

## Army Announces Changes to MEB/PEB Process

by CPT Austin Ribelin

### The New MEB/PEB - Integrated Disability Evaluation System (IDES)

Pursuant to ALARACT HQDA EXORD 295-11, the new Integrated Disability Evaluation System (IDES) became fully operational in OCONUS locations on 1 October 2011. While the new IDES retains many of the same procedures as the previous "Legacy" version of the Army Disability Evaluation System, there are significant changes Soldiers should be aware of. This article will briefly lay out the IDES process and highlight the notable changes. Additionally, because of the recent implementation of IDES, further change is possible.

### Medical Evaluation Board (MEB)

A Soldier is referred to the IDES process upon the approval of a P3 or P4 profile. This indicates doctors working with a Soldier have determined the Soldier's conditions have stabilized and will not see any significant improvement; this is called the Medical Retention Determination Point (MRDP). Once a Soldier is referred to the IDES, the MEB phase of the process will begin.

The MEB phase of the IDES process will take place at a Military Treatment Facility (MTF) located in CONUS where a comprehensive evaluation will be conducted by a Department of Veterans Affairs (VA) doctor. Once the VA evaluation is returned to the MEB, it will review the evaluation and determine if any of the Soldier's conditions fail retention standards. A narrative summary (NARSUM) and a DA Form 3947 will be issued once the review is complete. A Soldier is then given seven working days to respond to the NARSUM and the results of the review. If the MEB findings determine one of the Soldier's conditions does not meet retention standards, the Soldier will be referred to the Physical Evaluation Board.

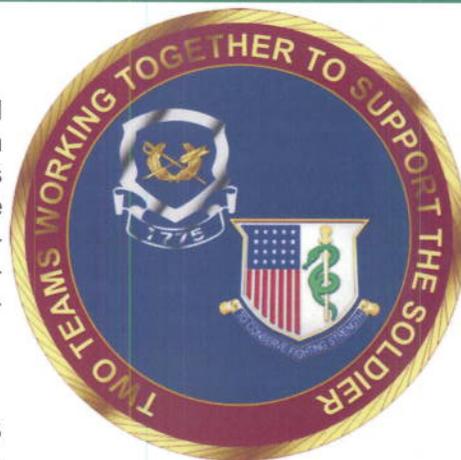
Due to the use of VA doctors at this early stage, personnel in OCONUS duty stations will be required to PCS to a WTU at one of six CONUS locations for completion of the IDES. Current guidance states the locations are Fort Bliss, Fort Hood, Fort Sam Houston, Fort Gordon, Fort Bragg, and Fort Lewis; however, these locations are subject to change. Ideally, a Soldier would be PCS'd to the WTU closest to home or family; realistically, while proximity to home and family will be taken into account, the needs of the Army may control.

Additionally, Medical Command (MEDCOM) has articulated exceptions to policy that may provide relief from the requirement to PCS back to a CONUS location. The exceptions which follow are extremely narrow and due to the recent implementation of this process, the probability of success of requesting one of these exceptions is unpredictable: (1) European Out; (2) Dual military assigned in Europe where impractical to PCS spouse; (3) Soldiers who are European citizens and desire to stay in Europe after military service; and (4) The significant illness or disability of European family members. The approval authority for a European Out exception is IMCOM-Europe. The approval authority for all other exceptions to policy is the Warrior Transition Battalion-Europe Commander, while the appellate authority is the ERMCA Commanding General.

Legal counsel is available to Soldiers at the Soldiers' MEB Counsel offices (SMEBC) which are usually co-located with the Warrior Transition Unit (WTU) for a given area. Attorneys advise on the process, answer questions, and help Soldiers respond to the results of the MEB.

