

**Department of the Army
Pamphlet 135–381**

Army National Guard and Reserve

**Incapacitation
of Reserve
Component
Soldiers
Processing
Procedures**

**Headquarters
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SUMMARY of CHANGE

DA PAM 135–381

Incapacitation of Reserve Component Soldiers Processing Procedures

This major revision, dated 3 January 2021--

- o Introduces key terms for processing incapacitation pay claims (para 1–4).
- o Identifies the Medical Electronic Data Care History and Readiness Tracking platform, and the Electronic Medical Management Processing System, as the automated system of record (para 1–5).
- o Implements changes from AR 135–381 to centralize the Reserve Component approval authority process (chap 2).
- o Updates roles and procedures for the incapacitated member, affected unit, and approval authorities (chaps 2 and 3).
- o Updates the incapacitation review board’s roles and responsibilities (para 3–6).
- o Adds special considerations for incapacitation pay (para 3–15).
- o Adds appendixes with sample language and templates for commanders, the incapacitation review board, approval memorandums, and denial memorandums (apps B and D).
- o Adds an appendix with a checklist for incapacitation pay processing (app C).
- o Changes a form title, from DA Form 7574 (Incapacitation Pay Monthly Claim Form) to DA Form 7574 (Request and Certification for Incapacitation Pay), and eliminates the requirement to provide a Social Security number (throughout).
- o Removes DA Form 7574–1 (Military Physician’s Statement of Soldier’s Incapacitation/Fitness for Duty) (throughout).
- o Removes DA Form 7574–2 (Soldier’s Acknowledgment of Incapacitation Pay Counseling) (throughout).

Army National Guard and Reserve

Incapacitation of Reserve Component Soldiers Processing Procedures

By Order of the Secretary of the Army:

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processed and that members are compensated in a timely manner.

Applicability. This pamphlet applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve unless otherwise stated. During mobilization, the proponent may modify chapters and policies contained in this pamphlet.

Proponent and exception authority. The proponent of this pamphlet is the Deputy Chief of Staff, G–1. The proponent has the authority to approve exceptions or waivers to this pamphlet that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this pamphlet by providing justification that includes a

full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Deputy Chief of Staff, G–1 (DAPE–PRC), 300 Army Pentagon, Washington, DC 20310–0300.

Distribution. This pamphlet is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

History. This publication is a major revision.

Summary. This pamphlet prescribes guidance relating to procedures necessary to ensure eligible Reserve Component Soldiers' incapacitation claims are correctly

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*This pamphlet supersedes DA Pam 135-381, dated 22 May 2008.

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Glossary

Chapter 1 Introduction

1–1. Purpose

This pamphlet provides procedures regarding incapacitation (INCAP) pay and allowances for Reserve Component (RC) members.

1–2. References and forms

See appendix A.

1–3. Explanation of abbreviations and terms

See the glossary.

1–4. Key terms for incapacitation pay

a. Incapacitation.

(1) Physical disability resulting from an injury, illness, or disease that prevents the performance of military duties as determined by the Secretary of the Army (SECARMY) or,

(2) When still physically able to perform military duty, causes a demonstrated loss of earned income from nonmilitary employment or self-employment engaged in at the time or,

(3) When Soldier incurred or aggravated the injury, illness, or disease: All approved convalescence, recovery, or recuperation periods determined to be within the line of duty are considered incapacitation periods.

(4) Military duties: The duties of any Soldier's office, grade, rank, or rating as assigned by the commander within the limitations of an approved DA Form 3349 (Physical Profile) and not the specialty or skill qualification any member held before incurring or aggravating an injury, illness, or disease in the line of duty.

b. Tier 1 incapacitation pay.

(1) For an RC member who is unable to perform military duties, due to an in line of duty (ILD) condition.

(2) INCAP pay is authorized in accordance with Section 204(g), Title 37, United States Code (37 USC 204(g)).

(3) Full military pay and allowances is authorized, less gross nonmilitary earned income.

(4) RC Soldiers unable to perform military duties will not participate in any active or inactive duty status throughout the duration of the incapacitation period. However, the Soldier may earn retirement points in order to satisfy the requirements for a qualifying year of service, by completing approved correspondence courses.

(5) RC Soldiers who are students may be authorized INCAP pay. Type of student (full time, part time, in classroom, or virtual classroom) and employment status will determine eligibility and/or amount of compensation. If employed and incapacitated, Soldier must provide financial documentation.

c. Tier 2 incapacitation pay.

(1) For Soldiers who are able to perform military duties and demonstrate a loss of nonmilitary earned income as a result of an ILD condition.

(2) INCAP pay is authorized in accordance with 37 USC 204(h).

(3) Maximum reimbursement is for either demonstrated, nonmilitary, lost income—or for full military pay and allowances—whichever is less (amounts will not exceed the lost nonmilitary income).

(4) Members able to perform military duties may participate in active or inactive duty and earn retirement points for a qualifying year of service.

(5) Members must be employed to receive tier 2 INCAP pay. INCAP pay will be discontinued due to voluntary employment termination. The reason for involuntary employment termination must be justified by employer before INCAP pay may continue.

(6) Members who are self-employed must provide certification of business structure type (sole proprietorship, partnership, corporation, limited liability company, S corporation, independent contractor, joint venture, or part-time business) and tax records as supporting financial documentation (IRS Form 1040 (U.S. Individual Income Tax Return), IRS Form 1065 (U.S. Return of Partnership Income), or IRS Form 1040 - Schedule C (Profit or Loss from Business) (Sole Proprietorship)).

(7) Soldiers who are students may be authorized INCAP pay. Type of student (full-time, part-time, in-classroom, or virtual classroom) and employment status will determine eligibility and/or amount of compensation. If unemployed, Soldier is not eligible for tier 2 INCAP pay.

1–5. System of record

The Electronic Medical Management Processing System (eMMPS) is the standard system of record in the Medical Electronic Data Care History and Readiness Tracking (MEDCHART) platform for processing, monitoring, and tracking all INCAP claims.

Chapter 2 Incapacitation Pay Claim Procedures

2–1. Overview

All INCAP pay claim requests are retroactive applications. RC members must meet the criteria for entitlement to compensation, which includes, at a minimum, a valid ILD condition and any demonstrated earned or loss of nonmilitary earned income to certify the appropriate amount of pay due to the member if authorized. Requests for INCAP pay may be prepared in advance, but the applicable command will not process forward until all mandatory application criteria are met.

2–2. Claim initiation

When an RC member incurs or aggravates an injury, illness, or disease ILD that renders them unable to perform military duties and/or nonmilitary duties (demonstrates a loss in nonmilitary earned income), the member is responsible for initiating an INCAP pay claim. (See tables 2–1 and 2–2.)

a. Section I. RC members—

- (1) Notify their first line leader and unit commander of the injury, illness, or disease before the end of the duty period.
- (2) Request the appropriate line of duty (LOD) actions for the condition(s), in accordance with AR 600–8–4.
- (3) Request and maintain DA Form 3349 for the ILD condition.
- (4) Request assistance with authorization for medical care. Soldiers are not authorized follow-on medical care without prior approval from the Defense Health Agency (DHA).
- (5) Comply with medical treatment and follow all instructions provided by medical personnel. Follow all guidance given during the RC member INCAP pay counseling discussion (see app B).
- (6) Apply for reimbursement, if travel to an authorized medical treatment facility (MTF) or supplemental health care program (SHCP) was in excess of 50 miles or 90 minutes. (Note: This is not temporary duty, and expenses paid by the Government are limited to actual costs expended, per Joint Travel Regulations (JTR)). See AR 135–381.
- (7) Assemble the completed INCAP pay application, as discussed in the commander's counseling discussion, and coordinate with the unit regarding the necessary timeline for packet completion and upload to eMMPS.
- (8) Identify any issues with fulfilling the requirements to complete the INCAP pay application. If special considerations are required, they must comply with paragraph 3–15.
- (9) An RC member cannot sign the DA Form 7574 (Request and Certification for Incapacitation Pay) prior to the last date of the requested claim period. This form can be signed on the last day of the claim, or later.

b. Section II. The unit members—

- (1) Ensure medical care is provided to the RC member.
- (2) Coordinate appointment(s) at the MTF or SHCP for any DHA pre-authorized medical treatment for the RC member.
- (3) Request travel orders for the RC member when required to go to authorized medical care, in accordance with JTR.
- (4) Obtain and prepare the necessary paperwork, for travel expenses that are related to medical care received for the ILD condition.
- (5) Initiate the appropriate LOD actions for the condition(s), in accordance with AR 600–8–4, and ensure the line of duty investigation (LDI) is completed in a timely and efficient manner, so as not to delay compensation entitlement.
- (6) Provide a copy of the unit training schedule covering the period of duty for the LDI.
- (7) If the LDI-related condition occurred during inactive duty training (IDT), provide one of the following: a copy of DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training), sign-in roster, or DA Form 1380 (Record of Individual Performance of Reserve Duty Training).
- (8) Provide a copy of annual training (AT), active duty for training (ADT), or active duty (AD) orders, with amendments (if applicable), if the LDI condition occurred during this period of training. Refer to AR 135–381 for applicable types of duty status.
- (9) Notify the next higher headquarters of the injury, illness, or disease and the circumstances involved.
- (10) Provide a copy of the serious incident report (see AR 190–45) as available supporting documentation for the LDI and INCAP pay claim.

