



FOR OFFICIAL USE ONLY – PRIVACY ACT OF 1974

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2018-00615

ADAM C. DERITO

COUNSEL: MATTHEW J. GREIFE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

The mental health diagnoses of Personality Disorder and Impulse Control Disorder entered on 20 June 2011, be removed from his medical records.

APPLICANT'S CONTENTIONS

Through counsel, the applicant contends there is no evidence in his medical record that indicates how, or why he was diagnosed with mental health disorders one year after he left the United States Air Force Academy. These diagnoses are preventing the applicant from becoming a warrant officer in the Army National Guard. Moreover, the diagnoses were entered into his record by a psychologist who was not licensed in Colorado at the time of the diagnoses, nor one who actually treated him. In support of the applicant's request, counsel provides license information pertaining to the psychologist who entered the mental health diagnoses in the applicant's medical records, a memorandum from the psychologist who treated the applicant during his enrollment at the United States Air Force Academy, and a Psychological Evaluation Report that indicates the applicant does not have a personality or impulse control disorder.

Counsel's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS

The applicant is currently serving in the Army National Guard in the grade of E-4.

On 14 October 2010, the applicant, while a cadet at the United States Air Force Academy, was discharged from the Air Force with a general (under honorable conditions) character of service.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

AIR FORCE EVALUATION

The AFBCMR Psychological Advisor finds sufficient evidence to support the applicant's request to remove Impulse-Control Disorder, Not Otherwise Specified (NOS), and Personality Disorder NOS with Narcissistic Antisocial, Paranoid, and Obsessive-Compulsive Personality Traits Present, from the applicant's medical record dated 20 June 2011. In May 2010, the applicant's commander referred him for a risk assessment based on information provided by other cadets, disciplinary issues, and personal presentation. The applicant was assessed, interviewed, and administered psychological testing by a clinical psychologist at the United States Air Force Academy. However, no mental health diagnosis was assigned for these encounters and assessment results. On 20 June

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2011, an administrative chart closure note was entered in the applicant's electronic medical records by the provider who evaluated him in May 2010. The note indicated the applicant was separated from the United States Air Force Academy, no longer on active duty, and was given diagnoses of Impulse-Control Disorder, NOS and Personality Disorder, NOS with Narcissistic, Antisocial, Paranoid, and Obsessive-Compulsive Personality Traits Present. The provider did not offer an explanation or rationale for assigning these diagnoses. Moreover, this is the first and only time these diagnoses appeared in the applicant's medical records. It is highly unusual for a provider to document diagnoses in a client's records without a rationale. There is no evidence available to corroborate these diagnoses at this time even though these diagnoses may appear somewhat appropriate based on his patterns of misconduct and observation during assessment and testing. The Psychological Advisor acknowledges counsel's concerns regarding the treating provider's credentials; however, this is outside of the advisor's purview and will not be addressed.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the AFBCMR Psychological Advisor's evaluation to counsel on 29 May 2019, for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of the AFBCMR Psychological Advisor and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to remove Impulse-Control Disorder, Not Otherwise Specified (NOS), and Personality Disorder NOS with Narcissistic, Antisocial, Paranoid, and Obsessive-Compulsive Personality Traits Present, from the applicant's medical record dated 20 June 2011.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2018-00615 in Executive Session on 20 September 2019:

Mr. Anthony P. Reardon, Chair, AFBCMR
Ms. Sara V. Keller, Panel Member
Mr. Gregory A. Parker, Panel Member

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All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 25 January 2017.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFBCMR Psychological Advisor, dated 8 January 2019.
- Exhibit D: Notification of advisory, SAF/MRBC to Counsel, dated 29 May 2019.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

9/26/2019

X Charlie T. Alston

Board Operations Manager, AFBCMR
Signed by: ALSTON.CHARLIE.T.1053540860