### Physical Evaluation Board (PEB)

The PEB is first adjudicated informally. The Informal PEB will determine if any of the Soldiers' conditions render them "unfit" (*i.e.*, prevent them from performing their PMOS duties and/or basic Soldier skills). If a single condition is determined to render a Soldier unfit, the case will be sent to the VA. The VA will then rate all conditions and return the case to the PEB with a DA Form 199, which provides the Soldier with the VA ratings of any "unfit" conditions. The Soldier has the opportunity at this point to demand a formal board, to challenge the VA rating, or to challenge an "unfit for duty" finding. Once the case goes to the Formal PEB and a final



*[continued on page 11...]*

## **MEB/PEB Process Changes (continued...)**

determination is presented, the Soldier may concur or appeal the findings. Appeals are reviewed by the Army Physical Disability Agency and its decision will be final. Soldiers in the PEB phase are provided access to Soldiers' PEB Counsel (SPEBC) during the process to advise and assist with rebuttals and appeals. SPEBC offices will be located at all locations to which a Soldier might be PCS'd. Counsel can also help Soldiers identify and gather evidence for formal hearings that may aid in achieving a Soldier's goals.

### **Conclusion**

Planning is critical to successfully navigate the new Integrated Disability Evaluation System. The new process provides access to counsel at every phase and it is extremely important to utilize such assistance. Every Soldier going through this process must have a goal. MEB/PEB attorneys can help Soldiers develop a plan best designed to reach that goal. During this time of change, particular attention should be given to the use of legal counsel in order to assure that every Soldier going through the MEB/PEB process fully understands the benefits and repercussions of every decision made throughout this process.

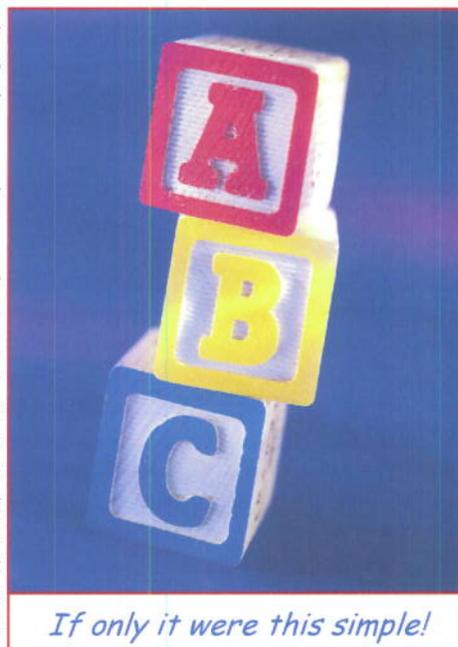
**Located at the Landstuhl Regional Medical Center, the Office of Soldiers Counsel provides legal advice to Soldiers in the KMC going through the MEB/PEB or IDES systems free of charge, and can be reached at DSN 590-8286, or Civilian 06371-9464-8286. Videos, FAQ's, and contact information concerning this process may also be found at the Judge Advocate General's Corps website at:**  
<https://www.jagcnet.army.mil/otjagosc>

## **New Claims Terms & Procedures (continued)**

proof that notice was properly and timely sent to the TSP. If you have any questions about this process, you should contact the Kaiserslautern Claims Office. The Claims Office can assist you in dispatching your notice document to the TSP, and make sure the TSP received it.

After you give notice, you only have **nine months** from the date of delivery to file your FRV or DP3 claim with the TSP.

FRV and DP3 enable the claimant to recover full replacement value for items that are lost, destroyed, or damaged beyond economic repair, unlike the traditional claims system that only permits payment of depreciated value. While the concept of receiving full replacement value is very appealing, in practice things don't always work out so well. Many claimants have experienced difficulty accessing the online DPS module. Never fear! The award-winning claims examiners at the Kaiserslautern Claims Office are happy to assist. They can help you obtain a waiver of the online DPS filing requirement if it is impossible to access the system. They can also help you fill out claims forms and answer claims questions. And, if you are not happy with the settlement you receive from the TSP, our claims examiners can help you file your claim against the Government using PCLAIMS and effect payment through GFEBS.



*If only it were this simple!*

***While much has changed in the complex world of claims, one thing remains constant: the Kaiserslautern Claims Office is the place to go for claims help! Visit us in Rooms 109 & 110 of the Kaiserslautern Legal Services Center, or call us at DSN 483-8414 or Civilian 0631-411-8414.***