**Table 2–1
Steps to file an incapacitation pay claim before a line-of-duty finding is determined**

Step	Level	Process
1	RC member	Notifies unit of injury, illness, or disease.
2	Unit	<ul style="list-style-type: none"> - Ensures appropriate medical treatment, reports incident to higher headquarters, and advises and counsels RC member on LOD and INCAP pay process and/or option. - Initiates and processes LOD investigation to completion. - Initiates appropriate profile request, as necessary covering LOD incident.
3	RC member	<p>Compiles INCAP pay packet to include, as a minimum, the following:</p> <ul style="list-style-type: none"> - Awaiting ILD determination (if not already complete). - DA Form 4856 (Developmental Counseling Form). - DA Form 7574, section I (signed on last date of claim month, or later). - Ensures profile is updated covering LOD incident. - Completes medical treatment plan with attending physician. - Compiles additional supporting medical documents (as necessary). - Compiles supporting financial documents: <ul style="list-style-type: none"> - Proof of nonmilitary earned income (tier 1). - Demonstrated loss of nonmilitary earned income (tier 2). - Any additional supporting documents (as necessary). - Submits the completed packet to unit representative.
4	Unit	<ul style="list-style-type: none"> - Ensures ILD determination is complete; finalizes INCAP pay request. - Reviews INCAP pay request for completion: <ul style="list-style-type: none"> - Completes DA Form 7574, section II (commander validation). - Completes commander’s memorandum (see fig D–2). - Initiates INCAP pay case from LOD case in eMMPS. - Uploads completed INCAP pay request; routes to incapacitation review board (IRB) authority via eMMPS.
5	IRB authority	<ul style="list-style-type: none"> - Receives, reviews, INCAP pay request. - Conducts board meeting. - Determines eligibility criteria, the tier type, and validates the documentation. - Completes DA Form 7574, sections III and IV. - Provides recommendation (with minutes) to the approval authority (see figs D–3 and D–4). - Routes documents and case to the approval authority via eMMPS. <p>Note: See AR 40–66 for guidance on protected health information.</p>
6	Approval authority	<ul style="list-style-type: none"> - Receives IRB recommendation, adjudicates claim, and: <ul style="list-style-type: none"> - Completes DA Form 7574, section V, and appropriate memorandum. - For an approval: processes for pay action. - For a denial: notifies RC member of decision in writing. - Upload documents in eMMPS.

c. Section III. Commanders—

(1) Use the language in appendix B on a DA Form 4856 to properly counsel the RC member on the criteria for entitlement to INCAP pay and their ability, or inability, to perform military duties. Commanders rely heavily on the provided DA Form 3349 specific to the ILD condition.

(2) May authorize an excused absence(s) for an RC member, pending receipt of the physical profile and/or determination by the designated military physician for INCAP pay and must clearly justify their recommendation for authorization for INCAP pay in their commander’s memo.

(3) Ensure each RC member is counseled and understands their responsibilities associated with applicable health care and compensation entitlements associated with an LDI condition (see app B). These include the following:

(a) Authorized medical treatment is limited to the injury, illness, or disease only. The RC member does not receive full military medical treatment as if being on active duty. If the LDI determines that the injury was not in line of duty (NLD), the Soldier may be liable for Government-incurred medical costs associated with the incident.

**Table 2–2
Steps to filing an incapacitation pay claim with an in-line-of-duty determination**

Step	Level	Process
1	RC member	Notifies unit of intent to file INCAP pay.
2	Unit	<ul style="list-style-type: none"> - Conducts INCAP pay counseling. - Reviews medical readiness, access to care, profile requirements, and remaining INCAP pay checklist items.
3	RC member	<ul style="list-style-type: none"> - Compiles INCAP pay packet to include as a minimum the following: - ILD determination (informal or formal). - DA Form 4856, which documents the commander's counseling. - DA Form 7574, section I (signed on last date of claim month, or later). - Updated profile covering ILD condition. - Completed medical treatment plan with attending physician. - Additional supporting medical documents (as necessary). - Supporting financial documents: - Proof of nonmilitary earned income (tier 1). - Demonstrated loss of nonmilitary earned income (tier 2). - Any additional supporting documents (as necessary). - Submits packet to unit representative, once complete.
4	Unit	<ul style="list-style-type: none"> - Receives and finalizes INCAP pay request with RC member. - Reviews INCAP pay request for completion: - Completes DA Form 7574, section II (commander validation). - Completes a commander's memorandum (see fig D–2). - Initiates INCAP pay case from LOD case, in eMMPS. - Uploads complete INCAP pay request; routes to IRB authority via eMMPS.
5	IRB authority	<ul style="list-style-type: none"> - Receives and reviews the INCAP pay request. - Conducts IRB meeting. - Determines eligibility criteria, the tier type, and validates the documentation. - Completes DA Form 7574, sections III and IV. - Provides recommendation (with minutes) to approval authority. - Routes documents and case to approval authority via eMMPS.
6	Approval authority	<ul style="list-style-type: none"> - Receives IRB recommendation, adjudicates claim, and: - Completes DA Form 7574 section V, and appropriate memorandum. - For an approval: processes for pay action. - For a denial: notifies the RC member and initiates the appeal process. - Uploads documents in eMMPS; finalizes case actions.

(b) RC members may, or may not, be entitled to INCAP pay. Duration of INCAP pay is determined on a month-to-month basis and must be supported by documentation that appropriately justifies the inability to perform military duty or the loss of nonmilitary income.

(c) Any such pay will not exceed full pay and allowances for the RC member's pay grade and years of service, and will be reduced by any other earned income received from other sources.

(d) The appropriate headquarters will initiate action, to recoup any overpayments, duplicate payments, or improper payments to RC members receiving incapacitation pay.

(e) Incapacitation pay under DODI 1241.01 will be paid only during the period a member remains unable to perform military duty and/or demonstrates a loss of earned nonmilitary income as a result of the ILD condition. Payment in any particular case may not be made for more than 6 months without approval by the SECARMY, or the SECARMY's designee.

(f) If the RC member uses any civilian sick leave, the member will not be reimbursed for that period of time. In order to receive incapacitation pay for the period when leave was received from the civilian job, the leave must be paid back to

the employer, if allowed by the employer. The RC member must submit documentation reflecting the action and reinstatement of leave.

(g) If an RC member is able to perform military duties, as determined by a military medical provider, but still cannot perform the nonmilitary duties, the member can attend IDT or assigned AD, but must be able to fully document their inability to perform nonmilitary duties. This is otherwise referred to as tier 2.

(h) Ability to perform military duties must be determined by a military medical provider. Ensure the RC member submits all required documentation listed in paragraph 2–2a.

(i) The RC member may be subject to prosecution under Federal law for falsifying any statements, or not disclosing of any outside income. These may result in a fine or imprisonment, or both. Suspected cases of fraud should be reported to the proper agency immediately.

(j) Work with the RC member to compile a complete INCAP pay application, per the checklist in appendix C, before submitting the claim via upload into the eMMPS for continued processing.

(k) Help the RC member prepare DA Form 7574.

(l) Provide documents from the member's records, as needed, to complete the claim.

