with an IG, attorney, member of Congress, or others about your referral for an MHE.

() The right, except in emergencies, to 2 working days to meet with an attorney, IG, chaplain, or other appropriate party prior to a scheduled MHE. If your condition requires the MHE to be conducted earlier than 2 working days, the reason will be stated in writing as part of the request for the MHE.

5. If your assignment to a naval vessel or unit or your military duties cause the above to be impractical, I will provide you with a separate memorandum which states the reasons for our inability to comply with such procedures.

6. The following personnel can assist you regarding this referral:

- a. Military attorney: (name/location/telephone number/hours available).
- b. Inspector General: (name/address/telephone number/hours available).

Signature of Commanding Officer

4. **Member's Endorsement to CO's Letter.** Prepare the member's endorsement in the following format (use proper endorsement format):

(Date)

FIRST ENDORSEMENT on

From: (Rate/Rank, Name, Branch)
To: Commanding Officer

1. I hereby acknowledge receipt of this referral and have indicated above my elections. I understand that failure to make my scheduled appointment may result in disciplinary and/or administrative action.

Member's signature

NOTE: Provide copy to the member, retain the original pending completion of the referral and use in case of further administrative separation (ADSEP) action, if appropriate.

5. **MHP Assessment**

a. An MHP is a medical officer specializing in psychiatry, or is a clinical psychologist as described in paragraph 2d of this article. The MHP will assess the circumstances surrounding the request for evaluation to ensure the evaluation does not appear to have been used as a reprisal for any type of whistle-blowing attempts or actions by the member. The MHP will consider information provided both by the member and the command. Evidence, which indicates the evaluation may be in violation of this article, will be reported by the MHP to member's CO for possible referral to an IG, if applicable.

b. The diagnosis of a personality disorder should be made only when the characteristic features are typical of the person's **long-term** functioning and are not limited to discrete episodes of illness.

c. The MHP will ensure the member is advised of the purpose, nature, and likely consequences of this evaluation and ensure the member understands that this evaluation lacks confidentiality.

NOTE: When an MHP performs both evaluative and therapeutic roles, the possible conflict of loyalties will be explained to the member at the outset of the therapeutic relationship.

6. **Notification Procedures**

a. The Notification Procedure (MILPERSMAN 1910-402) will be used.

b. Member may be processed when

(1) the MHE is made by a competent MHP and concludes that the member's personality disorder is so severe that member's ability to function effectively in the naval environment is significantly impaired. Information and recommendations of the MHP are for command use in determining a proper course of action; however, they will not be used as the total justification for processing the member for separation; or

(2) there is documented evidence that the diagnosed personality disorder interferes with the member's performance of duty. Evidence may be in the form of documented reduction in performance marks, minor disciplinary infractions, work disruptions, etc., which persist in spite of reasonable attempts by the command in correcting deficiencies through leadership and non-medical counseling. Appropriate disciplinary action may be used to document interference with performance of duty.

c. Member must receive a NAVPERS 1070/613 (Rev. 7-06), Administrative Remarks counseling/warning (MILPERSMAN 1910-204), and be given an opportunity to overcome his/her deficiencies in performance and conduct prior to any ADSEP action for a personality disorder. Per reference (c), there are no exceptions.

NOTE: (1) Recommendation by the MHP for immediate discharge when the member is either **not** diagnosed as a threat to him/herself or others, **or, not** diagnosed as having a personality disorder, will not be processed under this article.

NOTE: (2) Per MILPERSMAN 1910-514, if an administrative board is required prior to a separation determination, the administrative board may not disregard or change the approved diagnosis of a medical officer. Members can introduce evidence as to the impact that such a diagnosis may have on their potential for productive future Naval Service.

d. Required enclosures when processing for personality disorder include

- (1) copy of the MHE by the MHP;
- (2) copy of the notification letter (MILPERSMAN 1910-402);
- (3) a completed, legible, and signed copy of the MHE referral letter (if applicable); and
- (4) a copy of the NAVPERS 1070/613 counseling/warning.

e. Forward all complete cases by letter of transmittal to

- NAVPERSCOM, Enlisted Performance and Separations Branch (PERS-832) for active duty; **or**
- NAVPERSCOM, Reserve Enlisted Status Branch (PERS-913) for Reserves;

for review and/or final determination.

