

MOS/MEDICAL RETENTION BOARD (MMRB) PROCEDURES



(APPLICABLE TO ALL ARMY COMPONENTS)

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<u>AGENDA</u>



IAW AR 600-60, Physical Performance Evaluation System, 25 June 2002 (Note: Rapid Action Revision- anticipated Nov 2007)

- Terminology/Definitions
- Purpose
- Soldier/unit level actions and required documents
- Pre-hearing MMRB actions
- MMRB membership
- MMRB processes and actions
- Army Component and MMRB responsibilities
- MMRB time standards and minimum common tasks
- MMRB recommendations
- MMRB requirements
- Convening authority responsibilities and actions
- MMRB statistics



<u>TERMINOLOGY</u>



- MMRB MOS/Medical Retention Board
- MMRBCA MOS/Medical Retention Board Convening Authority
 - GCMCA General Court Martial Convening Authority
 - MEB Medical Evaluation Board
 - PEB Physical Evaluation Board
 - PDES Physical Disability Evaluation System
 - PEBLO Physical Evaluation Board Liaison Officer
- USAPDA U.S. Army Physical Disability Agency
- NARSUM Narrative Summary
 - PDR Permanent Disability Retirement
 - TDRL Temporary Disability Retired List
- PULHES Physical Profile Serial Code



MEB/PEB DEFINITIONS



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Medical Evaluation Board (MEB): Conducted IAW AR 40-400, Chapter 7

MEBs validate whether Soldiers meet the medical retention standards of AR 40-501. Soldiers who fall below medical retention standards by-pass the MMRB. With the exception of certain MMRB cases, MEBs that determine a Soldier meets medical retention standards can return the Soldier to duty

Physical Evaluation Board (PEB): Conducted IAW AR 635-40

PEBs make determinations for purposes of retention, separation, or retirement under 10 USC Chapter 61. PEBs use a performance based standard within the parameters established by DoDI 1332.38. Referral into the Physical Disability Evaluation System by an MMRB or MEB does not mandate an unfit finding. PEBs look at whether the medical impairment precludes performance of the PMOS duties







To standardize information dissemination about the purpose and procedures of the MOS/Medical Retention Board (MMRB) across components at all levels

- <u>Standard</u>: Soldiers must have the physical ability to satisfactorily perform their primary military occupational specialty (PMOS) (enlisted and warrant officers) or branch/specialty code duties (officers) worldwide and in a field environment
- 2. WHEN is an MMRB conducted? An MMRB is conducted when a Soldier has been issued a permanent physical profile of 3 or 4 (PULHES) factor, DA Form 3349 (Physical Profile), unless direct referral to a MEB/PEB is required. (Direct referral is required when Soldier does not meet the medical retention standards of AR 40-501, Chapter 3.)







- 3. <u>WHAT is an MMRB?</u> An MMRB is an administrative board, formally conducted, to evaluate the Soldier's ability to perform their military specialty to standard. The system is established to ensure continuity of effort among commanders, doctors, personnel managers, and the PDES regarding recommendations for the Soldier with a P3/P4 profile
- 4. <u>WHAT does an MMRB accomplish?</u> It evaluates a Soldier's ability to perform in their current military specialty. MMRB provides the MMRBCA with increased flexibility to determine a Soldier's deployability, reclassification potential, or referral into the PDES. It does not determine if the Soldier is fit or unfit for duty







- MMRB MOS/Medical Retention Board is a board to determine if Soldiers with a P3/P4 profile meet retention standards in their current PMOS, branch or specialty. The MMRB may recommend to the MMRBCA *only* the following:
 - a. Retain in current PMOS/specialty code
 - b. Reclassification or change in specialty (reclassification authority has final approval.)
 - c. Place in probationary status
 - d. Refer into the PDES or the RC medical disqualification process
- 2. The MMRB process will not be used as a quality assessment of leadership, degree of technical skill, promotion potential, or disciplinary board
- 3. If the Soldier cannot reclassify into another MOS/specialty, then they will be referred to the Physical Disability Evaluation System (PDES) and go before a Medical Evaluation Board (MEB)/Physical Evaluation Board (PEB). RC not on AD receive a modified finding (duty-related cases are referred to MEB while nonduty-related cases are ineligible for a MEB)