(m) Provide or include special and incentive pay orders covering the claim period.

(n) Provide or include DD Form 2367 (Individual Overseas Housing Allowance (OHA) Report), if applicable as additional documentation the Soldier must provide to show proof of paid rent, or mortgage, for requested claim period.

(o) Provide or include DA Form 4187 (Personnel Action) for authorized cost-of-living adjustment.

(p) Ensure the claim includes the home of record at time of ILD condition, for proper pay action.

(q) Unit commander (or designated representative) completes DA Form 7574, section II.

(r) Provide a commander's memo (see fig D–2), with the appropriate recommendation, after reviewing claim request for INCAP pay. The memo should capture the following key elements for the claim request:

1. Validates the commander's thorough review of the complete request for INCAP pay.
2. Validates the ILD determination.
3. Validates or justifies attendance and/or duty performed during the requested claim period.
4. Validates or justifies the physical profile and the effects (ability to or limitations of) to performance of duty.
5. Validates or justifies any missing physical profile for the requested claim period.
6. Validates or justifies the medical treatment plan (see fig D–1).
7. Update any Integrated Disability Evaluation System (IDES) requirements, if applicable.
8. Validates or justifies the financial documentation (earned or lost earned income).
9. Provides justification for recommendation (approval or denial).
10. Provides justification on cases that exceed the statutory 6-month limitation, if applicable.

(s) Requests for INCAP pay claims must be reviewed on a case-by-case and month-to-month basis. Each calendar month should include all required documents for the request. If special considerations are required, commanders will comply with paragraph 3–15.

(t) The commander cannot sign the DA Form 7574 prior to the last date of the requested claim period. This form can be signed on the last day of the claim or later.

(u) Submit the claim, via eMMPS upload, to the IRB authority.

(v) Submit claims that exceed the 6-month statutory limit, if required. Ensure these requests have clear justification to support the request.

2–3. Processing an incapacitation pay claim

There are various processing steps and authority levels an INCAP pay claim must route through, for adjudication.

a. Section I. The RC member—

(1) Provides the applicable documents, listed on the INCAP pay checklist in appendix C, to the unit, after receiving commander's counseling regarding INCAP pay.

(2) Completes DA Form 7574, section I. Do not sign this form until the last day of the requested claim period, or later. Ensure that the commander completes and signs in part II and that this signature is on the last date of the claim, or later.

(3) Provides all medical documentation pertaining to treatment received. Medical documentation must clearly indicate diagnosis, prognosis, employment limitations, and required recuperation period for recovery, as detailed in the medical treatment plan (see fig D–1).

(4) Includes a valid and current DA Form 3349 covering the ILD condition for the current claim period.

(5) Provides, as a minimum, the following financial documentation to support the claim period:

(a) Accurate nonmilitary earned taxable income (see glossary for definition).

(b) Wages, salaries, tips, or professional fees.

(c) Income protection plans (privately held policy vs. Internal Revenue Service (IRS) benefit).

- (d) Vacation pay or sick leave pay (that the member elects to receive).
 - (e) Any net earnings from self-employment for the taxable year.
 - (f) Insurance settlements (see para 2–3d(2)).
 - (g) Other compensation received for personal services and employee compensation that are included in gross income.
- (6) Notify the unit commander or designated representative of any outside insurance settlements as a result of the injury, illness, or disease. Civilian insurance settlements may not be counted as income, unless the payment is for lost income.
- (7) Notify the unit commander or designated representative upon any changes of nonmilitary work status if you are receiving INCAP pay for loss of nonmilitary earned income. If you voluntarily terminate the nonmilitary employment status (quit the civilian job) where you were receiving loss of nonmilitary earned income, your entitlement to INCAP pay will terminate.
- (8) Notify the unit commander or designated representative if you are a student. Students who cannot perform military duty will be paid for loss of military income. Students claiming loss of nonmilitary earned income can only receive INCAP pay for this loss if they cannot perform the job held when they became incapacitated.
- (9) If self-employed or have seasonal income, submit copies of Federal income tax forms. Supporting documentation (including IRS Form 1040, Schedule C) filed with the IRS together with any claims made with, or benefits paid by, any income protection plan along with IRS Form 1040, Better Business Bureau verification, and so forth.
- (10) Obtain statements from employers regarding nonmilitary employment status.
- (11) Provide a history of pay record, or pay stubs, to establish proof of income, and so forth.
- (12) Provide IRS Form W–2 (Wage and Tax Statement), IRS Form 1099–G (Certain Government Payments), and so forth, for relevant years.
- (13) Notify the unit immediately about any change of status, or employment status.
- (14) Not use non-receipt of IDT pay in computing loss of nonmilitary earned income.
- b. Section II. The unit’s roles and duties—*
- (1) Adhere to the checklist in appendix C to compile the completed applications, after each calendar month of the requested claim period.
- (2) Initiate and process all INCAP pay claims or cases within eMMPS. The LOD case relevant to the ILD condition for the INCAP pay request must exist within the system. The INCAP case will initiate from the LOD case.
- (3) Ensure the following required documents if applicable, are present before the case can be process to the IRB authority:
- (a) DA Form 4856.
 - (b) For an ILD determination, use DD Form 261 (Report of Investigation Line of Duty and Misconduct Status) for a formal determination. For an informal decision, use the approval authority memo accompanied by the DA Form 2173 (Statement of Medical Examination and Duty Status) as uploaded in the eMMPS LOD case file.
 - (c) Complete DA Form 7574, sections I and II, for each calendar month claimed. Ensure each section is signed on the last date of the claim or later.
 - (d) Medical supporting documents: DA Form 3349; a medical treatment plan (this is a documented plan that describes the condition, procedure(s), and treatment required for the ILD condition. The treatment plan must include a detailed diagnosis and prognosis, and clearly define the period of time required to convalesce, recover, and/or recuperate from the ILD condition as prescribed by the attending provider—a physician or specialist (see fig D–1)); relevant documents provided by the attending physician, specialist, or place of authorized care related to the ILD condition. This may include, but is not limited to, documentation supporting scheduled kept, or cancelled appointments; notes from the attending provider documenting care; approved referrals to additional specialists; and therapy appointments. Note: AR 40–66 provides guidance on protected health information.
 - (e) Financial supporting documents, which are critical to verify employment status. All claim requests, regardless of tier type, must validate any earned nonmilitary income during a requested claim period in order to certify the amount of INCAP pay (if approved) for disbursement to the member. Financial supporting documents include, but are not limited to: tax documents (historical retroactive claims) for previous tax year (IRS Form W–2, IRS Form 1040, and so forth); self-employment business certification(s); military leave and earnings statement (LES); civilian earning statement(s); civilian job or duty description; employer justifications; documents supporting any paid duty performed and retirement points (must be one of these: DA Form 1379, sign-in roster, or DA Form 1380); documentation necessary to support authorized special pay; supporting documents for overseas housing allowance (proof of address, mortgage, or rental agreement); a commander’s memorandum, a sample of which is shown in appendix D (see fig D–2).
- (4) Notify Soldiers that non-receipt of IDT pay cannot be used in computing loss of nonmilitary earned income.
- (5) Inform Soldiers that the absence of any item on the checklist may cause a denial determination on the request.
- (6) Advise and monitor the status of an INCAP pay claim filed within eMMPS for final action.

(7) Contact the IRB authority, approval authority, and or appellate authority for a status update on any INCAP pay request.

c. Section III. The IRB authority roles and duties—

(1) All INCAP pay requests are uploaded at the unit or State level and routed to the IRB convening authority via the eMMPS. Once received, the IRB reviewing authority—

(a) Receives, reviews, and verifies claim documents submitted by the RC member.

(b) Prepares each INCAP pay case for review by the IRB.

(c) Conducts the IRB meeting.

(d) Completes DA Form 7574, sections III and IV.

(2) The designated military medical provider (within the IRB reviewing authority purview) completes part III validating applicable tier eligibility for compensation. Reviewing the supporting medical documents is crucial to determine tier type.

(3) The next step is to validate financial requirements to support tier payment. A review of the financial supporting documents determines INCAP pay eligibility—based on applicable tier type—if there is clear evidence to support earned income and/or the demonstrated loss of nonmilitary earned income. This is a requirement for every request for INCAP pay.