7. **Characterization of Separation.** Honorable (HON), unless an Entry Level Separation (ELS) or General (Under Honorable Conditions) (GEN) is warranted per MILPERSMAN 1910-300 to 1910-308.

ADMINISTRATIVE REMARKS
 NAVPERS 1070/613 (REV. (7-06)
 S/N: 0106-LF-132-8700

| | | |
|--|------------------------------------|------------------------------------|
| SHIP OR STATION: | | |
| SUBJECT: | <input type="checkbox"/> PERMANENT | <input type="checkbox"/> TEMPORARY |
| | AUTHORITY (IF PERMANENT) | |
| <p>(DATE): ADMINISTRATIVE COUNSELING</p> <p>1. You are hereby being counseled regarding your condition. You were diagnosed with (explain briefly the circumstances). Your present condition has not been considered a physical disability; however, it may be a disqualifying factor in determining your suitability for further Naval Service.</p> <p>2. You are being afforded any and all assistance as required by your condition. You will adhere to any and all of the recommendations of your attending physician and/or medical board.</p> <p>3. Further assistance is available through: LPO, DEPARTMENT HEAD, COMMAND MASTER CHIEF, CHAPLAIN, XO, CO, AND OFFICERS OF THE MEDICAL CORPS.</p> <p>4. This counseling is made to afford you an opportunity to undertake the recommended corrective action. Any failure to adhere to the guidelines cited above will make you eligible for administrative separation.</p> <p style="text-align: center;">_____ SIGN AND DATE</p> <p style="text-align: center;">_____ WITNESS</p> | | |
| NAME (Last, First, Middle) | SOCIAL SECURITY NUMBER | BRANCH AND CLASS |

NOTE: If the member refuses to sign, document such and have a commissioned officer sign NAVPERS 1070/613 as a witness.

MILPERSMAN 1910-600

FORWARDING CASES TO THE SEPARATION AUTHORITY (SA)

| | | | | |
|---------------------------|--------------------------|--------|-----|----------------|
| Responsible Office | NAVPERSCOM (PERS-832) | Phone: | DSN | 882-4433 |
| | | | COM | (901) 874-4433 |
| | | | FAX | 882-2624 |

| | | |
|------------------------------------|------------------|-----------------|
| NAVPERSCOM CUSTOMER SERVICE CENTER | Phone: Toll Free | 1-866-U ASK NPC |
|------------------------------------|------------------|-----------------|

| | |
|------------------|------------------------|
| Reference | (a) SECNAVINST 5210.8D |
|------------------|------------------------|

NOTE: Prior to acting as the Separation Authority (SA) or forwarding cases to the SA, commands shall screen the personnel records of all members being administratively separated for service in an imminent danger pay area per MILPERSMAN 1910-702, para. 1a.

1. **Methods.** Processing activities may forward most cases to the SA by letter of transmittal or message. The following cases must be submitted by letter only:

- a. Cases where an administrative board was held.
- b. Cases involving United States Navy Reserves-Ready (USNR-R) members.
- c. Cases where Secretary of the Navy (SECNAV) is SA.

NOTE: Processing commands, separation authorities, and separation activities are urged to pursue adherence at every level to the established Navy administrative separation (ADSEP) goals in MILPERSMAN 1910-010.

2. **Enclosures.** The following supporting documents should be enclosures to the letter unless already part of the record of proceedings:

- a. Member's Notice of Notification Procedure or Notice of Administrative Board Procedure (as appropriate).
- b. Member's written statement (if submitted).

- c. Other pertinent documentation (examples below).
- d. Applicable NAVPERS 1070/613 (Rev. 07/06), Administrative Remarks (if required under the reason for processing).
- e. Drug laboratory message.
- f. NAVPERS 1070/606 (08/07), Record of Unauthorized Absence.
- g. NAVPERS 1070/607 (08/07), Court Memorandum.
- h. Copies of any other relevant NAVPERS 1070/613s.
- i. Copy of medical officer's evaluation.
- j. Copy of member's DD 1966 (Rev. 03-07), Record of Military Processing-Armed Forces of the United States (for fraudulent enlistment).
- k. For members processed for unsatisfactory participation in the Ready Reserve, copy of the drill muster record, NAVRES 1570/2 (Rev. 04-09), Satisfactory Participation Requirements/Record of Unexcused Absences; notices to report for physical examinations; and letters trying to locate the Reservist.
- l. Record of proceedings of an administrative board (if applicable).
- m. Appointing letter for board.
- n. Sworn affidavit of service by mail (if applicable).

