SUMMARY OF MAJOR CHANGES TO DoD 7000.14-R, VOLUME 7A, CHAPTER 64 "HEALTH CARE OFFICERS ON ACTIVE DUTY IN SUPPORT OF THE PERSIAN GULF CONFLICT"

All changes are denoted by blue font

Substantive revisions are denoted by a ★ preceding the section, paragraph, table or figure that includes the revision

Hyperlinks are denoted by underlined, bold, italic, blue font

PARA	EXPLANATION OF CHANGE/REVISION	PURPOSE
Entire Chapter	This chapter has been reviewed for accuracy, modernization, hyperlinks, cross reference updates.	Update
640704	Updated rates for certified registered nurse anesthetists consistent with P.L. 107-314, Section 615(f) and Chapter 21 of this volume.	Update

TABLE OF CONTENTS

HEALTH CARE OFFICERS ON ACTIVE DUTY IN SUPPORT OF THE PERSIAN GULF CONFLICT

6401	Authority
6402	Definitions
6403	Entitlement
6404	Limitations and Recoupment
6405	Board Certification Waiver (Medical and Dental Officers)
6406	Special Provisions
★ 6407	Rates Payable

[★]Bibliography

CHAPTER 64

HEALTH CARE OFFICERS ON ACTIVE DUTY IN SUPPORT OF THE PERSIAN GULF CONFLICT

6401 AUTHORITY

Public Law 101-510, section 1111 (November 5, 1990) authorizes special pay for Reserve medical and dental officers called to active duty in support of Operation Desert Shield (during fiscal years 1990 and 1991) in the same manner as regular medical and dental officers. Public Law 102-25, Section 304, 6 April 1991, as amended by **Public Law 102-190, Section 656 December 5, 1991** authorizes special pay for health care officers described in sections 302 (medical officers), 302a (optometrists), 302b (dentists), 302e (nurse anesthetists), or 303 (veterinarians) of Title 37, United States Code (U.S.C.), (whichever applies), notwithstanding any requirement in those sections that the call or order to active duty be for a period of not less than 1 year.

6402 DEFINITIONS

- 640201. <u>Health Care Officer</u>. An officer of the Armed Forces, including Reserve Components and National Guard, described in the following sections of *Title 37, U.S.C.*:
- A. <u>Medical Officers</u> (section 302). An officer of the Medical Corps of the Army or the Navy or an officer of the Air Force designated as a medical officer.
- B. Optometrists (section 302a). An officer of the Army, Navy, or Air Force designated as an optometry officer.
- C. <u>Dental Officers</u> (<u>section 302b</u>). An officer of the Dental Corps of the Army or the Navy or an officer of the Air Force designated as a dental officer.
- D. <u>Nurse Anesthetists</u> (section 302e). A qualified certified registered nurse anesthetist who is either an officer of the Army or Navy Nurse Corps or an officer of the Air Force designated as a nurse.
- E. <u>Veterinarians</u> (section 303). An officer of the Veterinary Corps of the Army or an officer of the Air Force designated as a veterinary officer.
- 640202. <u>Operation Desert Storm.</u> Operations of United States Armed Forces conducted as a consequence of the invasion of Kuwait by Iraq, including the operation known as Operation Desert Shield.
- 640203. <u>Persian Gulf Conflict</u>. Means the period beginning on August 2, 1990 and ending thereafter on the date prescribed by Presidential proclamation or by law.

6403 ENTITLEMENT

- 640301. Health care officers who are otherwise eligible to receive special pay under <u>37 U.S.C. 302</u>, <u>302a</u>, <u>302b</u>, <u>302e</u>, or <u>303</u> shall be eligible for such payments for all periods of active duty beginning on or after August 1, 1990 (other than for training) while:
- A. A Reserve officer on active duty under a call or order to active duty for a period of less than 1 year in connection with the Persian Gulf Conflict;
- B. A retired officer recalled to active duty under <u>10 U.S.C. 688</u>, in connection with the Persian Gulf Conflict;
- C. An officer involuntarily retained on active duty under <u>10 U.S.C. 12305</u>, or an officer who has voluntarily agreed to remain on active duty for a period of less than 1 year in support of the Persian Gulf Conflict.
- 640302. Health care officers voluntarily agreeing to remain on active duty are eligible for payments only for those periods served following the expiration of any previously existing active duty service obligations for education, training, or special pay agreements, as determined by the Secretary concerned or designee.
- 640303. Reserve medical and dental officers in either an active or inactive Reserve status who were called or ordered to active duty for a period of less than 1 year in connection with Operation Desert Shield are eligible for special pay, effective August 1, 1990. For retired medical or dental officers called or ordered from an inactive status, their period of eligibility begins August 1, 1990.
- 640304. The provisions of this chapter will end on the first day of the first month beginning on or after the date 180 days after the end of the Persian Gulf Conflict.