(4) The IRB authority reviewer certifies the DA Form 7574, upon completion of the IRB meeting, in section IV, and provides a detailed recommendation to the appropriate approval authority.

(a) Army National Guard (ARNG) IRB(s) provide recommendations (see fig D-3) to the National Guard Bureau, Deputy Chief of Staff, G-1 (DCS, G-1).

(b) U.S. Army Reserve (USAR) IRBs provide recommendations to the U.S. Army Reserve Command (USARC), DCS, G-1 (see fig D-3).

(c) U.S. Army Human Resources Command (AHRC) IRB(s) provide recommendations to Headquarters, Department of the Army, DCS, G-1 (see fig D-3).

(5) For all appeals, the IRB conducts re-board actions and provides recommendations to the appropriate approval authority.

d. Section IV. The approval authority—

(1) Certifies RC member entitlement to INCAP pay.

(2) Validates all criteria requirements to INCAP pay.

(3) Ensures the claim request is for an ILD condition. LDIs must be completed to meet the eligibility criteria for INCAP pay. Refer to AR 135-381 for limitations on requesting an LDI and exceptions to policy pertaining to LDI. There are two types of ILD determinations:

(a) Informal (findings indicated in memo format from the authorized approval authority).

(b) Formal (findings indicated on a DD Form 261).

(c) All ILD determinations are accompanied by the DA Form 2173.

(d) Incapacitation pay claims are initiated in eMMPS directly from the ILD case. All documents related to the ILD case will transfer automatically to the INCAP pay case.

(4) Ensures members requesting tier 1 INCAP pay have not performed (to include points only) and/or been paid for any duty during the requested claim period(s). Exceptions include members completing medical or dental readiness periods to meet medical readiness standards.

(5) Ensures medical supporting documents are present with the claim; also, identifies cases that may require additional medical or non-medical case management referral for IDCS or other special actions.

(6) Verifies financial documentation for pay action and that the required documents are present for final pay action.

(7) Validates all requirements for request are present and certify the current tier request.

(8) Maintains a log or tracking system of all claims received, indicating dates received and forwarded, and current status. Also include date of incident, type of ILD condition, and date when the pay and allowance commenced.

(9) If applicable, tracks all denied requests and subsequent appeals with final determination for all actions.

(10) Monitors the overall INCAP pay annual expenditure trends.

(11) Provides metrics, upon request, to senior leadership or HQDA DCS, G-1.

(12) Maintains historical record of all claims within eMMPS.

(13) Reviews and adjudicates all requests for INCAP pay up to 1 year (12 months), to include claims that exceed the 6-month statutory limit for INCAP pay.

(14) Reviews and provides recommendation to HQDA DCS, G-1 for all claim requests exceeding 1 year (12 months).

(15) Reviews and provides recommendation to HQDA DCS, G-1 for all appeals.

(16) Completes DA Form 7574, section V; reviews and forwards to appropriate DCS, G-1 (appellate authority) to complete part VI.

(17) Processes all approved claims to the authorized pay and finance office for final pay action.

- (18) Helps unit obtain authorized medical treatment, as needed.
 - (19) Helps unit obtain completed LDI from approving authority, as necessary.
 - (20) Plans for travel expenses related to authorized medical treatment.
 - (21) Monitors and reviews all LDIs to ensure timely and accurate completion by the unit and the approving authority through records, reports, and assistance visits.
- e. Section V. The appellate authority—*
- (1) Adjudicates all appeals.
 - (2) Certifies member entitlement to INCAP pay, and validates all criteria requirements for the pay.
 - (3) Provides decision memorandums to the approving authorities for processing, in accordance with this publication.

Table 2–3
Appeal process for denied incapacitated pay requests

Step	Level	Process (all actions are routed via eMMPS)
1	-----	Completes all six steps in either table 2–1 or 2–2.
2	Approval authority	1. - Receives IRB recommendation; adjudicates claim (denial). 2. - Notifies RC member via denial memorandum (see fig D–5).
3	RC member	1. - Can request reconsideration (within 30 days upon receipt of notification). 1. - Can accept the approval authority’s determination (case closed). 2. - If requesting reconsideration to the approval authority, submits a request for reconsideration by: 1. - Providing formal (written) justification to the approval authority. 2. - Providing any additional, necessary supporting documentation. 3. - Submitting to a unit representative for processing, via eMMPS, to IRB authority. 4. - See step 5.
4	IRB authority	5. Re-boards case and provides recommendation to the approval authority, via eMMPS.
5	Approval authority	6. Receives IRB recommendation; reconsiders request with these steps: - Completes DA Form 7574, section V, and appropriate memorandum. 1. - Favorable action: approves (process for pay action and finalize case). 2. - Unfavorable action: upholds denial decision (go to step 8). 3. - Uploads documents in eMMPS and finalizes case actions. 4. - Notifies RC member of decision to uphold denial decision (see fig D–7). 1. - Accepts approval authority determination (case closed). 2. - Requests option to appeal (go to step 9).
6	RC member	3. Can appeal (within 30 days upon receipt of notification): 1. - Provides formal justification to DCS, G–1 through the approval authority. 2. - Provides any additional, necessary supporting documentation. 3. - Submits appeal to unit representative for processing, via eMMPS, to IRB authority.
7	IRB authority	a. Re-boards case: 1. - Provides recommendation to DCS, G–1 through approval authority (memorandum). 2. - Routes recommendation to approval authority via eMMPS.
8	Approval authority	b. Reviews IRB recommendation: 1. - Provides approval authority denial determinations as enclosures. 2. - Routes appeal to DCS, G–1 via eMMPS.
9	DCS, G–1	c. Reviews and adjudicates appeal: 1. - For approval, provides memo to approval authority for pay processing. 2. - For denial, provides memo to approval authority for processing.
10	Approval authority	d. Receives appeal determination from DCS, G–1 and processes accordingly: 1. - For approval, processes through finance office and closes case. 2. - For denial, notifies RC member and closes case.

Chapter 3 Incapacitation Review Board Procedures

3–1. General

The ARNG, USAR, and AHRC (for Individual Ready Reserve (IRR)/individual mobilization augmentee (IMA) Soldiers) will establish IRB(s). Refer to DA Pam 135–381 for procedures to conduct an IRB.

3–2. Board purpose

The purpose of the IRB is to:

- a. Protect the members' rights by ensuring that applicable entitlements and benefits are provided to members eligible to receive such benefits and entitlements as prescribed by law, DOD policy, and Army regulations.
- b. Protect the interests of the Government by controlling costs and eliminating fraud, waste, and abuse by RC members receiving unauthorized health care and compensation entitlements.

3–3. Board meeting frequency

IRBs are required to meet a minimum of once a month as long as a case is open. Cases should not sit at the IRB authority for more than 30 days without notification to the member, unit, and approval authority providing justification for the delay.

3–4. Duties and responsibilities

The duties and responsibilities of the IRB are to:

- a. Receive and review each INCAP pay case monthly, in a timely and efficient method.
- b. Ensure each monthly claim request adheres to the required documents on the INCAP pay checklist (see app C).
- c. Determine the tier type.
- d. Provide recommendations concerning an RC member's entitlement to, and type of, INCAP pay to the approval authority.
- e. Recommend continuation or termination of benefits to the approving authority, consistent with entitlement under governing law and regulation. Recommendation justifications for consideration include, but are not limited to, the following:
 - (1) Identify issues or concerns with the ILD determination. Recommend review of determination, if necessary.
 - (2) Identify previously authorized and paid claims. Provide the number of paid claims, tier type, claim period dates, and gross amount paid to member.
 - (3) Identify issues with insufficient documentation.
 - (4) Identify individuals who may require an immediate medical examination to determine ability to perform duty. Recommend a fit-for-duty exam, or inquiry into profile history or status.
 - (5) Identify individuals who have met the medical retention decision point and are, or are not, enrolled in IDES. Identify individuals enrolled into IDES and where they are in the IDES process, to include a medical evaluation board (MEB) or physical evaluation board (PEB).
 - (6) Identify individuals who have completed IDES and are filing out-of-service claims for payment, using DD Form 827 (Application for Arrears in Pay).
 - (7) Identify the estimated (or known) number of claims that may follow.
- f. Report directly to the approving authority on the status of all incapacitation personnel actions.
- g. Make recommendations to enhance the program.
- h. Provide uniformity and consistency in the administration of INCAP pay program.
- i. Provide judicious action on all requests. Incomplete requests will be recommended for denial to the approval authority immediately with annotated deficiencies.
- j. Review and provide due process on all appeal actions. All appeal request must be re-boarded.
- k. Provide recommendations concerning medical retention standards to the appropriate medical authority for evaluation of the member's disabling condition and requirements for referral to the IDES.
- l. Help the unit, as necessary, to obtain authorized medical treatment for the member.
- m. Help the unit, as necessary, to obtain the member's completed LDI from approving authority.
- n. Monitor and review all LDIs to ensure timely and accurate completion by the unit and the approving authority through records, reports, and assistance visits.

