

Medical Actions (NGGA-PEM)

**NON-DUTY
RELATED
PHYSICAL
EVALUATION
BOARD
(NDR-PEB)**

Joint Force Headquarters
Georgia Army National Guard
Marietta, GA
1 October 2024

SUMMARY of CHANGE

SOP

Non-Duty Related Physical Evaluation Board (NDR-PEB)

This major revision, dated 1 October 2024-

o. Changes “may elect to appear before the board at Fort Sam Houston, TX at their own expense” to “will be held via ZOOMGOV or telephonically.” (para 2-1, j.1.)

o. Adds Human Resources Command (HRC) (para 2-1, k)

Proposed changes, modifications, and/or deletions should be made known GAARNG G-1, HR Plans using GA Form 2028. Your feedback to provide a quality product is always welcome.

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Chapter 1 Overview

1-1. Purpose.

The Non-Duty Related Physical Evaluation Board (NDR-PEB) provides guidance for Soldiers who were not on active duty for more than 30 days, or do not have an approved In Line of Duty (ILOD) for a medical injury, illness, or disease that does not meet medical retention standards in accordance with (IAW) AR 40-501, Chapter 3. These Soldiers are referred to the NDR-PEB solely for a fitness determination upon their request.

1-2. Applicability.

Soldiers that do not meet retention standards, by reason of a non-duty related injury, illness, or disease that request consideration for continued service, may have their case evaluated by a NDR-PEB. Soldiers referred to the non-duty related process as an outcome of MOS Administrative Retention Review (MAR2) evaluation, may waive referral to the Disability Evaluation System (DES) and be separated for medical disqualification provided:

1. The Georgia Army National Guard (GAARNG) Soldier does not have a service obligation.
2. The GAARNG determines that the Soldier's medical condition does not meet medical retention standards.

Chapter 2 Process Steps

2-1 Process Steps.

- a. During the Medical Retention Determination Point (MRDP) process, the Soldier can request the NDR-PEB to determine their fitness for continued military service. The Soldier is counseled by the Program Manager (PM), given the Non-Duty Related Trifold from the Office of Soldiers' Counsel (OSC), and the NDR-PEB Checklist with a 60-day suspense.
- b. The Soldier is required to provide the unit with a copy of the signed MRDP counseling packet and NDR-PEB Checklist.
- c. The PM will notify the Major Subordinate Command (MSC) Medical Readiness Noncommissioned Officer (MRNCO) and Case Manager (CM) by email of the Soldier's request to submit a packet to the NDR-PEB and the suspense date for packet submission.
- d. The unit and CM will assist the Soldier with collection of the required documents using the NDR-PEB Checklist. Medical documentation must be current (within 60 days) and pertain to the disqualifying medical condition(s).
- e. The PM will follow up with Soldiers within 30 days of election to check the progress of their packet. The follow up communication will be immediately logged into the Medical Electronic Data for Care History and Readiness Tracking (MEDCHART) in the Electronic Case Management module (eCase).
- f. If the Soldier has trouble obtaining the required documents for the NDR-PEB checklist, the PM will aid and advise the Soldier to sign an Authorization for Disclosure of Medical or Dental Information (DA Form 2870). The PM will exhaust all options at helping the Soldier to include but not limited to calling other states, requesting medical documents, and working with the CM.
- g. If the Soldier is actively working to complete a NDR- PEB packet, the Soldier or MRNCO can request a one-time, 30-day extension from the PM. If all efforts to assist the Soldier with submission of the packet has failed and the suspense date is not met, a Non-Compliance Memorandum will be mailed to the Soldier's home of record and a copy of all communications will be forwarded to the Incapacitation Review Board (IRB) for separation approval.
- h. The unit will forward the completed packet through S-1 channels to the MRNCO for review, prior to the 60 days suspense. The MRNCO will submit packets to the PM using ng.ga.gaarnng.list.ngga-mrdp@army.mil. Subject: NDR-PEB, Rank, Last Name, Last Four SSN.
- i. The PM will review the packet for completeness and request the Non-Duty Related Memorandum from the Deputy State Surgeon-Clinical (DSS-C). The DSS-C will forward the packet to the Informal Physical Evaluation Board (IPEB). IAW with AR 635-40, the Soldier or his/her representative will not be permitted to appear before the IPEB.
- j. The board will review the packet and render a finding in the case. The State Verifying Official will forward the Informal Physical Evaluation Board (PEB) Proceedings, (DA Form 199) to the PM. The PM will email the DA Form 199 to the Soldier, unit representative, and MRNCO.
 1. The unit will counsel the Soldier on the findings in Section VIII on DA Form 199. The Soldier must select "concur" or "do not concur" with the findings in Section IX of the DA Form 199 and return to the PM within 6 days. If more time is needed, Soldiers can submit a Request for Extension to the United States Physical Evaluation Board. Soldiers that non-concur may request a Formal Physical Evaluation Board (FPEB) which will be held via ZOOMGOV or telephonically.
 2. During FPEB proceedings, the Soldier may only be represented by Soldiers' Counsel assigned to perform duties as PEB counsel, from the Judge Advocate General (JAG), private legal counsel retained at their own expense, or from a Veterans Affairs (VA)-accredited representative of a service organization recognized by the Secretary of VA. A waiver by a Soldier of their right to representation by Soldiers' Counsel, must be in writing and the waiver included in the case file as part of the record.
- k. If the PEB determines that the disqualifying medical condition(s) could be service connected or In the Line of Duty (ILOD), the PEB will refer the case to the DSS-C for review or will consult directly with Human Resource Command (HRC) for ILOD consideration.

l. Soldiers who are found fit by the PEB will receive an updated Physical Profile Record (DA Form 3349) and the waiver code (Y) will be added. If the Soldier is found unfit by the PEB, the PM will prepare a discharge packet for submission to the G-1. Soldiers will be discharged based on the qualifying years of service on their Retirement Points Accounting Management (RPAM) statement. Medical discharge or medical retirement can be requested up to 30 days after the date of the final PEB determination memorandum.

m. Soldiers may submit a memorandum through their unit to MRNCO requesting removal from the NDR-PEB process and be discharged or retired based on their qualifying years of service. The MRNCO will submit the memorandum to the PM using ng.ga.gaarnng.list.ngga-mrdp@army.mil Subject: NDR-PEB, Rank, Last Name, Last Four SSN.

Appendix A
References

AR 40-501

Standards of Medical Fitness, dated 27 June 2019

AR 40-502

Medical Readiness, dated 27 June 2019

AR 635-40

Disability Evaluation for Retention, Retirement, or Separation, dated 19 January 2017

DA PAM 635-40

Procedures for Disability Evaluation for Retention, Retirement, or Separation, dated 12 January 2017

DODI 1332.18

Disability Evaluation System, dated 23 February 2023

Appendix C
Glossary

CM
Case Manager

DES
Disability Evaluation System

DSS-C
Deputy State Surgeon- Clinical

eCase
Electronic Case Management

FPEB
Formal Physical Evaluation Board

HRC
Human Resources Command

ILOD
In the Line of Duty

IPEB
Informal Physical Evaluation Board

IRB
Incapacitation Review Board

JAG
Judge Advocate General

MRNCO
Medical Readiness NCO

MRDP
Medical Retention Determination Point

MSC
Major Subordinate Command

NDR-PEB
Non-Duty Related Physical Evaluation Board

PEB
Physical Evaluation Board

PM
Program Manager

RPAM
Retirement Points Accounting Management

VA
Veterans Affairs