NOTE: Commands are required to retain a complete file copy of all ADSEP cases for 2 years, per reference (a).

3. **Letter of Transmittal Format.** Use the below format when submitting an ADSEP case to the SA via letter, or when forwarding the case to Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Branch (PERS-832) in cases where member was locally discharged. (Use proper letter format.)

From: Command
To: Separation Authority (or NAVPERSCOM (PERS-832))
Subj: (RATE/NAME/USN (R) (TAR)); RECOMMENDATION FOR/OR REPORT OF
(AS APPLICABLE) ADMINISTRATIVE SEPARATION
Ref: (a) MILPERSMAN 1910-600
Encl: (1) As required

1. Per reference (a), the following information is submitted:

a. Reason for processing.

b. Basic record data. Active duty start date; date of current enlistment; EAOS/EOS; race/ethnicity; marital status and dependents; months on board; date and amount of most recent enlistment/reenlistment bonus; deployment status: deployed/pending deployment (number of months)/not deployed; is member pending orders (YES/NO/NA); age; total service (active, inactive); participated in Montgomery GI Bill (YES/NO/NA); specialized training (i.e., nuclear power).

c. Involvement with civil authorities. (If none, annotate NA.)

d. Summary of military and civilian offenses.

e. Findings of the administrative board.

f. Recommendations of administrative board.

g. Type of discharge recommended by administrative board.

h. MILPERSMAN 1910-702 Screening requirements.

(1) Did member serve in an imminent danger zone in the 2-year period prior to notification of separation processing (Yes or No)? (If Yes, answer (2) and (3))

(2) Was member's record screened for PTSD/TBI as a contributing factor per MILPERSMAN 1910-702 (Yes or No)?

(3) Was PTSD/TBI determined to be a contributing factor (Yes or No)?

i. Psychiatric, medical and/or PTSD/TBI evaluation complete or not applicable (as required).

j. Most recent NAVPERS 1070/613 (Rev. 07-06), Administrative Remarks warning (critical if required under reason for processing).

k. Comments of the commanding officer. (Ensure a clear picture of what/when/why is provided.)

l. If member was separated locally under authority granted by MILPERSMAN 1910-700, provide date, reason, and characterization (ensure a copy of DD 214 (Rev. 2-00), Certificate of Release or Discharge from Active Duty is attached as an enclosure).

m. Point of contact/location of command/telephone (DSN/COMM)/ E-Mail:

/s/ CO or ACTING CO
(not by direction)

Copy to:
(ISIC, TRANSITPERSU, PERSUPPDET where applicable)

4. **Message Format.** Use the below format when submitting an ADSEP case to the SA via message. Message format cannot be used if administrative board was held, SECNAV is SA, or cases involving USNR-R personnel. (Use proper message format.)

FM: (COMMAND)
TO: SEPARATION AUTHORITY (OR NAVPERSCOM)
INFO: ISIC, TRANSITPERSU, PERSUPPDET WHERE APPLICABLE
BT
UNCLAS //N01910//

SUBJ/(RATE, NAME, USN(R), (R-TAR)): RECOMMENDATION FOR/OR
REPORT OF (AS APPLICABLE) ADMIN SEPARATION

MSGID/GENADMIN/_____//

REF/A/DOC/NAVPERSCOM/ //

AMPN/REF A IS MILPERSMAN 1910 ARTICLES WHICH PROVIDE POLICY AND
GUIDANCE CONCERNING ADSEPS//

POC/NAME/RANK/PRIMARY PHONE NO/-/POC LOCATION/SECONDARY PHONE
NO/-//

RMKS/1. PER REF A, FOLLOWING REQUEST FOR ADMIN DISCH SUBMITTED. CO HAS REVIEWED REF A AND CERTIFIES THAT THIS MESSAGE SUBMISSION SUPPORTS THE MOST APPLICABLE REASON(S) FOR PROCESSING. AN ADMIN BOARD HAS NOT BEEN CONVENED IN THIS CASE.