6404 LIMITATIONS AND RECOUPMENT

- 640401. Any payments made for periods the health care officer subsequently fails to actually serve on active duty will be recouped on a pro rata basis.
- 640402. Medical officers are not entitled to the \$450 per month special pay (see *Chapter 5, section 0506* of this volume), for the same period they receive the special pay provided by this chapter. Any payments made under <u>37 U.S.C. 302(h)</u> are to be recouped for any period that special pay is received under this chapter.
- 640403. Health care officers on active duty for training are not eligible for the four types of special pay, as applicable (additional, board certified, incentive, and variable), even if they support the Persian Gulf Conflict.

6405 BOARD CERTIFICATION WAIVER (MEDICAL AND DENTAL OFFICERS)

- 640501. Medical and dental officers in categories eligible for board certification pay who are unable to schedule or complete board certification examinations because of active duty service in connection with the Persian Gulf Conflict may be eligible for board certification pay if the otherwise eligible officer:
- A. Had completed all other requirements for board certification, including all requisite graduate medical education prior to the effective date of the call or order to active duty.
- B. Successfully completes all required certification examinations within 180 days after release from the duty to which the officer was assigned in connection with the Persian Gulf Conflict.
- 640502. Secretaries of the Military Departments (or their designees) may waive the 180-day limitation for up to 1 year for those officers whose board examinations are not offered within the 180-day period or in other well-justified cases. Certification must be obtained before the medical or dental officer receives payment.
- 640503. Payments for periods of active duty pursuant to board certification waivers shall be made in lump sum when that officer successfully completes the first available board certification examination after the release from the duty assignment on which the waiver was based. Officers not successfully completing this first available examination shall only receive board certification pay after they become board certified.

6406 SPECIAL PROVISIONS

- 640601. All payments provided for in this chapter may be made on a monthly basis, notwithstanding the provisions of 37 *U.S.C.* 302e, 302b(d) or 302e(e) that would require some payments be made annually in advance.
- 640602. For medical and dental officers previously eligible for payments under <u>Public Law 101-510</u>, <u>section 1111</u>, payments shall continue to be made effective the first day the eligible officer began active duty in connection with Operation Desert Storm. Retroactive payments are authorized for any period which the eligible officer actually served on active duty under the call or order to active duty.

6407 <u>RATES PAYABLE</u>

Any health care officer who meets the eligibility requirements shall be paid special pay equivalent to their active duty counterpart for the period of time the officer is on active duty. Health care officers will be paid the following rates:

640701. Medical officers are paid the monthly rates in <u>Chapter 5</u> of this volume, for variable special pay, board certified pay, incentive special pay, and additional special pay, as applicable.

★ July 2008

640702. Dental officers are paid the monthly rates in <u>Chapter 6</u> for variable special pay, board certified special pay, and additional special pay, as applicable.

640703. Veterinarians and optometrists are entitled to special pay at the monthly rate of \$100.

★ 640704. Certified registered nurse anesthetists are entitled to incentive special pay, as contained in *Chapter 21* of this volume, paragraph 210201.

★ July 2008

BIBLIOGRAPHY

CHAPTER 64 - HEALTH CARE OFFICERS ON ACTIVE DUTY IN SUPPORT OF THE PERSIAN GULF CONFLICT

6401 - AUTHORITY Public Law 101-510, November 5, 1990

Public Law 102-25, April 6, 1991

Public Law 102-190, December 5, 1991 OASD(HA) Memo, December 20, 1990 OASD(HA) Memo, May 21, 1991 OASD(HA) Memo, February 19, 1992

★6404 – RATES PAYABLE Public Law 107-314, section 615(f),

December 2, 2002