

ENCLOSURE 1: DON DISABILITY EVALUATION SYSTEM (DES) SUMMARY

**1001 Summary of Major Changes**

**a. Permanent Limited Duty (PLD)**

CHNAVPERS and CMC (M&RA) may retain on active duty in a PLD status members found Unfit to continue naval service, if it is determined that a need for the service member's skill or experience justifies the continuance of that service member on active duty or in an active status in a limited assignment. Authority to grant PLD is limited solely to service headquarters. The President, PEB will no longer grant up to 90 days of PLD for sailors and 60 days of PLD for Marines. The conditional acceptance offering members the option to select 60/90 days of PLD from the President, PEB or requesting longer time periods via the President, PEB is no longer an option. See enclosure (6) for a detailed discussion of PLD.

**b. PLD Reevaluations**

Members found Unfit to continue naval service and approved for PLD for a period in excess of 12 months shall be given a current examination and again be referred to the DES for reevaluation. Service Headquarters, in conjunction with the member's command, will ensure members are again referred for reevaluation. Reevaluations should be received by the PEB a minimum of 4 months before the completion of the PLD period or at such time as the PLD period is otherwise terminated. New conditions will be evaluated and addenda submitted with the final reevaluation. Reevaluations should include at a minimum, a new medical board report with medical board report cover sheet NAVMED (6100/1), associated medical board statement of patient NAVMED (6100/2), and health record entries since dictation of original medical board placing the member in a PLD status. In those cases where, upon reevaluation, the member's disability rating changes from their initial rating when placed on PLD, the member shall be afforded the opportunity to request a Formal PEB. The President, PEB shall determine whether a Formal PEB is appropriate on a case-by-case basis. See enclosure (6) for a detailed discussion of PLD and PLD reevaluations. When a member returns for reevaluation at the end of his/her PLD, any new and unrelated conditions listed and addressed will be subject to the "presumed fitness" rule and will have to overcome presumed fit in order to be rated.

**c. Waiver of Disability Processing**

With the approval of the PPEB, acting on behalf of the Secretary of the Navy, a service member may waive entrance into the Disability Evaluation System under certain circumstances. A member requesting a waiver must complete the waiver request form per enclosure (13). See paragraph 3209 for a detailed discussion on waiver of disability processing.

**d. Existed Prior to Service(EPTS)**

In the case of a member who is on active duty for more than 30 days whose disability is determined to have been incurred before the member became entitled to basic pay in the member's current period of active duty (EPTS), the disability shall be deemed to have been incurred while the member was entitled to basic pay and shall be so considered for purposes of determining whether the disability was incurred in the line of duty provided the member has over 8 years of active service. The 8 years of active service does not have to be continuous. Members found Unfit – EPTS, Not Ratable are not eligible for disability severance pay or retirement if the member has less than 8 years cumulative active service, but may be eligible for severance pay or retirement under other provisions of law.

**e. Presumption of Fitness (PFit)**

PFit means evidence establishes that the member's functional impairment has not caused a premature termination of a career. Members found PFit are afforded the same rights within the DES as those found Fit to continue naval service. Members found PFit are not eligible for disability retirement, but are eligible for retirement under other provisions of law, and for evaluation by the Department of Veterans Affairs for disability compensation. MEBs submitted on members meeting the definition of PFit must be received by the PEB 60 days prior to the originally approved retirement date to allow for adequate processing time. MEBs received within the 60-day window will be screened by a medical officer of the Informal PEB to ensure serious conditions overcoming PFit are not overlooked. Cases not accepted after medical review will be rejected, returned to the MTF, and service headquarters notified to continue processing the member for retirement. See paragraph 3305 for a detailed discussion of PFit.

**f. Overcoming PFit**

The PFit rule can be overcome when certain conditions exist. Previously, if within the presumptive period an acute, grave illness or injury occurred leading to an otherwise Unfitting medical condition and the natural progression of that condition would normally result in either a significant life-span reduction/death or deterioration to the point where it could warrant a permanent disability rating of 60 percent or higher the member would overcome the presumption. This revision eliminates the 60 percent threshold. See paragraph 3305.

**g. Reconsideration**

If found Fit to continue naval service, the service member may either accept the finding or submit a written request for reconsideration to the Informal PEB. The request for reconsideration will include new medical information or significant non-medical information not previously available. If found Unfit to continue naval service, the service member has the right to accept the findings or demand a formal hearing before a Formal PEB. In certain instances, members found Unfit may be reconsidered by the Informal PEB. See paragraph 4214.