2. REASON FOR SEPARATION PROCESSING. (LIST VERBATIM FROM MBR'S NOTICE.)

3. BASIC RECORD DATA. ACTIVE DUTY START DATE; DATE OF CURRENT ENLISTMENT; EAOS/EOS; RACE/ETHNICITY; MARITAL STATUS AND DEPENDENTS; MONTHS ON BOARD; DATE AND AMOUNT OF MOST RECENT ENLISTMENT/REENLISTMENT BONUS; DEPLOYMENT STATUS: DEPLOYED/PENDING DEPLOYMENT (NUMBER OF MONTHS)/NOT DEPLOYED; IS MEMBER PENDING ORDERS (YES/NO/NA); AGE; TOTAL SERVICE (ACTIVE, INACTIVE); PARTICIPATED IN MONTGOMERY GI BILL (YES/NO/NA); SPECIALIZED TRAINING (I.E., NUCLEAR POWER).

4. INVOLVEMENT WITH CIVIL AUTHORITIES: (IF NONE, ANNOTATE N/A.)

A. CIRCUMSTANCES OF OFFENSE(S). (INCLUDE FACTS AND CIRCUMSTANCES SURROUNDING OFFENSE(S) IN SUFFICIENT DETAIL TO INDICATE NATURE AND SERIOUSNESS OF OFFENSE(S).)

B. ACTION BY CIVIL AUTHORITIES. (CHARGE(S) ON WHICH ARRAIGNED; FINAL OUTCOME (I.E., PLEAD GUILTY, TRIED AND CONVICTED, OR ACQUITTED), AND SENTENCE OF COURT OR PENDING TRIAL.)

C. CIVIL CONVICTION APPEAL INFO. (MBR DOES/DOES NOT INTEND TO FILE AN APPEAL. IF MBR INTENDS TO FILE, ADVISE IF MBR REQUESTS SEPARATION PRIOR TO FINAL ACTION ON APPEAL.)

5. SUMMARY OF MILITARY OFFENSE(S): (LIST IN CHRONOLOGICAL ORDER BY SUBPARAGRAPH DATE OF NJP/CM; TYPE (NJP/CM); OFFENSE(S); DATE OF OFFENSE(S). NOTE: IDENTIFY OFFENSE(S) TO INCLUDE ALL SPECIFICATIONS WITH NARRATIVE REASONS (E.G., DATE/LENGTH OF UA, SLEEPING ON WATCH, ETC.). ICO COURT-MARTIAL, INDICATE DATE OF CONVENING AUTHORITY (CA) FINAL ACTION, APPROVED FINDINGS, AND SENTENCE.)

6. RECOMMENDATION REGARDING RETENTION/REENLISTMENT.

7. PROCEDURE USED. (NOTICE OF NOTIFICATION PROCEDURE (MILPERSMAN 1910-402) OR NOTICE OF ADMINISTRATIVE BOARD PROCEDURE (MILPERSMAN 1910-404) SIGNED BY MBR ON (FILL IN DATE), LIST THE FOLLOWING SPECIFIC VERBATIM REASON(S) FOR PROCESSING. (FILL IN - DO NOT USE ABBREVIATIONS.) (THIS PARAGRAPH SHOULD

MIRROR EXACTLY THE REASON AS CITED ON THE LETTER OF NOTIFICATION.))

8. DATE MBR ACKNOWLEDGED RECEIPT OF NOTICE.

9. DATE MBR RESPONDED: (IF LESS THAN 2 DAYS SINCE RECEIPT OF NOTICE, EXPLAIN WHETHER MEMBER KNEW HE/SHE HAD A MINIMUM OF 2 DAYS TO RESPOND.)

10. THAT IF SEPARATION IS APPROVED, CHARACTERIZATION OF SERVICE MAY BE (FILL-IN). MBR REQUESTED FOLLOWING RIGHTS. (LIST ALL RIGHTS ELECTED.) SNM WAIVED ALL OTHER RIGHTS.