SOLDIER AND UNIT LEVEL ACTIONS AND REQUIRED DOCUMENTS



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SOLDIER/UNIT LEVEL ACTIONS AND REQUIRED DOCUMENTS

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- The Soldier's immediate commander will write an evaluation of the Soldier's physical capability, addressing the impact of the profile limitations on the Soldier's ability to perform the full range of PMOS or specialty code duties
- 2. In those circumstances when the commander is junior in grade to the Soldier being evaluated, comments provided by the Soldier's supervisor or rater are appropriate. Senior commanders may also provide forwarding comments, if appropriate
- 3. Enlisted Soldiers below the grade of sergeant major will be counseled by the unit first sergeant (or the detachment noncommissioned officer in charge (NCOIC) if there is no first sergeant) on the impact of an MMRB decision of retention on the Soldier's attendance at NCOES courses and career progression







- 4. The commander or officer in charge (OIC) will counsel the first sergeant or detachment sergeant, who in turn, will counsel the Soldier. The counseling statement will inform the Soldier of the following:
 - Retention by the MMRBCA or by the PDES does not exempt the Soldier from meeting the physical requirements for graduation from NCOES
 - b. Generally attendance at NCOES is a prerequisite for promotion to sergeant through sergeant major
 - c. Fit Soldiers who do not meet the graduation requirements due to a medical condition will not be promoted to the next higher grade or retain conditional promotion
 - d. Per AR 600-8-19, para 1-20, Soldiers pending MMRB or MEB/PEB remain in a promotable status. For those pending disability separation/retirement, promotion will occur at promotion eligibility date or last day of AD, whichever is earlier





The following <u>documents</u> are required per AR 600-60, Sect III, Chapt 4:

- 1. Appointment of MOS/Medical Retention Board (Fig 4-1)
- 2. Notification of Soldier in writing of MMRB proceedings (Fig 4-2)
- 3. Soldier's Acknowledgement of Notification and Counseling (Fig 4-3)
- 4. DA Form 3349 Physical Profile (Permanent). Profiles older than 1 year must be validated by appropriate medical authority
- 5. Medical Record (civilian and military) as pertinent to the board review
- 6. Functional Capacity Certificate
- 7. DA Form 7349 (Initial Medical Review-Annual Medical Certificate)
- Current DA Form 2A/B for enlisted personnel or current DA Form 2-1 (PQR) or DA Form 4037 (ORB) for officers

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- 9. Commander Statement and Evaluation memorandum (Fig 4-4)
- 10. Next Commander in the Soldier's Chain of Command comment memorandum (Fig 4-5)
- 11. Soldier's Statement, optional (Fig 4-6)
- 12. Current Army Physical Fitness Test Scorecard (DA Form 705) – reflecting last 3 tests
- 13. All orders awarding any MOS/AOC the Soldier currently holds
- 14. All performance reports (OER/NCOER) submitted on the Soldier during the 3-year period preceding referral to the MMRB
- 15. MMRB Worksheet for each board member



PRE-HEARING MMRB ACTIONS REQUIRED



PRE-HEARING MMRB ACTIONS

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 - 1. When an MMRB is appointed, the actions listed below will take place prior to the hearing:
 - a. The MMRBCA or his/her delegate will refer the Soldier to the MMRB
 - b. The recorder, as the official representative of the MMRBCA, will ensure all necessary administrative actions are accomplished
 - c. The recorder is authorized to obtain all military health records and personnel records, excluding the restricted and service portions of the official military personnel file (OMPF)
 - d. The recorder must check to see if the permanent profile is current. Profiles older than 1 year will be validated by the appropriate medical authority designated by AR 40-501, Chapter 7





- - 2. The recorder will ensure the following actions are completed prior to the board convening date:
 - a. Prepare an MMRB worksheet for each board member
 - b. Notify the Soldier in writing of the scheduled hearing
 - c. Notify the voting board members and the personnel advisor of the date, time, and place of the hearing
 - d. Assemble the personnel records documents, medical records, commander's evaluation of the Soldier's performance, and any other pertinent documents for board review
 - e. Obtain a written acknowledgment from the Soldier of notification of scheduled MMRB. The Soldier must appear before the MMRB unless appearance is waived