**h. Death Determinations**

Death determinations shall be made in accordance with accepted medical standards and the laws of the state where the member is located at the time of his/her evaluation or military

medical standards in effect for the foreign area where the member is located at the time of his/her evaluation. In cases where Death Imminent Processing is desired, a signed statement from the attending physician stating that the local laws governing determination of death are understood, is required [refer to attachment (a) to enclosure (12)]. Do not forward to the PEB, death imminent medical board reports for members who, by the applicable standards, have died.

**i. Medical Board Evaluations**

A member may be removed from full military duty for up to 30 days of light duty for the purpose of evaluation or treatment of a medical condition. If the member is unable to return to full military duty at the end of these 30 days of light duty, the member will be referred to a Medical Board for evaluation for placement on Temporary Limited Duty (TLD) or referral to the PEB. Continuous periods of light duty are prohibited (except that members referred to a Medical Board may be recommended for another 30 days of light duty in order to prevent further aggravation of the condition necessitating the Medical Board referral.) Only enlisted members may be moved TEMDU to an MTF Medical Holding Company as clinically indicated.

**j. Temporary Limited Duty (TLD)**

(1) For members of the Navy and Marine Corps, the period of TLD shall not exceed 16 months per career, cumulative, before the member either is referred to the PEB for evaluation or is returned to military duty.

(2) If TLD originally is granted for 8 months, and extension or renewal is needed, the MTF shall submit the request to BUPERS (PERS-821) or CMC (MMSR-4), as appropriate, based on a medical evaluation that additional TLD months likely will be sufficient to restore the member to military duty.

**k. Non-Medical Assessments (NMA)**

A NMA is the commanding officer's assessment of the member's performance of duty. NMAs will be forwarded with the MEB report in all cases except in situations of critical illness or injury where the member has been declared "Death Imminent". This document is crucial in summarizing the member's limitations from the perspective of the commanding officer. The NMA is one document, comprised of a brief questionnaire along with a narrative summary. Given the disability evaluation system's emphasis on performance, the NMA's ability to highlight the sailor or Marine's ability/inability to execute duties as required of his/her rating/rank and the reality of their contribution is critical in portraying a service member's limitations. Capturing the command's observations as to how the service member's impairments have or have not impacted upon the member's ability to function within the command through concise and succinct statements greatly assists the voting members in determining the Fit/Unfit potential of the member. Commanders will ensure that NMAs are submitted to the requesting facility within 15 calendar days from the date of receipt of such request. See enclosure (11) for the format required of NMAs.

### **l. Medical Boards on Fibromyalgia**

This diagnosis must be made by or with the consultation of a rheumatologist, who will either be a signatory of the MEB report (with recent consultation report included when sent to the Informal PEB) or the author of a recently typed addendum. A psychiatry addendum must also be included.

### **m. Rejection of Cases**

Upon receipt, each case submitted to the PEB will undergo screening to ensure that the fundamental elements needed for a determination of Fitness are included, i.e. current physical exams, NMAs, appropriate signatures, etc. The President, PEB may reject any case that lacks necessary or required information needed to determine Fitness, mental competence, eligibility for disability benefits, or an appropriate disability rating. If, upon review, it is determined that the medical board package lacks an item required for submission, the case will be rejected and returned to sender. When rejecting a case, the President, PEB shall specifically identify case deficiencies to enable the submitting medical facility, general court-martial convening authority (GCMCA), or command having cognizance over the member, to provide the necessary information. See paragraph 3203 for detailed discussion of case rejection.

### **n. Medical Board Reports**

Medical Board reports referring members to the PEB will be processed and received by the PEB within 30 days of dictation of the MEB rather than 30 days from the decision by the medical officer to submit a MEB. Rejection of a MEB by the PEB for completion of case documentation standards per paragraph 3202 is included in this 30-day standard.

