



DEPARTMENT OF THE NAVY  
UNITED STATES NAVAL ACADEMY  
121 BLAKE ROAD  
ANNAPOLIS MARYLAND 21402-1300

USNAINST 6130.1C  
25/NHC  
30 Jul 2019

USNA INSTRUCTION 6130.1C

From: Superintendent, U.S. Naval Academy

Subj: PROCESSING MIDSHIPMEN MEDICAL EVALUATION BOARDS AND  
COMMISSIONING DECISIONS

Ref: (a) 10 U.S.C. 1214a  
(b) DoDI 1332.18, CH-1  
(c) SECNAVINST 1850.4 series  
(d) NAVMED P-117, Chapters 15 and 18  
(e) DoDI 6130.0 3  
(f) ASN(M&RA) Memo of 21 May 19  
(g) COMDTMIDNINST 1920.1H  
(h) ASN(M&RA) Memo dtd 10 Oct 18  
(i) ASN(M&RA) Memo dtd 18 Jul 2019

1. Purpose. To set U.S. Naval Academy (USNA) policy and procedures, per references (a) through (g), to efficiently process Midshipmen Medical Evaluation Boards (MEBs) and commissioning decisions. The procedures and policies stated in this instruction are designed to reflect fleet practices and to provide midshipmen with a clear understanding of their rights with regard to medical separation.

2. Cancellation. USNA Instruction 6130.1B

3. Scope and Applicability. This instruction applies only to midshipmen attending USNA.

4. Policy. Midshipmen who meet referral eligibility criteria in references (b) and (c) may be evaluated by a MEB. The MEB documents whether the midshipman has medical conditions, whether singularly, collectively or through combined effect, that will prevent them from reasonably performing the duties of their office, grade, rank, or rating. The MEB may forward the case to the Physical Evaluation Board (PEB) if it is determined that the member cannot perform the duties of his office, grade, rank, or rating, or if the Chief, Bureau of Medicine, and Surgery (BUMED) has recommended against waiving the commissioning standards in reference (e) for the particular midshipman and the midshipman meets referral eligibility per references (b) and (c).

5. MEB and PEB Process.

a. Except when requested by a midshipman through a Voluntary Resignation (VR) request, per reference (h), disenrollment from USNA because of medical disqualification shall not be made without conducting an MEB.

b. A midshipman MEB shall not be convened at a military medical facility other than Naval Health Clinic Annapolis (NHCA) due to the nuances associated with midshipmen that differ from the fleet. If a military medical facility other than NHCA determines that an MEB is warranted, that facility shall contact the USNA Brigade Medical Officer (BMO) to discuss the MEB.

c. Upon determination that a MEB will be conducted, the BMO will send the midshipman to the Medical Board Coordinator's Office at NHCA to speak with the Physical Evaluation Board Liaison Officer (PEBLO) for counseling regarding the MEB process.

d. The BMO will submit a Narrative Summary, the BUMED Commissioning Letter, the Non-Medical Assessment (NMA), and the Legacy Disability Evaluation System (LDES) or Integrated Evaluation System (IDES) form to the NHCA PEBLO.

(1) When a MEB is initiated, the BMO shall draft and forward to BUMED a narrative summary and request for a commissioning recommendation. BUMED will determine whether the midshipman meets physical commissioning standards per reference (e). If BUMED determines that the midshipman does not meet commissioning standards, BUMED will make a recommendation for or against waiving commissioning standards.

(2) If the MEB decides the case needs to go through the Disability Evaluation System (DES), an NMA must be completed by the midshipman's chain of command and submitted to the Commandant of Midshipmen within fifteen (15) calendar days of notification from the BMO. An NMA is an assessment of the midshipman's ability to perform their duties and summarizes the midshipman's limitation from the perspective of the Commandant of Midshipmen per references (b) and (c). The NMA shall be reviewed by the Commandant's Legal Advisor and signed by the Commandant of Midshipmen. The NMA and Initial Entry Training (IET) Enrollment form will be returned to the BMO by the Commandant of Midshipmen within thirty (30) calendar days of notification of the NMA requirement.

(3) Choice of Disability Evaluation System. Per references (b) and (f), midshipmen are considered to be Initial Entry Training (IET) service members. As such, they will be processed through the IDES unless the Superintendent approves a compelling and individualized reason for processing the member through the LDES. The decision whether

to place a midshipman into IDES or LDES will be made on a case-by-case basis, weighing the interests of the individual midshipman as well as the interests of the Navy in expeditiously processing the case.

e. The PEBLO shall ensure the MEB cover sheet and the PEB Checklist is completed.

f. Per references (b) and (c), the MEB will be comprised of two or more physicians, one of which who will normally be the BMO. An MEB listing a behavioral health diagnosis must contain a thorough behavioral health evaluation and include the signature of at least one psychiatrist or psychologist with a doctorate in psychology. Whenever possible, one of the physicians should have a warfare qualification as this adds expertise with fleet and operational medical requirements.

g. Per Chapter 18 of reference (d), the Commanding Officer (CO) of NHCA has the authority to convene MEBs. As the Convening Authority, per Chapter 18 of reference (d), the NHCA CO may delegate, in writing, signatory responsibility for acting on his or her behalf to approve or disapprove the findings and recommendations of a MEB. The MEB will produce a Medical Evaluation Board Report (MEBR). The PEBLO shall provide the MEBR to the midshipman for review. The midshipman shall have five (5) business days, commencing the day after the midshipman receives the MEBR, to submit a rebuttal. An additional three (3) business days will be granted upon request to speak with legal counsel. Upon receipt of the midshipman's rebuttal, if any, the BMO shall have five (5) business days, commencing the day after the rebuttal is received, to submit a surrebuttal. Once the surrebuttal is received, if any, the MEBR shall be forwarded to the Convening Authority or designee.

h. The Convening Authority or designee must review and approve or disapprove the findings of the MEB.