- f. For enlisted Soldiers, excluding nondrilling IRR members, obtain from the Soldier's unit the counseling statement advising of the potential effect of MMRB findings on NCOES progression
- g. Provide the Soldier a copy of commander's evaluation and other pertinent documents
- 3. The recorder will schedule the sequence of appearance of the Soldiers before the board
 - In areas where Soldiers are not geographically located with their commands, procedures should be coordinated with other convening authorities to allow the boarding of these Soldiers at the nearest installation or command





MMRB MEMBERSHIP

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 - 1. The MMRBCA will appoint an MMRB as required
- 2. The MMRB will consist of five voting members:
 - a. *President.* The board president will be a combat arms, combat support, or combat service-support colonel (06). The President need not be senior in date of rank to other colonels appearing before the board
 - b. *Medical member.* The medical member will be a field grade Medical Corps officer or a civilian medical doctor designated by the MTF commander when a Medical Corps officer is not reasonably available
 - c. *Three additional board members* will be appointed. If possible, one member will be of the same branch, specialty, or PMOS as the Soldier appearing before the board





- 3. When officers appear before the MMRB, the three members will be field grade officers
- 4. When warrant officers appear before the MMRB, one of the board members must be a chief warrant officer three, four, or five and senior to the warrant officer under evaluation, unless the MMRBCA approves an exception
- 5. When enlisted Soldiers appear before the board, one member will be a sergeant major (E-9), preferably a command sergeant major (CSM), if a CSM is reasonably available. The other two members must be enlisted Soldiers in the pay grade of E-8 or E-9



<u>MMRB MEMBERSHIP</u>



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 - 6. There is no requirement for the voting members to be senior in grade or date of rank to the Soldier appearing before the MMRB:
 - a. In the case of a female or minority Soldier, the MMRB will, upon the written request of the Soldier, include a female or minority voting member, if reasonably available, as determined by the MMRBCA
 - b. If the Soldier appearing before the board is a member of the Active Army, at least one voting member of the MMRB will be a member of the Active Army
 - c. If the Soldier appearing before the board is a member of the USAR or ARNGUS, at least one voting member of the MMRB will be a member of the same component (USAR or ARNGUS) as appropriate



MMRB PROCESSES AND ACTIONS

MMRB PROCESSES AND ACTIONS

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- The MMRB is an *administrative screening board* but it will be conducted formally; there is no written transcript of the proceeding or testimony required
- 2. The personnel advisor will
 - a. Ensure the board members have an MMRB worksheet on each Soldier and a copy of the pertinent personnel records
 - b. Provide the board a brief verbal summary of each Soldier appearing before the board, to include the PMOS or specialty code, current assignment, and other pertinent facts about each Soldier
 - c. The medical officer will brief the MMRB on the pertinent aspects of the Soldier's physical profile, with all information relevant to the Soldier's medical condition



MMRB PROCESSES AND ACTIONS



- 3. The personnel advisor will normally be a commissioned officer, warrant officer, senior personnel sergeant, or a DA civilian, GS-7 or higher. That person will be responsible for:
 - a. Advising the MMRB concerning personnel policy and procedure
 - Explain to the MMRB, the Soldier's PMOS duties, and common tasks related to the performance of the Soldier's PMOS duties in a field environment
- 4. The recorder will normally be an enlisted Soldier or DA civilian and will assist the president in assembling records for the board and preparing a record of the proceedings
- 5. The convening authority may appoint additional nonvoting members to the board to ensure a fair hearing
- 6. The president will advise each Soldier appearing before the board of the purpose of the MMRB and how the board will be conducted





- 7. Each member of the board will review all documents and other correspondence that applies to the Soldier's case
- 8. Each Soldier will appear before the board separately. Each Soldier may elect to have present a spokesperson of his or her choosing with that person's consent. There is no entitlement to legal counsel
- 9. If necessary, the board may have individuals appear during the MMRB proceedings who can provide the necessary insight into the physical requirements of a particular officer or enlisted specialty
- 10. The board may defer action or reschedule a case until it has enough information to submit a recommendation
- 11.The MMRBCA may delegate in writing, the approval of the MMRB findings and recommendations to the Soldier's Special Court-Martial Convening Authority (SPCMCA)