## **1002 Applicability**

a. This instruction is to be used in the adjudication of all cases entering the DES after the publication date of this instruction. [Cases entering the DES prior to 22 Dec 1998, but after May 14, 1997 are to be adjudicated under the provisions of SECNAVINST 1850.4C and references (b), (c), and (d) of the basic instruction. Cases entering the DES prior to May 15, 1997, will be adjudicated in accordance with SECNAVINST 1850.4C.]

b. This instruction applies to all members of the active force, the reserve component, members placed on the TDRL, and former officers retired or released from active duty without pay for physical disability. Processing for punitive discharge and processing for administrative discharge for misconduct takes precedence over processing for disability. For cases already being considered at the PEB, once the PEB is formally notified that punitive action has been initiated, disability case processing is immediately suspended pending the outcome of the punitive action. Do not submit a case to the PEB for a member who is being processed for a punitive discharge as the result of a captain's mast or court-martial or for a member who is pending an administrative discharge due to misconduct. When a punitive discharge or administrative discharge for misconduct does not result, disability processing shall be resumed and completed.

**1003 Policy**

a. Department of the Navy policy is to operate a system for disability evaluation which makes a single determination of physical fitness to continue naval service, provides for one nonautomatic appeal for members found Unfit to continue naval service, assures the rights of the member afforded by law, protects the interests of the government, and eases transition to civilian life for those found Unfit for continued naval service.

b. No active duty member of the naval service, including reservists on extended active duty or reservists issued a Notice of Eligibility (NOE), may be retired or separated for physical disability without a Formal PEB if demanded under section 1214 of reference (a).

c. No member of the reserve component shall be separated for being Not Physically Qualified for continued naval service without a Formal PEB unless he or she waives the right. In this case, the member will bear the associated travel cost.

d. Inactive-duty reservists found Not Physically Qualified for continued naval service by the CHBUMED shall be separated, unless the inactive duty reservist requests referral to the PEB.

e. A reservist on extended active duty for more than 30 days or more who has been released from active duty and is now in an inactive duty status and requests referral to the PEB for a condition which the member alleges was incurred or aggravated while on active duty shall be processed into the DES and the PEB shall determine and record whether the member is Fit or Unfit. In this instance the reservist comes under the provisions of 10 U.S.C. 1201 – 1203 and not 10 U.S.C. 1204 – 1206 (reference (a)). In such a situation, “in line of duty while entitled to basic pay” rather than “proximate result” is the applicable statutory requirement for entitlement to disability compensation. Paragraph c of part 4 of reference (c) pertains.

f. Officers Separated for Disability without Pay. An ad hoc Officer Disability Review Board (ODRB) is established as required by Section 1554 of reference (a). DIRNCPB will convene the ODRB when needed to review, at the request of an officer retired or released from active duty without pay for physical disability, the findings and decisions of the PEB, or of the predecessor board which made that determination. Procedures for its operation are set out in enclosure (7).

g. The TDRL will be managed to minimize the number of members awaiting final resolution of their duty status through timely reevaluation of their disabilities every 18 months, and prompt determinations of fitness for duty.

h. The number of members Unfit to continue naval service but retained in Permanent Limited Duty (PLD) status shall be maintained at the minimum level consistent with the guidance in this instruction.

### **1004 Procedure**

Physical evaluation proceedings shall be conducted under procedures in enclosure (1) through (12) as follows:

a. The PEB is established to act on behalf of the Secretary of the Navy (SECNAV) in making determinations of Fitness to continue naval service, entitlement to benefits, and disposition of service members referred to the PEB. Excluding any case designated by the Secretary, the President, PEB, acting for the Secretary, shall issue the findings of the PEB.

b. The Informal PEB will perform record reviews in cases sent before it, and the President, PEB will notify the member by hand delivery or certified mail of the preliminary findings based on a preponderance of the evidence of the record. The preliminary findings become the PEB final determination upon a finding of Fit to continue naval service or upon waiver of the hearing right by the member.

c. The PEB will advise the member of its preliminary findings as to Fitness to continue naval service, degree of disability, and entitlement to disability pay, and will provide an opinion as to the combat-relatedness for federal income tax purposes of any disability found. Dependent upon the nature of the case, a member has the following options:

(1) Agree with a records-only finding of Fit to continue naval service (or Physically Qualified for continued service in the Naval/Marine Corps Reserves in the case of inactive-duty reservists). In this case, there is no right to a hearing; therefore, the member is referred to his or her service headquarters for appropriate assignment or disposition.