(1) If the Convening Authority or designee agrees with the findings of the MEB, he or she will forward the case to the PEB, which will determine the fitness of the midshipman to perform their military duties and, for members determined unfit because of duty-related conditions, their eligibility for benefits.

(2) If the Convening Authority or designee disagrees with the MEB report recommendation, he or she will not forward the report or a recommendation, but shall direct further evaluation of the midshipman's medical condition. If the condition resolves during the suspension of the report, then the NHCA CO will direct the withdrawal of the MEB report from the DES system. In the event a report is withdrawn, BMO shall initiate a new request to BUMED for a commissioning recommendation. If the condition does not appear

to be resolving, then the BMO will prepare an addendum to the original Narrative Summary. The Convening Authority or designee will then forward the supplemented MEBR to the PEB and provide a commissioning recommendation to the Superintendent via the Commandant of Midshipmen.

i. IDES and LDES Findings. Per reference (i), the determination of a midshipmen's fitness to perform their military duties includes the ability to meet medical commissioning standards. Thus, in cases where BUMED has recommended against a waiver of medical commissioning standards, the PEB will find the member unfit for continued Naval Service.

(1) If the Informal PEB finds the midshipman "Fit to Continue on Active Duty," then the midshipman does not have a compensable disability.

(2) If the Informal PEB finds the midshipman "Unfit to Continue on Active Duty," then the midshipman may be eligible for disability compensation if it is determined that the condition did not exist prior to military service.

(3) Only in the case of unfit findings, the midshipman may accept the findings or request a Formal PEB for review. The Formal PEB may uphold the original findings or reverse the findings.

(4) In the case of final "Unfit" findings, a message will be generated by PERS-954 and the member will be discharged.

(5) In the case of final "Fit" findings, the member is determined not to have a compensable disability. A midshipman may be found fit for duty by either an Informal or Formal PEB, but still not be medically recommended for commissioning. In such cases, if the Superintendent does not intend to seek a waiver for medical commissioning standards for the midshipman, the Superintendent must still forward the case, via ASN (M&RA), to the Secretary of Defense, who, per reference (a), is the final authority in such cases. Prior to submitting the report to the Secretary of Defense, the subject midshipman will be provided an opportunity to examine the report and to attach a written statement.

## 6. Retention and Commissioning Decision Process.

a. When an MEB is initiated, the BMO shall draft and forward to BUMED a narrative summary and request a commissioning recommendation. BUMED will determine whether the midshipman meets physical commissioning standards per reference (e). If BUMED determines that the midshipman does not meet commissioning standards, BUMED will make a recommendation for or against waiving commissioning standards.

b. Additionally, for midshipmen MEBs, the NHCA CO will forward a letter of findings to

the Superintendent via the Commandant of Midshipmen with a medical recommendation in agreement or disagreement with BUMED's findings and his or her commissioning recommendation.

c. The Commandant of Midshipmen's Legal Advisor shall afford the midshipman the opportunity to provide a preference for or against commissioning and a personal statement.

d. The BMO will forward BUMED's commissioning recommendation letter, the commissioning recommendation from the NHCA CO, the midshipman's personal statement, and the BMO's surrebuttal, if any, to the Superintendent, the commissioning authority, via the Commandant of Midshipmen.

(1) As the commissioning authority, the Superintendent may approve medical waivers for the commissioning of U.S. Naval Academy midshipmen only where such a waiver of standards is recommended by BUMED and the Superintendent determines that the waived physical standard will not detrimentally impact the midshipman's ability to perform in his or her line community.

(2) In cases where BUMED does not recommend a waiver for a midshipman or the PEB finds the midshipman unfit for Naval Service, the Superintendent may choose to seek a waiver of medical standards from the Assistant Secretary of the Navy (Manpower and Reserve Affairs).

(3) If the midshipman is in his or her first class year when a medical board is initiated, the Superintendent, as the commissioning authority, may allow that midshipman to graduate but not commission.

e. Midshipmen for whom BUMED has recommended against waiving commissioning standards, and for whom the Superintendent has decided not to seek a waiver of standards, will be placed on unpaid administrative leave during the processing of their PEB. Only the Superintendent shall place midshipmen on administrative leave for this purpose. The Commandant of Midshipmen will submit a request to the Superintendent for each midshipmen recommended to be placed on administrative leave. The Superintendent, upon advice from the BMO and the Commandant of Midshipmen, may allow the midshipman to complete the current semester prior to being placed on administrative leave. Prior to commencing administrative leave, all midshipmen must obtain a separation physical and receive a letter of instruction from the BMO regarding access to care while in a leave status, as well as a Page 13 explaining the MEB and PEB process. Midshipmen must fully complete the check-out process and provide up-to-date contact information, including phone number, email address, and permanent address to the Midshipmen Personnel Office.

## 7. Records Management.

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned for the standard subject identification codes (SSIC) 1000,

2000, and 4000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>. For SSIC 3000 series dispositions, please refer to part III, chapter 3, of Secretary of the Navy Manual 5210.1 of January 2012.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the USNA records manager or the DON/AA DRMD program office..

8. Review and Effective Date. The Staff Judge Advocate will review this instruction annually on the anniversary of the effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction.

  
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