3–5. Membership

Each IRB consists of at least three voting members, a recorder, and other advisory personnel if available, as follows:

a. Voting members:

(1) Board president: as a minimum, a commissioned officer (major/O4). State surgeons are not authorized as IRB presidents.

(2) Medical provider: a credentialed, commissioned provider (Medical Corps, Dental Corps, physician assistant, or nurse practitioner).

(3) Other voting member(s), military or civilian, as determined by the IRB president.

b. Non-voting members:

(1) Legal advisor: A credentialed legal advisor (military or civilian).

(2) A recorder (military or civilian).

3–6. Board member roles and responsibilities

a. Board recorder. Typically this is the IRB authority's administrative reviewer. This individual is more familiar with each case presented before the board and:

(1) Receives, reviews, and prepares each board packet for board action.

(2) Organizes case files per INCAP pay checklist (app C).

(3) Provides memorandum of instruction, or standard operating procedures, to the board.

(4) Identifies key points and/or deficiencies for the board members for case introduction.

(5) Highlights key areas of entitlement eligibility, prior to convening of board.

(6) Captures board minutes.

(7) Drafts board recommendation for signature.

(8) Reviews appeal requests and provide applicable feedback to updated recommendation to the approval authority.

b. Medical provider. This person will meet the criteria in paragraph 3–5a(2), and:

(1) Evaluates supporting medical documents, to include physical profile and military treatment plan. The medical provider also determines tier eligibility, based on ability to perform military duties and/or limitations to perform nonmilitary employment, as prescribed by attending physician and supporting documentation.

(2) Ensures limitations for tiers 1 or 2 are fully supported within the provided medical documents.

(3) Ensures the request for INCAP is specific to the ILD condition only.

(4) Validates the INCAP as clearly defined, to identify the claim period.

(5) Completes DA Form 7574, section III, as required. Completion of form, and tier identification, serves as a board vote.

(6) Provides required feedback to the board for recommendation to the approval authority.

(7) Influences necessary medical readiness impacts for the RC member, as appropriate.

(8) Reviews appeal requests and provides applicable feedback to updated recommendation to the approval authority.

c. Legal advisor. This person meet the criteria in paragraph 3–5b(1), and:

(1) Reviews the INCAP pay case request, as presented to the IRB, and determines if claim is legal sufficient.

(2) Provides feedback to the IRB for recommendation to the approval authority.

(3) Reviews appeal requests and provides applicable feedback to updated recommendation to the approval authority.

d. Voting member. This person will meet the criteria in paragraph 3–5a(3), and:

(1) Reviews the INCAP pay case request, in its entirety, for entitlement of INCAP pay.

(2) Reviews eligibility criteria, specific to ILD validation, supported by applicable medical and financial documentation, and the appropriate tier recommendation.

(3) Reviews financial documentation, and ensures all necessary paperwork is present to validate and/or certify the claim.

(4) Provides necessary feedback to the board for recommendation to the approval authority.

(5) Reviews appeal requests, and provides applicable feedback to updated recommendation to the approval authority.

(6) Provides a second board vote

e. Board president. This person will meet the criteria in paragraph 3–5a(1), and:

(1) Reviews the INCAP pay case request, as presented to the board, for entitlement to INCAP pay.

(2) Reviews board members' recommendations, and makes a final IRB vote.

(3) Provides final comments to the board recorder to summarize board minutes and give the final recommendation to the approval authority.

3–7. Documents to be considered by the board

The following documents will be considered by the IRB in every case:

- a. Final ILD determination (informal or formal). The board may also view ILD documents:
- b. DA Form 285 (U.S. Army Accident Report).
- c. Police reports.
- d. Training schedule, DA Form 1380, orders (with amendments, if applicable).
- e. DA Form 4856.
- f. Commander's incapacitation pay recommendation memo.
- g. DA Form 7574.
- h. Medical documentation. This includes:
 - (1) DA Form 3349.
 - (2) Medical treatment plan.
 - (3) Additional medical documents (records or statements from the attending physician or specialist; history of scheduled, kept, and terminated appointments; therapy notes; and so forth.).
 - (4) IDES enrollment (MEB or PEB) validation (if applicable).
- i. Statements and documentation submitted by the member (relevant to appeals).
- j. Supporting financial documents. These include:
 - (1) Tax documents (for retroactive periods: IRS Form W-2, IRS Form 1040s, and so forth).
 - (2) Self-employment business certifications.
 - (3) Military LES.
 - (4) Non-military LES, or pay stubs.
 - (5) Non-military job description.
 - (6) Employer justifications (as necessary to explain absence, lack of pay, or termination).
 - (7) DA Form 1380, for retirement points only.
 - (8) Documentation to support receipt of military special pay.
 - (9) Documentation to support receive of OHA.
- k. History of incapacitation pay received for the approved ILD condition.
- l. History of incapacitation pay received for a different ILD condition.

3-8. Incapacitation claim files

All documents related to an INCAP claim are uploaded into the designated eMMPS case file and maintained for historical purposes. Incapacitation case files will reside in eMMPS permanently. Recommendations made by the IRB must be uploaded and maintained in eMMPS. Units, commands, IRBs, or approval authorities may access or review cases regardless of the current status of the claim. Files will be retired rather than destroyed, per AR 25-400-2.

3-9. Submission of documents to the board

Commanders or their designated representatives will submit documentation specified in paragraph 3-7 and figure D-2 of this DA pamphlet directly to the IRB, via eMMPS.

3-10. Incapacitation pay validation

The board must carefully review the facts and supporting financial documentation provided by the member. The member must clearly show and satisfactorily demonstrate the loss of nonmilitary earned income and any earned income within the requested claim period. Claims without validation of earned or loss of nonmilitary earned income will be recommended for denial to the approval authority.

3-11. Statements from civilian physicians, surgeons, and other health care providers

Statements submitted by a member or commanders from non-Government health care providers, concerning a case are acceptable and often useful. With regard to a member's inability to perform military duties, the opinion of military medical physician will govern.

3-12. Reporting board results

a. The IRB recommendation memo (see fig D-3), supported by IRB minutes, are uploaded and submitted to the appropriate approval authority via eMMPS for each claim request. IRB minutes must capture board method (formal, in-person, virtual), date convened, membership, member votes and methodology or justification.

b. The IRB provides monthly status reports to the approval authority. Reports will capture monthly, quarterly, and annual metrics detailing tier type, claim trends (under and over 6-month analysis), and budget expenditure.

3–13. Limits on payment of incapacitation pay

A member will not be authorized INCAP pay if any of the following criteria exist:

- a. When the injury, illness, or disease or the aggravation of an injury, illness, or disease is the result of gross negligence or misconduct.
- b. When the injury, illness, or disease occurred NLD.
- c. When the injury, illness, or disease occurred not in a valid duty status.
- d. When the injury, illness, or disease was incurred or aggravated while completing correspondence courses.
- e. When a loss of nonmilitary compensation is as a result of an unauthorized elective medical, surgical, or dental treatment.
- f. When an injury or illness is incurred or aggravated during airborne operations not authorized per AR 135–381.
- g. For travel status related injury, illness, or disease when travel is not direct and/or completed within a reasonable period of time.
- h. Beyond the 6-month statutory limitation, in relevant part, unless approved by the SECARMY, or a designee. Military technicians are not authorized incapacitation pay while in a civilian status. Entitlement to health care, compensation, or travel and transportation benefits are only authorized while in a qualifying military duty status.