(2) Disagree with a records-only finding of Fit to continue naval service (or Physically Qualified for continued service in the Naval/Marine Corps Reserves in the case of inactive-duty reservists) and request reconsideration. For the case to be reconsidered, the member must provide medical or non-medical information not previously available or considered. The member also must state whether or not a hearing is desired if the finding of Fit or Physically Qualified for continued naval service is unchanged. If the finding of Fit or Physically Qualified for continued naval service is confirmed, there is no right to a hearing. Service members found Fit or Physically Qualified for continued naval service will be referred by the PEB to their service headquarters for appropriate assignment or disposition. TDRL personnel found Fit to continue naval service will be given the option either of returning to active duty, being discharged from the naval service, or demanding a Formal PEB. The DIRNCPB is authorized to grant a request for a hearing in the case of a member found of Fit or Physically Qualified for continued naval service in order to preclude an error or injustice.

(a) Within a finding of Fit to continue naval service is the understanding that the mere presence of a diagnosis is not synonymous with a disability. In order to find that a member is Unfit for continued naval service, it must be established that the medical disease or condition underlying the diagnosis actually interferes significantly with the member's ability to carry out the duties of his or her office, grade, rank or rating.

(b) The PEB does not determine a member's status for deployability or suitability; therefore, a PEB determination of Fit to continue naval service does not preclude subsequent non-PEB determinations of temporary unfitness for specific assignments, PRT/PFT participation, disqualification from special duties, or administrative action (including separation) resulting from such determinations.

(3) Agree with records-only findings of Unfit to continue naval service and waive the right to a hearing. Service members found Unfit who waive their right to a hearing are referred by the PEB to CHNAVPERS, CMC (M&RA), or COMNAVRESFOR for separation or retirement, as appropriate.

(4) Disagree with records-only findings, which include a finding of Unfit to continue naval service and exercise the right to a hearing. The Formal PEB then will conduct a hearing and recommend a final determination. The PEB merely expresses an opinion on the combat relatedness of injuries or conditions. Pursue disagreements with the PEB opinion by petitioning the Office of the Judge Advocate General. Disagreement with the PEB opinion on combat-relatedness is not a basis for demanding or requesting a Formal PEB.

(5) Disagree with records-only finding of Not Physically Qualified for continued service in the Naval/Marine Corps Reserves (in the case of inactive-duty reservists) and request a hearing. The Formal PEB then will conduct a hearing and make recommended findings to the President, PEB, who will issue a final determination.

d. The member must exercise his or her options in subparagraph 1004c within 15 calendar days of notification by the PEB of the preliminary findings. Acceptance will be presumed on the 16th calendar day following receipt of notification.

e. For members who have been found mentally incompetent, the assigned MTF PEBLO will advise (in the following precedence order) either the member's court appointed legal representative or the next-of-kin as defined in section 2049, of the findings and available options. To assist the PEBLO in the performance of these duties, the PEB and NCPB Legal Counsel are available for consultation.

f. When a member exercises the right to a hearing, or when SECNAV or DIRNCPB authorizes a hearing, the Formal PEB will conduct a full and fair hearing, subject to the review of President, PEB. The President, PEB, will issue the final determination.

g. President, PEB may defer acceptance of a case by the PEB when the accompanying medical records, Line of Duty Determination/Investigation, or non-medical documentation lack detailed information required for determination of Fitness, eligibility, combat-related injury, mental competence, or inactive reserve entitlement status, and task the medical facility, command, or general court-martial convening authority having cognizance over the submitting command or member to correct document deficiencies or supply the required information. Prompt responses to such requests shall be provided.

h. The findings of the PEB are final upon issuance by the President, PEB, or when the member has agreed with the findings of the PEB and waived the right to a hearing. The findings may not be changed, modified, set aside or reopened except for the correction of errors or upon submission of a Petition for Relief (PFR). A member may petition DIRNCPB for relief as provided in enclosure (5). Submit a PFR within 15 calendar days of notification of the final determination of the PEB. Acceptance will be presumed on the 16th calendar day following receipt of notification.

i. DIRNCPB will make a determination on each PFR filed based on the merits of the case, and advise the petitioner by certified letter, with copies to the President, PEB, CHNAVPERS and the CMC (M&RA), as applicable.

j. In the special interest cases of flag and general officers, and medical corps officers of any grade who are on active or reserve duty, and at the time of referral for physical disability evaluation, were scheduled for nondisability retirement under any provision of reference (a) for age or length of service, the PEB determination will be made as a recommendation to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)), prepared for submission to the Assistant Secretary of Defense (Health Affairs) (ASD (HA)) for approval prior to final decision by SECNAV. Section 1216 of reference (a) and reference (c) applies.