11. MBR'S WRITTEN STATEMENT IS QUOTED VERBATIM AS FOLLOWS. (IF NONE, SO STATE.)

12. PSYCHIATRIC, MEDICAL AND/OR PTSD/TBI EVALUATION COMPLETE OR NOT APPLICABLE (AS REQUIRED). (BRIEFLY LIST PERTINENT FINDINGS, DIAGNOSIS, RECOMMENDATION(S), AND ADVISE IF MEMBER CONSIDERED A DANGER TO SELF OR OTHERS.) MEDICAL OFFICER/CLINICAL PSYCHOLOGIST SIGNED EVALUATION ON (DATE). (ANNOTATE IF MEMBER SCREENED FOR DRUG/ALCOHOL ABUSE, AND RECOMMENDATIONS OF EVALUATION AS APPLICABLE.)

13. MILPERSMAN 1910-702 SCREENING REQUIREMENTS.

A. DID MEMBER SERVE IN AN IMMINENT DANGER ZONE IN THE 2-YEAR PERIOD PRIOR TO NOTIFICATION OF SEPARATION PROCESSING (YES OR NO)? (IF YES, ANSWER B AND C.)

B. WAS MEMBER'S RECORD SCREENED FOR PTSD/TBI AS A CONTRIBUTING FACTOR AS PER MPM 1910-702 (YES OR NO)?

C. WAS PTSD/TBI DETERMINED TO BE A CONTRIBUTING FACTOR (YES OR NO)?

14. MOST RECENT NAVPERS 1070/613 ISSUED TO MBR. (MANDATORY IF REQUIRED UNDER REASON FOR PROCESSING. ALSO STATE HOW THE COUNSELING/WARNING ENTRY WAS VIOLATED. IF NO NAVPERS 1070/613 HAS BEEN ISSUED TO MBR - SO STATE.)

15. COMMENTS AND RECOMMENDATION OF CO: (ICO ALCOHOL OR DRUG ABUSE REHAB FAILURE, PROVIDE DATES OF TREATMENT OR DATE MBR SIGNED NAVPERS 1070/613 REFUSING TREATMENT. IF SEPARATION IS RECOMMENDED, CO SHALL MAKE SPECIFIC RECOMMENDATION AS TO CHARACTERIZATION OF SERVICE OR DESCRIPTION OF SEPARATION, AND TRF TO THE IRR (IF APPROPRIATE).)

16. STATE LOCATION OF SNM IF TRANSFERRED TEMADD/TEMDU
SUBSEQUENT TO COMPLETION OF CASE PROCESSING. (INCLUDE AS INFO
ADDEE.)
17. LOCATION/HOMEPORT OF COMMAND: (DEPLOYED OR (FILL IN)).
UIC: (FILL IN.)
18. POC E-MAIL: (FILL IN.)
19. CO SENDS. (MSG MUST BE RELEASED BY CO OR ACTING CO.)//
BT

NOTES:

(1) Forward a complete copy of the ADSEP package and SA action, with a copy of member's DD 214 (Rev. 2-00), Certificate of Release or Discharge from Active Duty, to the appropriate NAVPERSCOM code for review and filing in member's permanent personnel record for historical purposes.

(2) Commanding officers (COs) may only process for separation those personnel who are permanently assigned to their command; therefore, when circumstances warrant, commands may transfer a member of their command temporary duty (TEM DU) (not temporary additional duty (TEMADD)) to be processed/separated at another command. MILPERSMAN 1910-206 refers.

MILPERSMAN 1910-702

GENERAL GUIDANCE FOR SEPARATION AUTHORITIES (SA)

| | | | | |
|---------------------------|--------------------------|--------|-----|----------------|
| Responsible Office | NAVPERSCOM (PERS-832) | Phone: | DSN | 882-4433 |
| | | | COM | (901) 874-4433 |
| | | | FAX | 882-2624 |

| | | |
|------------------------------------|------------------|-----------------|
| NAVPERSCOM CUSTOMER SERVICE CENTER | Phone: Toll Free | 1-866-U ASK NPC |
|------------------------------------|------------------|-----------------|

| | |
|-------------------|------------------------|
| References | (a) SECNAVINST 5820.4G |
|-------------------|------------------------|

1. Separation Authority (SA)

a. Prior to approving any involuntary administrative separation (ADSEP) the SA shall ensure the following:

(1) A review of the servicemember's record has been conducted to determine if, in the 2-year period prior to initiation of ADSEP processing, the servicemember served in an imminent danger pay area.