3–14. Appeals

The following information addresses procedures concerning appeals to INCAP pay:

- a. A member may request reconsideration of a denied claim to the appropriate approval authority. Members are authorized 30 days, from confirmed receipt of notification, to provide a formal (written) request for reconsideration, supported by documentation to substantiate their request. The member must sign the formal request, unless the member is physically unable to or is mentally incompetent, as determined by proper authorities and documentation. In such cases, the request will include evidence of the condition which prevents the member from signing.
- b. The approval authority may authorize payment, if favorable considered, based on documents provided within the request. If unfavorably considered, the approval authority may uphold their denial decision. Members are then authorized 30 days, from confirmed receipt of notification, and may provide a formal request for appeal, supported by documentation to substantiate their request to the appropriate DCS, G–1.
- c. The Chief, National Guard Bureau, Chief of Army Reserve, and the Commander, AHRC, or delegated designee(s), may reconsider denied claims up to 12 months.
- d. The HQDA DCS, G–1 will adjudicate all appeals under this policy. The Army Board for Correction of Military Records is the final Service appellate authority, under 10 USC 1152.
- e. Requests for reconsideration are initiated and routed through eMMPS to the IRB authority. The IRB will re-board the request and provide a recommendation to the appropriate approval authority.
- f. Appeal requests are initiated and routed through the eMMPS module with exception to RC members supported by HRC.
- g. In the event appeals cannot be routed through eMMPS, they are sent to:
 - (1) For ARNG: ARNG, DCS, G–1, Personnel Division (HRP–P), Arlington, VA 22204.
 - (2) For USAR: USARC, G–1 (AFRC–PR), 4710 Knox Street, Building 8–1808, Fort Bragg, NC 28310.
 - (3) For AHRC: Commander (AHRC–ZA), 1600 Spearhead Division Road, Fort Knox, KY 40122.
 - (4) For HQDA: DCS, G–1 (DAPE–PRC), 300 Army Pentagon, Room 2B453, Washington, DC 20310–0300.
- h. Assistance with appeals may be obtained from the member’s supporting legal assistance office, the assisting IRB authority office, or the approving authority office.
- i. For an example of a denial of an INCAP memo, see appendix D (fig D–5).

3–15. Special considerations for the board

- a. *Historical claims.* Any member who files an INCAP pay claim with dates that exceed 12 months from the date of the application may provide written justification to the IRB if any criteria or items of the checklist are not met. Examples may include:
 - (1) Members who are unable to receive a medical treatment plan from their attending physician must provide a letter to the board.
 - (2) RC members filing a large number of retroactive claims, at one time, may receive a single counseling (app D) from the commander, along with a single commander memo for the request—as long as the commander’s justification within his memo matches his recommendation on the separate DA Form 7574 for each monthly claim.
 - (3) RC members have the right to provide legal documentation for their cases.

b. Statute of limitations. In accordance with DODI 1340.21 and Section 3702(b), Title 31, United States Code, the statute of limitations (SOL) on filing a claim for unpaid military pay and allowances is 6 years. Each RC will establish internal processing procedures for addressing the SOL on INCAP payments.

c. Out-of-service claim. RC members who did not initiate a claim for incapacitation pay prior to separation or retirement from service may petition the ABCMR for relief regarding any disposition of their claim. Complete a Department of Defense (DD) Form 149 (Application for Correction of Military Record Under the Provisions of Title 10, United States Code, Section 1552), with supporting documentation, and submit to the Army Review Boards Agency (ARBA) for consideration, in accordance with the instructions on the form or via the ARBA website at <https://arba.army.pentagon.mil/>. Application requests filed through ABCMR do not guarantee approval.

d. Retirement points. RC members unable to perform military duties (tier 1 cases) and authorized incapacitation pay will not be allowed (based on commander's discretion, identified in the commander's recommendation memo) to participate in an inactive duty status. The RC member may earn retirement points in order to satisfy the requirements for a qualifying year of service, by completing correspondence courses approved by the SECARMY.

Appendix A

References

Section I

Required Publications

AR 135–381

Incapacitation of Reserve Component Soldiers (Cited in para 2–2a(6).)

AR 600–8–4

Line of Duty Policy, Procedures, and Investigations (Cited in para 2–2a(2).)

DOD 7000.14–R

Department of Defense Financial Management Regulation (Cited in para B–4.) (Available at <http://comptroller.defense.gov/fmr.aspx>.)

DODI 1241.01

Reserve Component Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements (Cited in para 2–2c(3)(e).)

Section II

Related Publications

A related publication is a source of additional information. The user does not have to read it to understand this publication. Unless otherwise indicated, Army publications are available on the Army Publishing Directorate (APD) website, at <https://armypubs.army.mil/>. USC material is available at <https://www.govinfo.gov/>.

AR 15–185

Army Board for Correction of Military Records

AR 25–30

Army Publishing Program

AR 25–400–2

The Army Records Information Management System (ARIMS)

AR 40–66

Medical Record Administration and Health Care Documentation

AR 40–501

Standards of Medical Fitness

AR 190–45

Law Enforcement Reporting

AR 635–40

Disability Evaluation for Retention, Retirement, or Separation

UCMJ

Manual for Courts Martial: UCMJ (Available at <https://www.jagcnet.army.mil/sites/crimlaw.nsf/>.)

5 USC 552a (b)

Records maintained on individuals: conditions of disclosure

10 USC 671

Members not to be assigned outside United States before completing training

10 USC 1152

Assistance to eligible members and former members to obtain employment with law enforcement agencies

10 USC 7013

Secretary of the Army

10 USC 10301

Reserve Forces Policy Board

10 USC 12301(d)

Reserve components generally

10 USC 12304

Selected Reserve and certain Individual Ready Reserve members; order to active duty other than during war or national emergency

18 USC 287

False, fictitious, or fraudulent claims

32 USC 316

Detail of members of Army National Guard for rifle instruction of civilians

32 USC 502(f)

Required drills and field exercises

32 USC 708

Property and fiscal officers

37 USC 204

Entitlement

37 USC 206

Reserves; members of National Guard: inactive-duty training

50 USC 3809

Selective Service System

50 USC App 3809

The Military Selective Service Act

Section III

Prescribed Forms

Unless otherwise indicated, DA forms are available on the APD website (<https://armypubs.army.mil>).

DA Form 7574

Request and Certification for Incapacitation Pay (Prescribed in para 2–2a(9).)

Section IV

Referenced Forms

Unless otherwise indicated, DA forms are available on the APD website (<https://armypubs.army.mil>). DD forms are available on the Secretary of Defense website (<https://www.esd.whs.mil/directives/forms>). IRS Forms are available on the Internal Revenue Service website (<https://www.irs.gov>). VA Forms are available on the Veterans Affairs website (<https://www.va.gov>).

DA Form 285

Technical Report of U.S. Army Ground Accident

DA Form 1379

U.S. Army Reserve Components Unit Record of Reserve Training

DA Form 1380

Record of Individual Performance of Reserve Duty Training

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 2173

Statement of Medical Examination and Duty Status

DA Form 3349

Physical Profile

DA Form 4187

Personnel Action

DA Form 4856

Developmental Counseling Form

DD Form 261

Report of Investigation Line of Duty and Misconduct Status

DD Form 827

Application for Arrears in Pay

DD Form 2367

Individual Overseas Housing Allowance (OHA) Report

IRS Form 1040

U.S. Individual Income Tax Return

IRS Form 1040EZ

Income Tax Return for Single and Joint Filers With No Dependents

IRS Form 1040 – Schedule C

Profit or Loss from Business (Sole Proprietorship)

IRS Form 1065

U.S. Return of Partnership Income

IRS Form 1099–G

Certain Government Payments

IRS Form W–2

Wage and Tax Statement

VA Form 21–8951–2

Notice of Waiver of VA Compensation or Pension to Receive Military Pay and Allowances

Appendix B

Monthly Incapacitation Pay Counseling

B-1. Counseling Reserve Component members

Commanders must use the language in this appendix, on a DA Form 4856, to properly counsel the RC member on the criteria for entitlement to INCAP pay, and their ability or inability to perform military duties.

B-2. Purpose

The purpose of this counseling is to review the criteria for entitlement to INCAP pay and advise you of your rights and responsibilities in conjunction with your injury, illness, or disease that occurred or was aggravated while in a qualified duty status.