k. Members who are Unfit to continue naval service may be retained on active duty in PLD status for a specified period of time to meet shortages against authorized strength in an enlisted skill, competitive category, designator or specialty, or a military occupational field or specialty, provided they can perform required duties in an authorized billet for that skill. Unfit members may be retained in PLD status to complete a current tour of duty or to provide continuity in key billets pending relief. Requests from Unfit members for continuation in PLD status may also be considered as provided in enclosure (6).

l. Members Unfit to continue naval service may be retained in a PLD status for a specified period of time, at the request of a commanding officer of a medical treatment facility (MTF), to meet the need for that specific type of condition in a graduate medical education program at a specific MTF that cannot be met at that MTF by other authorized means and is essential to maintaining program accreditation. Unfit members also may be retained for MTF-specific medical research protocols. In each case, retention requirements must be fully documented to demonstrate essentiality, and must be approved by CHBUMED and CHNAVPERS or CMC (M&RA), as applicable.

m. Members Unfit to continue naval service may be retained in a PLD status for a specified period of time, at the request of a commanding officer of a MTF, to complete a current episode of treatment at a specific MTF when the continuity of care is deemed essential for the following reasons:

(1) medical specialties or facilities are not available in the Department of Veterans Affairs (VA) or,

(2) transportation to another medical facility is medically contraindicated.

Transfer to the VA will take into consideration VA clinical resources. In each case, the request must be documented fully and approved by the CHBUMED and the CHNAVPERs, CMC (M&RA) or COMNAVRESFOR, as applicable.

n. Members Unfit to continue naval service may be retained on active duty in a PLD status for the period required to complete their active service obligation for:

(1) enlisted education and training, including Enlisted Education Advancement Program, initial and advanced skill training schools which require obligation beyond initial enlistment contract, nuclear power field, advanced electronic field, and advanced technical field programs and similar programs. CHNAVPERs, CMC (M&RA) or COMNAVRESFOR may waive this requirement on a case by case basis when, as the result of a disabling condition, there is no billet in which disabled members can perform the required duties adequately.

(2) funded education programs including Naval Academy, Naval Reserve Officer Training Corps (NROTC), Armed Forces Health Professions Scholarships, Uniformed Services University of Health Sciences and equivalent funded education programs; advanced education or technical training requiring additional obligated service, including postgraduate education, service school or college, law school, medical residency (including fellowships), flight training, naval flight officer training, and equivalent programs. ASN (M&RA) may waive the requirement in cases where CHNAVPERs, CMC (M&RA) or COMNAVRESFOR demonstrates that, as the result of the disabling condition, there is no billet in which the disabled officer can perform the required duties adequately.

### **1005 Prompt Identification of Disability**

It is not within the mission of the Department of the Navy to retain members on active duty or in the Ready Reserve to provide prolonged, definitive medical care when it is unlikely the member will return to full military duty. Accordingly, line commanders, commanding officers of MTFs and individual medical and dental officers shall promptly identify for evaluation by Medical Boards and appropriate referral to the PEB under this instruction, those members presenting for medical care whose physical or mental fitness to continue naval service is questionable.

### **1006 Use of Earned Leave**

a. Under current law, unused leave is reimbursed upon separation at less than full pay and allowances. Members whose Medical Board reports have been accepted by the PEB are encouraged to use their earned leave, especially leave that would be lost upon separation. Cognizant commands shall make every effort to accommodate leave requests of members physically able to do so.

b. Commands shall not charge annual leave to members required to report for examination, medical treatment, rehabilitation, therapy, etc.

c. Do not charge a member annual leave when official duty or convalescent leave is the proper category.

### **1007 Transition**

Complete those Medical Board reports, which have been signed by the convening authority prior to the date of this instruction under the procedures in the preceding edition of this instruction, as modified by reference (b) through (d). All members on the TDRL on the date of this instruction will be managed under this edition of this instruction.