ARMY COMPONENT AND MMRB RESPONSIBILITIES

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RESPONSIBILITIES



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 - 1. Deputy Chief of Staff, G-1, will exercise overall Army staff responsibility
 - 2. The Surgeon General (TSG) will -
 - a. Establish and interpret medical retention standards for all Soldiers
 - b. Establish and interpret standards for issuing physical profiles.
 - 3. The officers listed below are authorized to convene an MMRB and take final action on MMRB recommendations:
 - a. Officers who are general court-martial convening authorities (GCMCA)
 - b. Director, Army National Guard (DARNG)
 - c. State Adjutant Generals, upon delegation from DARNG
 - d. Chief, Army Reserve (CAR)
 - e. Commander, US Army Special Operations Command
 - f. Commander, US Army Reserve Command
 - g. Commander, 9th Regional Support Command, CAR delegated
 - h. Commander, 7th US Army Reserve Command, CAR delegated

*Any request for delegation of convening authority must be submitted to HQDA G-1





- 1. Each component **convening authority** has overall responsibility to ensure that every Soldier with a P3 or P4 profile goes before an MMRB and that the board is conducted IAW AR 600-60
- 2. Each component **MMRB President** has the responsibility to ensure that the MMRB procedures are followed and the pre-hearing MMRB actions are completed
- 3. Each component's **MMRB Members** have the responsibility to ensure that the MMRB process is conducted properly
- 4. Each component's **Soldier and Soldier's unit** has the responsibility to provide required documents to the MMRB







MMRB TIME STANDARDS AND MINIMUM COMMON TASKS

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 - 1. Soldiers will appear before an MMRB within the required timeframe
 - 2. The clock will START from the date the DA Form 3349, Physical Profile, is signed by the appropriate approving authority
 - a. **60 days** for Soldiers on active duty and for members of the Active Guard Reserve (AGR) program
 - b. 120 days for Soldiers assigned to USAR TPU or ARNG drilling units (hereafter referred to as drilling reservists) and drilling and nondrilling IMAs
 - c. **180 days** for USAR Soldiers assigned to the IRR and ARNG Soldiers assigned to the Inactive National Guard (ING)
 - 3. The MMRBCA will either approve or disapprove the MMRB recommendations no later than 30 days from date the MMRB adjourned





- 1. Soldiers should be reasonably capable of accomplishing basic Soldier physical tasks and tasks specific to their PMOS and skill level, branch, or specialty duties in order to perform in a worldwide field environment
- 2. Recommendations should not be made to retain or reclassify Soldiers whose medical impairments prevent advancement and professional development
- 3. Soldiers, at a minimum, must be able to perform the following common tasks for the MMRB to recommend retention in PMOS or specialty, reclassification, or probation (The following tasks are to be published in the rapid action revision of AR 600-60 anticipated Nov 07):
 - a. Carry and operate individual weapon and combat ammunition load



MINIMUM COMMON TASKS



- b. Wear all necessary protective equipment, to include advanced combat helmet and accessories (ballistic helmet with accessories), NBC mask, Outer Tactical Vest (OTV) or equivalent body armor, and personalized filled water carrying device (canteen, CamelBak, or equivalent)
- c. Carry any additional equipment or other issue items needed to perform the duties required of the PMOS or specialty (example: radio for a radio operator (31C), aid bag for a medic (68W) etc.)
- d. Perform one of the alternate aerobic events of the APFT when profile precludes the 2 mile run
- e. Perform PMOS or specialty in an austere environment
- f. Ability to ride in a military vehicle used routinely in the performance of his or her duties



<u>MMRB RECOMMENDATIONS AND REQUIREMENTS</u> <u>TO THE CONVENING AUTHORITY</u>



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MMRB RECOMMENDATIONS

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 - 1. Recommendation to *retain in current PMOS or specialty code*:
 - a. When the Soldier's medical condition does not preclude satisfactory performance of PMOS or specialty code physical requirements in a worldwide field environment
 - b. When the Soldier's profile does not preclude those common tasks identified previously
 - 2. Recommendation to be *placed in a probationary status:*
 - a. When the board determines that the Soldier's disease or injury may be improved through a program of rest, rehabilitation, and/or physical therapy for the Soldier to become deployable worldwide
 - b. Probationary period will not exceed a 6-month period for active duty and AGR Soldiers