B-3. Relevant references

- a. Section 204, Title 37, United States Code.
- b. Department of Defense Instruction 1241.01, dated 19 April 2016.
- c. Please refer to AR 135-381 and DA Pam 135-381 for further guidance and information.

B-4. Key points of discussion

a. An RC member incurring or aggravating any injury, illness, or disease ILD is entitled to health care; pay and allowances; and travel and transportation benefits in accordance with 37 USC 204 and 37 USC 206. The amount of incapacitation pay a member may receive will be determined in accordance with DOD 7000.14-R and the Joint Travel Regulation (JTR).

b. An RC member is entitled to pay and allowances (of corresponding grade and length of service) whenever a member is incapacitated, as a result of an ILD condition, in accordance with 37 USC 204. The total compensation received will be reduced by the amount of any earned nonmilitary income (civilian or self-employment). The total amount of pay and allowances payable may not exceed the maximum amount of authorized pay and allowances (of corresponding grade and length of service).

c. RC members are entitled to appropriate medical, dental, and behavior health treatment options by the direct care program in an MTF, or SHCP with a civilian provider, for the ILD condition, in accordance with DODI 1241.01. If the resulting ILD condition cannot be materially improved by further hospitalization or treatment, the case will be processed and finalized through the IDES for determining return to duty, separation, or retirement when eligible for disability processing.

d. The ILD determination is a prerequisite for INCAP pay. RC members have 180 days from the date of injury, illness, or disease to report the incident or diagnosis. Exceptions are covered in AR 135-381.

e. There are two types of INCAP pay (tier 1 and tier 2) covering the inability to perform military duty, or the demonstrated loss of nonmilitary earned income.

f. Eligibility for INCAP pay is determined on a case-by-case basis. Each claim period (covering up to 1 calendar month) is filed separately.

g. Requests for INCAP pay may not exceed a period of more than 6 months unless extended by the SECARMY, or the SECARMY's designee.

h. Requests are filed through the chain of command and uploaded into the eMMPS.

i. Requirements from the RC member: approved ILD condition, DA Form 3349 for ILD condition, DA Form 7574, the medical treatment plan, additional medical supporting documents (if applicable), and supporting financial documents.

j. It is the commander's discretion, based on the physical profile and supporting documentation, to authorize any excused absences from scheduled training. This is relevant to tier I INCAP pay claim requests and will be reviewed monthly. RC members requesting tier I INCAP pay are not authorized to perform military duties and/or receive pay for duties, unless for approved correspondence courses. Performance of duty terminates eligibility for tier 1 INCAP pay. Soldiers who are unemployed are not eligible for tier 2 INCAP pay.

k. Requests are reviewed monthly. A recommendation is submitted by the unit commander (or a representative), to the IRB, who will determine tier type, validate all requirements, and provide final recommendation to the approval authority. If approved, claim(s) will process to the appropriate finance office. If denied, notification is sent with 30 days (upon confirmed receipt) to request reconsideration.

B-5. Plan of action for the Reserve Component member

- a. Comply with the key points of discussion from page one of this counseling.

- b.* Maintain a copy of the counseling in personal records for future reference.
- c.* If the Army determines your injury, illness, or disease was incurred or aggravated NLD, you have no entitlement to INCAP pay.
- d.* I understand, if filing for tier 2 INCAP pay, and in receipt of both Department of Veterans Affairs compensation and military compensation for duty performed, I must fill out a VA Form 21-8951-2 (Notice of Waiver of VA Compensation or Pension to Receive Military Pay and Allowances) and file it with my regional VA office with my election to waive either VA or military compensation.
- e.* I have read and understand the above counseling discussion points and understand my rights and responsibilities concerning my injury, illness, or disease condition.

Appendix C

Incapacitation Pay Checklist

C–1. Function

This checklist shows all the required documents for an INCAP pay request.

C–2. Final in line of duty determination

- a.* DA Form 2173.
- b.* Informal determination memorandum.
- c.* DD Form 261.

C–3. Commander’s memorandum

Figure D–2 shows one example.

C–4. DA Form 4856

This is the form used to properly counsel the RC member on the criteria for entitlement to INCAP pay and their ability or inability to perform military duties.

C–5. DA Form 7574

Unit members can help Soldiers fill out this form.

C–6. Incapacitation review board recommendation memorandum

This is only needed for IRB authorities.

C–7. Incapacitation review board meeting minutes

This is only needed for IRB authorities.

C–8. Medical documentation

- a.* DA Form 3349.
- b.* Medical treatment plan (military or civilian).
- c.* IDES enrollment (MEB or PEB).
- d.* Additional medical documents (scheduled and kept appointments, physical therapy).

C–9. Financial documentation (as applicable)

- a.* IRS Form W–2, IRS Form 1040s, and so forth.
- b.* Self-employment business certification(s).
- c.* Military LES.
- d.* Civilian leave and earning statement(s).
- e.* Job description (civilian).
- f.* Employer justifications.
- g.* DA Form 1379 or DA Form 1380 for retirement points only.
- h.* Documentation supporting special pay.
- i.* OHA-supporting documents.

C–10. Special considerations

- a.* Written request for reconsideration or appeal (RC member).
- b.* Letter to the board (RC member).
- c.* Legal representation.

Appendix D

Memorandum Templates

D–1. Medical treatment plan memorandum

Each diagnosis requires a detailed plan. Use the template in figure D–1 to create a plan.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

DATE

SUBJECT: Statement of Medical Condition and Treatment Plan

1. Soldier's Name [Last, First, MI] and [Soldier's DoD ID number]
2. Current Diagnosis and International Classification of Diseases, Tenth Edition (ICD-10) codes for each diagnosis:
 - a. Diagnosis/code
 - b. Diagnosis/code
 - c. Diagnosis/code
 - d. Diagnosis/code
3. Current Treatment Plan: (A detailed plan per diagnosis is required. Please include non-invasive care, surgical options and physical therapy with frequency and length of sessions, estimated duration and end dates. For conditions without a firm diagnosis, please provide recommended diagnostic studies and time frame to complete).
4. Treatment / recovery will take: [number of days, months or Unknown].
5. Prognosis for recovery: [provide for each diagnosis; must identify or articulate period of time to convalesce, recover, or recuperate due to incapacitation from military or civilian duties].
 - a. Attending Physician's Full Name: [Last, First MI]
 - b. Grade, Rank, and Title (if applicable): [O-4/MAJ, Military Physician]
 - c. Contact Information:
 - d. Address: [Office address]
 - e. Phone: [Including area code]
 - f. Email: [Military or civilian]
 - g. Signature: [Sign]

Figure D-1. Medical treatment plan template

D-2. Commander's memorandum

One of the steps a unit must take to file an incapacitation pay claim, before a line-of-duty finding is determined, includes writing the commander's memo. A template is provided in figure D-2.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(OFFICE SYMBOL)
DATE

MEMORANDUM FOR *Incapacitation Review Board Authority*

SUBJECT: Recommendation of Incapacitation (INCAP) Pay for **RANK, FIRST, MI. LAST NAME, (DoD ID number)**

1. Request (**approval or denial**) of the attached application for Tier **(1 or 2)** INCAP Pay for claim periods **XX MMM YYYY to XX MMM YYYY**. This request [**DOES or DOES NOT**] exceed the six month statutory limit for INCAP pay.
2. This request is based on an in line of duty (ILD) determination incurred on **(date of ILD condition)** while on **(insert training order type or duty status)**. *Address the RC Member's duty performance and readiness status – has the RC Member performed duty since the injury, are they currently receiving care, is a fit for duty exam required/necessary. Address the RC Member's attendance history.*
3. Address previous approved or paid INCAP periods. *RANK LAST NAME was previously approved and paid XX months of TIER (1 or 2) INCAP pay for claims XX MMM YYYY to XX MMM YYYY in the gross amount of \$\$\$.* Address any update(s) to profile (temporary or permanent profile) or enrollment into the Integrated Disability Evaluation System (IDES). Discuss issues with either of these processes. *SM received a permanent profile on XX MMM YYYY and is pending enrollment into the IDES.*
4. Address requested TIER status. His inability to perform military duties: If TIER 1: *Pursuant to his DA 3349 and due to his ILD condition, RANK LAST NAME was approved for a six week convalescence period and is unable to perform any military duties from XX MMM YYYY to XX MMM YYYY. He is expected to return to duty on XX MMM YYYY and will be re-evaluated on XX MMM YYYY.* If TIER 2: Address his demonstrated loss of earned income; discuss limitations, timeframe to recover, etc. *Pursuant to his Medical Treatment Plan and employer documentation, RANK LAST NAME is unable to return to his nonmilitary employment during this requested claim period. His expected return to work date is XX MMM YYYY. He was previously earning \$\$\$ a month and is currently losing \$\$\$ a monthly due to his ILD condition. After a review of his DA Form 3349, he is able to perform military duties and will attend battle assembly or M-day activities.*
5. I have personally reviewed the circumstances surrounding this case and firmly believe it [**DOES or DOES NOT**] meet the criteria established by law for entitlement.
6. For additional information, please contact *(insert appropriate POC) NAME, Position Title, Phone Number, and Email.*