(2) If the servicemember served in an imminent danger pay area, that the member completed all post-deployment surveys and medical evaluations. Involuntary separations will be held in abeyance until any required evaluations and follow-on diagnoses are complete.

(3) If a servicemember has been diagnosed with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI), a determination must be made as to whether the PTSD/TBI may have been a contributing factor to the conduct forming one or more of the bases supporting the ADSEP action. This determination shall not be made by the SA, but by a mental health professional diagnosing the PTSD/TBI or a higher-level mental health professional consistent with Surgeon General guidance. For those individuals where the circumstances reveal that PTSD/TBI may be a contributing factor to one or more of the bases for separation, the Chief of Naval Personnel (CHNAVPERS), or higher authority, will act as SA. Contact Navy Personnel Command (NAVPERSCOM), Disability/Retirements/LIMDU Branch (PERS-821) for further guidance.

b. The SA is the individual who makes the final retention or separation decision. Depending on the reason for processing and the circumstances of the case, the SA will be:

(1) Commanding officer (CO) (Special Court-Martial Convening Authority (SPCMCA));

(2) General Court-Martial Convening Authority (GCMCA);

(3) NAVPERSCOM, Enlisted Performance and Separations Branch (PERS-832); or NAVPERSCOM, Reserve Enlisted Status Branch (PERS-913) as appropriate; or

(4) Secretary of the Navy (SECNAV) (via NAVPERSCOM (PERS-832 or PERS-913) as appropriate).

c. Any SA can refer a case to NAVPERSCOM for action. This can be useful if unique circumstances are present.

2. **Deliberating Final Action.** In deliberating final action, SAs should understand the following:

a. They may not approve findings and characterization recommendations less favorable to the respondent than those rendered by an administrative board.

b. If SAs find legal prejudice to a substantiated right of the respondent or that the board's findings were obtained by fraud or collusion, the case may be referred to a new board made up of all new members. The new board may not make findings/recommendations less favorable than the member's previous board unless the SA finds that fraud or collusion in the previous board is attributable to the respondent or to individuals acting on the respondent's behalf (witness, counsel, etc.).

c. Members confined in foreign jails may be processed for separation, but may not be discharged or separated from the service until the completion of imprisonment and return to the United States (U.S.). In unusual cases, (i.e., life sentence without possibility of parole) separations may be authorized by SECNAV. Reference (a) refers.

d. They will ensure maximum recoupment of bonuses and debts to the government prior to separation, where appropriate.

e. In every case in which characterization of service Under Other Than Honorable (OTH) is recommended, the record of the board's proceedings will be reviewed by a judge advocate or civilian attorney employed by the Navy prior to action by the SA. Such review is not required when another characterization (Honorable (HON), General (Under Honorable Conditions) (GEN), or Entry Level Separation (ELS)) is recommended unless the respondent identifies specific legal issues for consideration by the SA.

3. When Conflicting Recommendation Exists

a. If an administrative board finds that the member committed the offense that led to reason for processing and recommends retention, but the convening authority (CA) or GCMCA recommends separation, forward the case with written rationale to NAVPERSCOM for possible forwarding to SECNAV for final action.

b. If the board finds that the member committed the offense that led to the reason for processing, but votes to retain, and the SA concurs, direct the CA to issue a NAVPERS 1070/613 (07/06), Administrative Remarks counseling/warning per MILPERSMAN 1910-202, outlining the deficiency (i.e., the board's findings and recommendations).

c. If the board finds that the member did not commit the offense that led to the reason for processing, and votes to retain, and the SA finds no errors in the board, the SA should advise the CA in writing that:

"No further action on the case is considered appropriate because member's administrative board of (date) found member did not commit misconduct due to commission of a serious offense as evidenced by (nonjudicial punishment (NJP), NCIS report, etc.)."

d. Members may not be involuntarily held past their expiration of active obligated service (EAOS) for the purpose of administrative discharge processing; therefore, all review actions must be done, discharge authorized, and the member separated as of 2359 the day of EAOS. If this cannot be done, separate the member at EAOS with discharge as characterized by the service record review (see MILPERSMAN 1910-104). The CO may assign an RE-4 reenlistment code (not recommended for reenlistment) and document such action with NAVPERS 1070/613.