- c. The MMRBCA will establish an appropriate period for RC Soldiers other than AGR, not to exceed 1year
- d. The MMRB may recommend that the Soldier be reevaluated by medical authorities at specific intervals during the probationary period. The unit commander will evaluate the Soldier's progress after 90 days or as directed by the MMRBCA
- e. At the end of the probationary period, the MMRB must make a recommendation to:
 - (1) Retain the Soldier in the PMOS or specialty code
 - (2) Reclassify or change specialties, if otherwise qualified
 - (3) Refer the Soldier to the Army's PDES or the RC medical disqualification process





MMRB RECOMMENDATIONS

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- 3. Recommendation for *reclassification or change in specialty* will be considered when:
 - a. Expected value to the Army in a new PMOS or specialty
 - b. Commander's comments
 - c. Worldwide deployability
 - d. Ability to perform in another MOS/specialty in a field environment
 - e. Past and present job performance.
 - f. Prior military and civilian training and experience.
 - g. Armed Services Vocational Aptitude Battery (ASVAB) or Armed Forces Classification Test (AFCT) scores (for enlisted Soldiers only)
 - h. Ability to perform the minimum common tasks previously listed
 - * If reclassification or change in specialty code is the appropriate course of action, the MMRB will provide justification and recommendations to the MMRBCA for forwarding to the appropriate action office





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 - 4. Referral of the Soldier to the **PDES for conduct of MEB/PEB or for** processing for medical disqualification under RC regulations is the appropriate recommendation:
 - a. When the Soldier's assignment limitations or medical condition precludes satisfactory performance in the Soldier's PMOS or shortage/balanced MOS, or specialty code in a worldwide field environment
 - b. Included are Soldiers whose physical profiles include inability to perform any of the common military tasks listed on slide 30/31
 - c. The MMRB will refer AGR and USAR Soldiers ordered to active duty for longer than 30 days to MEB/PEB
 - d. See slide 42 which addresses finding for RC not on AD


MMRB DETERMINATIONS



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 - 1. MMRB determinations made IAW this regulation will:
 - a. Satisfy mobilization station requirements for deployability
 - Apply to all RC Soldiers called to active duty under Chapter 1209, Title 10, USC
 - 2. Soldiers with P3 or P4 profiles are nondeployable until:
 - a. The MMRBCA retains the soldier
 - b. HRC Alexandria or the applicable RC approving authority approves an MMRBCA recommendation for reclassification
 - c. The PDES finds the Soldier fit
 - 3. A Soldier retained by the MMRB or found fit by the PEB, will be considered deployable
 - 4. Soldiers pending an MMRB evaluation or final decision on MMRB recommendations are subject to temporary duty (TDY) and field duty, within profile limitations





MMRB COMPLETION REQUIREMENTS

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MMRB COMPLETION REQUIREMENTS



- 1. On completion of the hearing, the board will be closed for deliberation.
- 2. The voting members will decide the findings and recommendations according to policies stated in this regulation
- 3. Voting will be conducted in a closed session. The majority of the five voting member votes will constitute the board's findings and recommendations
- 4. Each board member should record specific comments about the case in the comments section of the MMRB worksheet and will record his/her vote in the appropriate space at the bottom of the worksheet
- 5. The recorder will collect the MMRB worksheet from each board member for use in preparing the summary of board proceedings
- 6. A minority report by dissenting board members may be submitted in writing with the findings and recommendations



MMRB COMPLETION REQUIREMENTS



- 7. The president of the board, after deliberation, will verbally inform the Soldier of the findings and recommendations
- 8. The board will advise the Soldier that the board's action will not become final until it has been reviewed and then approved by the MMRBCA or his or her designee
- 9. The president will inform the Soldier that a written rebuttal to any of the findings or recommendations may be submitted to the MMRBCA.
 - a. For active duty and AGR Soldiers, the rebuttal will be in writing and be submitted to the recorder within 2 working days after the board adjourns
 - b. For other RC Soldiers, the MMRBCA will establish the appropriate rebuttal time frame. A summary of the board proceedings will be provided to the Soldier upon request





- 1. A summary of the board proceedings along with any board member minority reports will be forwarded to the MMRBCA
- 2. The <u>summary of board proceedings</u> is the single most important document produced by the MMRB
 - The summary must include a detailed explanation of the board's rationale for its recommendation, whether reclassification or referral to the PDES
 - b. If a Soldier is retained in PMOS or specialty, the summary and decision are filed permanently in the Soldier's OMPF.
 - c. Concurrence or nonconcurrence with the commander's or supervisor's evaluation of the Soldier's ability to perform and the reason