### **1008 Medical Board Evaluations and Temporary Limited Duty(TLD) Processing Time Standards**

a. Medical Board Evaluations: A member may be removed from full military duty for up to 30 days of light duty for the purpose of evaluation or treatment of a medical condition. If the member is unable to return to full military duty at the end of the 30 days of light duty, the member will be referred to a Medical Board for evaluation for placement on Temporary Limited Duty (TLD) or referral to the PEB. Continuous periods of light duty are prohibited (except that members referred to a Medical Board may be recommended for another 30 days light duty to prevent further aggravation of the condition necessitating the Medical Board referral.) Enlisted members may be moved TEMDU to an MTF Medical Holding Company as clinically indicated.

b. Temporary Limited Duty (TLD): Members should be placed on TLD when the prognosis is that the member can be restored to full military duty within a reasonable period of time, usually 16 months or less. The period of TLD shall be the number of months needed to correct the incapacity, applying generally accepted medical standards of practice. All officer MEBs, enlisted MEBs recommending initial periods of LIMDU longer than 8 months, and enlisted MEBs recommending subsequent periods of LIMDU must be submitted to the member's service headquarters for departmental review.

#### (1) U. S. Navy

(a) Active Duty: TLD periods shall not exceed 16 months, per career, cumulative. Extensions may be authorized by CHNAVPERS (PERS-821) on a case-by-case basis. If TLD is originally granted for 8 months, and an extension or renewal is desired, the MTF shall submit the request to CHNAVPERS (PERS-821). Any extension or renewal of TLD greater than 8 months must be approved by CHNAVPERS (PERS-821) based on a medical evaluation that the additional months of TLD will be sufficient to restore the member to full duty. Upon completion of the authorized TLD, return the member to duty or refer to the PEB.

(b) Naval Reserve: There is no TLD for members in a Ready Reserve status.

#### (2) U. S. Marine Corps

(a) Active Duty

1. TLD may be approved for enlisted Marines at the local MTF for up to an initial 8 months without the approval of CMC (MMSR-4). A copy of the board must be forwarded to CMC (MMSR-4) for historical record.

2. A re-evaluation of the member must be made 2 months prior to the completion of any period of LIMDU, and the MTF will inform CMC (MMSR-4) of the member's new medical status prior to the completion of the LIMDU period.

3. After 16 months of LIMDU, CMC (MMSR-4) will forward MEBs to the PEB. However, CMC (MMSR-4) reserves the prerogative to authorize an additional period of LIMDU for severe and unusual cases.

(b) Marine Corps Reserve. There is no Temporary Limited Duty for members in a Ready Reserve status.

**1009 Disability Evaluation System (DES) Processing Time Standards**

a. Refer service members to the PEB for disability evaluation as soon as it has been ascertained that return to full duty is unlikely, and optimal medical treatment benefits have been attained. To minimize the amount of Navy and Marine Corps manpower awaiting determination of fitness for duty, and to provide prompt decisions to service members being evaluated for disability, the following time standards are established. These time standards may be exceeded only in unusual circumstances.

b. Medical Board Reports. Medical Board reports referring members to the PEB will be processed and received by the PEB within 30 days of the dictation of the MEB. Rejection of a MEB by the PEB for completion of case documentation standards per paragraph 3202 is included in this 30-day standard.

c. Physical Evaluation Board (PEB)

(1) Records-based Disability Determination. Upon acceptance of the Medical Board report and all necessary medical and non-medical documentation by the PEB, the processing time to the date of the determination of the final reviewing authority of preliminary findings normally should be no more than 40 days.

(2) Hearing-based Disability Determination. Upon PEB receipt of the member's decision to demand a Formal PEB hearing, the processing time to the date of the determination of the final reviewing authority normally should be no more than 90 days.

d. Petitions For Relief (PFR). Upon DIRNCPB receipt of the Petition for Relief, the processing time to the date of the determination of the final reviewing authority normally should be no more than 45 days

e. Officer Disability Review. The final reply to requests from officers retired or released from active duty without pay for physical disability for review of their case normally should be issued within 45 days of the date the request is received.

f. Separation/Retirement Date. The effective date of retirement/separation because of physical disability (either permanent or temporary) normally shall be within 4-6 weeks, on the average, after issuance of the "Notification of Decision". The 4-6 week average elapsed time standard, however, is a guideline, not an inflexible rule. It may be exceeded by CHNAVPERS and CMC (MMSR-4) in such circumstances as severe hardship on the member, taking earned leave when the member is unable to sell it, infeasibility, such as when there is longer lead-time for properly vacating government quarters or arranging movement of household effects, and adverse effect on the service such as when it would preclude contact relief of officers in command or other key billets.

**1010 – 1099 Reserved**