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Gays in the Military - Benefits: Disability Diseases - DOD [Department of Defense]

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DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
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FACSIMILE COVER SHEET

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COMMENTS:



INFORMATION PAPER

SUBJECT: HIV Processing

DISCUSSION:

- There may be some disparity in the treatment of service members who have minor disabilities, those rated at less than 30%, who are separated with severance pay versus those who are HIV positive and remain fully able to do their jobs for years, yet are discharged with disability retirement pay.
- In FY-95, the services separated a total of 9,864 personnel with disabilities rated at less than 30%. Listed below are the major reasons and numbers of personnel separated with severance pay (vice medical retirement) for these reasons.

Total Disability Cases Processed (FY 95)

	Total Cases Processed	Total Separated with Severance Pay
Navy	15,266	6,344
Army	7,007	2,852
Air Force	3,263	668

Top Five Disability Separations (FY 95)

	Condition	Totals
1	Muscular and Skeleton Conditions (Arthritis, Back Injuries)	7,140
2	Mental Disorders (Schizophrenia, Depression)	578
3	Respiratory Conditions (Asthma, Tuberculosis, Emphysema)	415
4	Neurological Conditions (Multiple Sclerosis, Migraines, Narcolepsy)	368
5	Blood and Lymphatic Disorders (Anemia, Leukemia, Hypothyroidism)	120

- Service members who are separated for disability with severance pay may perceive that they are being untreated unfairly in comparison to members with HIV. If a member with HIV receives a disability retirement, the member will receive additional compensation and benefits that will not be available to the 9,864 members separated only with severance pay.

29Jan96

INFORMATION PAPER

SUBJECT: HIV Processing

DISCUSSION:

- HIV is the only communicable medical condition which renders a person permanently non-deployable. There are other medical conditions which render a member temporarily non-deployable or which result in medical separation or disability retirement. For example, Tuberculosis or Malaria render a person temporarily non-deployable unless the condition is severe or recurring. As long as the condition responds to treatment, the member will not be separated and will be deemed deployable. If the condition recurs or becomes untreatable, the member is separated or retired.
- Listed by Service below are the five major diseases which result in medical separation or retirement.

Top Five Diseases Resulting In Disability Separation/Retirement (FY 95)

NAVY			ARMY			AIR FORCE		
	Disability	Total		Disability	Total		Disability	Total
1	Arthritis	1103		HIV	154		Asthma	81
2	Heart Disease	802		Asthma	131		Ulcerative Colitis	62
3	Asthma	361		Migraines	77		HIV	39
4	HIV	147		Diabetes	77		Migraine	34
5	Diabetes	136		Multiple Sclerosis	46		Diabetes	29

- Of the diseases listed above, only HIV is communicable and non-curable. The Air Force did medically discharge one person last year with tuberculosis. Information about similar discharges in other services is not yet available.



HEALTH AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1200

MEMORANDUM FOR DEPUTY ASSISTANT SECRETARY OF DEFENSE (MILITARY
PERSONNEL POLICY)

SUBJECT: Communicable Diseases Which Cause Separation

The following communicable diseases are mentioned in DoDD 1332.18 as being
disqualifying for retention and carry less than 30% disability rating in the VASRD.

- Amebic Abscess
- Chronic Hepatitis
- Cystitis not responsive to treatment
- Chronic Pyelonephritis
- Superficial fungus infections, not responsive to treatment

The following communicable diseases, when chronic, are rated in the VASRD at less than
30% and are used when an individual has been judged to be unable to continue on active duty by a
Medical Evaluation Board.

- Osteomyelitis with draining sinus
- Malaria, recently active
- Filariasis, after one attack
- Brucellosis, infrequent febrile episodes
- Inactive Tuberculosis with mild symptoms
- Liver abscess
- Amebiasis
- Distomiasis
- Bacillary Dysentery
- Hepatitis, infections, mild


John F. Mazzuchi, Ph.D.
Deputy Assistant Secretary
(Clinical Services)

There are currently 468 National Guardsmen and Reservists who are HIV positive. Of this number 84 are in an active training status in the Selected Reserve. 23 of the 84 Selected Reservists have qualified for retired pay at age 60.

The immediate impact on the typical Selected Reservists in this population (enlisted member in pay grade E-6) would be loss of about \$4,200 annual pay, which is typically around 12-13 percent of total income. Most Guard and Reserve members are full-time participants in the civilian labor force. National Guard and Reserve members do not have military medical care benefits. Those not qualified for retired pay at age 60 will lose the opportunity to qualify.

The remainder of the Reserve population is in the Individual Ready Reserve or the Standby Reserve. Those in the Individual Ready Reserve would lose their benefit to utilize military exchange stores and participate in morale, welfare and recreation programs.

MESSAGE CONFIRMATION

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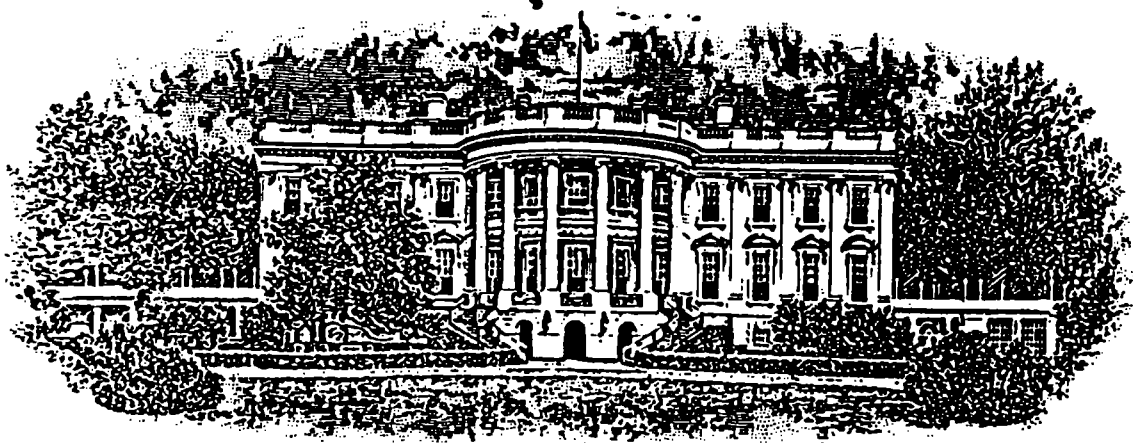
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The White House



COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 2/6/96

TO: Dawn Johnsen

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COMMENTS: DOD Disability Figures

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