- d. For other RC cases, the MMRB recommendation will be, "Refer for appropriate medical evaluation process under RC regulations."
 - 1. This is necessary because the RC must determine whether RC Soldiers not in the AGR program or ordered to active duty for longer than 30 days are eligible to be referred into the PDES as a duty-related case or as a non-duty related case
 - 2. Nonduty-related cases are ineligible for conduct of a MEB
- e. Referral to the PDES does not mean the Soldier will be found unfit, or if found unfit, will be entitled to military disability compensation
- f. The criteria for determining fitness and eligibility for disability compensation for purposes of retirement or separation for physical disability are set forth in Department of Defense Instruction (DODI) 1332.38 and AR 635-40



CONVENING AUTHORITY RESPONSIBILITY AND ACTIONS



CONVENING AUTHORITY RESPONSIBILITY AND ACTIONS

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- 1. Soldiers may be evaluated by an MMRB convened by a General Court Martial Convening Authority (GCMCA) other than their own, upon coordination between the two GCMCAs
- 2. During times of partial mobilization under 10 USC 12302, the MMRBCA may waive the requirement for MMRB evaluation due to operational necessity (these are not permanent waivers):
 - a. Currently only applied to deployed units- all others require a separate waiver
 - b. The authority to waive the requirement for MMRB evaluation extends to those officers to whom MMRB convening authority has been delegated
 - c. Prior to the MMRBCA certifying that a Soldier is deployable, the Soldier must undergo a screening process that includes the recommendation of the Soldier's commander and the results of medical screening concerning the deployability status of the Soldier





- 3. In the interest of total Army integration, to conserve resources, and to provide efficient service to Soldiers, maximum use of centralized local boards and multi-component board membership is encouraged
- 4. This should be the case particularly in those areas where facilities of more than one component are present (for example, Active Army installation, ARNG Armory, or USAR Center)
- 5. The MMRBCA should coordinate and establish memoranda of agreement to determine geographical jurisdiction
- 6. To the greatest degree possible, boards are authorized to review cases from all components. The approval authority for recommendations of a multi-component board is the MMRBCA of the board before which the Soldier appeared





- 7. The convening authority will ensure all cases forwarded by the MMRB are reviewed
- 8. The review of the cases may be delegated to an officer on the MMRBCA's staff in the grade of major or higher or chief warrant officer four
- 9. The review will ensure that:
 - a. The Soldier received a full and fair hearing
 - b. Proceedings of the MMRB were conducted in accordance with this regulation
 - c. Records of the case are accurate and complete





- 10. After consideration of the MMRB's findings and recommendations and any rebuttal, the convening authority may–
 - Approve the findings and recommendations of the MMRB and forward the case to the Soldier's servicing Military Personnel Division (MPD) or organization maintaining Soldier's Military Personnel File (MPF) for further processing
 - b. Disapprove the findings and recommendations and direct one of the other allowed dispositions; or return the case to the same or another MMRB for clarification, further investigation or more facts
 - c. Disapprove the findings and recommendations and take other action, as appropriate. The convening authority will then forward the case to the Soldier's servicing MPD or organization maintaining Soldier's MPF for further processing



<u>MMRB STATISTICS</u>



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MMRB STATISTICS

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<u>Required</u> quarterly statistics to be reported through the chain of command to HQDA G-1 (per rapid action revision of AR 600-60, anticipated Nov 07):

- a. Date of profile to the date the Soldier appears before the MMRB
- b. Date of MMRB to the date of the MMRBCA's decision
- c. Date of the MMRBCA's decision to the date the Soldier's case is referred to the MTF or returned to the RC referring organization (see glossary)
- d. Date Soldier's packet is received at the MTF to the date the Medical Evaluation Board (MEB) narrative summary (NARSUM) is dictated. RC commands should modify this segment as follows: Date of MMRBCA decision that soldier is nondeployable to date of determination by the RC referring organization of whether the soldier's case will be processed as a duty-related or non dutyrelated case.
- e. For approved recommendation for reclassification, date of MMRBCA action to date action is forwarded to the PERSCOM reclassification authority, and from this date to date command receives final action of the reclassification authority PDES.)







QUESTIONS?

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