Figure D–2. Commander's memo template (first page)

FOR THE *(INSERT APPROPRIATE AUTHORITY LINE)*:

(SIGNATURE BLOCK)

2 Encls

1. DA Form 7574
2. Other (as applicable)

CF:

IRB Authority (Office Symbol /POC)

Approval Authority (Office Symbol/POC)

Figure D-2. Commander's memo template (continued)

D-3. Incapacitation review board recommendation

After the IRB meets, a memorandum is sent from the board to the approval authority, to recommend approval or denial of the claim. Figure D-3 shows how the memorandum should look.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(OFFICE SYMBOL)
DATE

MEMORANDUM FOR *Approval Authority (with complete mailing Address)*

SUBJECT: Recommendation to **(Approve or Deny)** Tier **(1 or 2)** Incapacitation (INCAP) Pay for **RANK, FIRST MI LAST NAME, (DoD ID number)**

1. References:

- a. Army Regulation 135-381 (Incapacitation of Reserve Component Soldiers), DD MMM YYYY.

Department of the Army Pamphlet 135-381 (Incapacitation of Reserve Component Soldiers Processing Procedures), DD MMM YYYY.

2. The application for TIER **(1 or 2)** INCAP pay for claim periods XX MMM YYYY to XX MMM YYYY **(meets/does not meet)** the criteria established by law for entitlement. This request **(does or does not)** extend beyond the six month statutory limitation for compensation IAW 37 USC Section 204(i).

3. Pursuant to references 1a and 1b, an Incapacitation Review Board (IRB), with appropriate membership was conducted on **(INSERT DATE)**. A copy of the IRB minutes are enclosed.

4. Provide a brief synopsis of case background following board evaluation. If IDES or MEB/PEB status known, insert data here. ***This request is based on an approved formal line of duty (LOD) determination for (XX), a genetic condition aggravated from an injury that occurred on XX MMM YYYY. RANK LAST NAME was previously approved and paid XX months of TIER X INCAP pay for claim periods XX MMM YYYY to/through XX MMM YYYY in the gross amount of \$\$\$.***

5. Provide additional information relevant to the case as necessary or identify any special circumstances (include any recommendations to the approval authority for profiles, exams, IDES, insufficient documentation, investigation, etc. here). ***RANK NAME completed the Integrated Disability Evaluation System (IDES) process and was found unfit by the Physical Evaluation Board (PEB) with XX% disability. He was placed on the permanent disability retired list (PDRL) effective XX MMM YYYY. Due to his ILD condition, RANK NAME requires assistance with activities of daily living. He is expected to submit INCAP pay requests through his effective date of retirement.***

6. Request (approval/denial) and/or any additional exceptions here (ie: out of service claim, etc).

7. For additional information, please contact **(insert appropriate IRB/INCAP POC) NAME, Position Title, Phone Number, and Email.**

Figure D-3. Incapacitation Review Board recommendation memo template (first page)

FOR THE *(INSERT APPROPRIATE AUTHORITY LINE)*:

Encl
IRB Minutes

(SIGNATURE BLOCK)

Figure D-3. Incapacitation Review Board recommendation memo template—continued

D-4. Incapacitation review board minutes

The minutes from the board meeting must be included in the board’s submission to the approval authority. Figure D-4 shows a format for documenting the minutes.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(OFFICE SYMBOL)
DATE

SUBJECT: Incapacitation Review Board (IRB) Minutes

1. An IRB convened at 0000 hours and the following members were present:
 - a. Board President (Voting Member): **Rank, FIRST NAME, LAST NAME**
 - b. Medical Member (Voting Member): **Rank, FIRST NAME, LAST NAME**
 - c. Additional Member (Voting Member): **Rank/Title, FIRST NAME, LAST NAME**
 - d. Legal (Non-Voting Member): **Rank/Title, FIRST NAME, LAST NAME**
 - e. Board Recorder (Non-Voting Member): **Rank/Title, FIRST NAME, LAST NAME**
2. Board members were provided a copy of the IRB MOI and SOP.
3. Board packets were presented and reviewed on each case.
 - a. List each case with summary (case type, details, criteria, and disposition).
 - b. List each case with summary (case type, details, criteria, and disposition).
4. Pursuant to references 1a and 1b, an Incapacitation Review Board (IRB), with appropriate membership was conducted on **(INSERT DATE)**. A copy of the IRB minutes are enclosed.
5. For additional information, please contact the undersigned at **number and email**.

(BOARD PRESIDENT SIGNATURE BLOCK)

Figure D-4. Incapacitation review board minutes template

D-5. Denying a claim for incapacitation pay

When a claim is denied, the approval authority notifies the RC member directly in a denial memorandum, which is shown in figure D-5.

	DEPARTMENT OF THE ARMY ORGANIZATION STREET ADDRESS CITY STATE ZIP
(OFFICE SYMBOL) DATE	
MEMORANDUM THRU Commander, IRB Authority, Command (OFFICE SYMBOL), Mailing Address Commander, Unit, Mailing Address FOR RANK FIRST MI LAST NAME, Mailing Address	
SUBJECT: Denial of Incapacitation (INCAP) Pay – Tier (TYPE)	
1. Your application for INCAP Pay for claim periods DD MMM YYYY to DD MMM YYYY does not meet the criteria established by law for entitlement; therefore, it is denied.	
2. Your request is based on an approved (formal/informal) line of duty determination for your (condition) sustained on DD MMM YYYY during (insert type of duty performed and/or orders type) . Further detail reasons for denial (performance of duty, insufficient documentation, termination of medical care, no physical profile, no medical treatment plan, retired/separation, violation of profile/medical treatment plan, overturned ILD determination, missed appointments, false claim, withheld information, unemployment, etc.).	
3. You have the right to request reconsideration of this case. To do so, submit your written, formal request within 30 days of receipt of this memorandum, together with any additional substantiating documentation to your unit administrator/representative to upload as an appeal via the Electronic Medical Management Processing System (eMMPS).	
4. (As applicable). If you are separated or retired from the Army Reserve, you have the option to request assistance from the Army Board for Corrections of Military Records (ABCMR) regarding disposition of this claim. You may complete a Department of Defense Form 149, Application for Correction of Military Record under the Provisions of Title 10, United States Code, Section 1552, with supporting documentation to the Army Review Boards Agency through the online application process via their website at https://arba.army.pentagon.mil . Please note that filing a request through the ABCMR does not guarantee approval of the request.	

Figure D-5. Denial of incapacitation pay memo template (first page)

5. For additional information, please contact **(insert appropriate INCAP POC) NAME, Position Title, Phone Number, and Email.**

FOR THE *(INSERT APPROPRIATE AUTHORITY LINE)*:

(SIGNATURE BLOCK)

CF: *(as applicable)*
Unit Commander (OFFICE SYMBOL / POC)
Approval Authority (Office Symbol / POC)
DCS, G1 (DAPE-PRC / POC)

Figure D-5. Denial of incapacitation pay memo template—continued

D-6. Approving a claim for incapacitation pay

When a claim is approved, the approval authority must notify the appropriate finance office. Figure D-6 illustrates all the information that should be in the notification memo.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

OFFICE SYMBOL
DATE

MEMORANDUM FOR *appropriate finance office*

SUBJECT: Authorization of Incapacitation (INCAP) Pay for **RANK FIRST MI. LAST NAME**,
(DoD ID number)

1. References:
 - a. Army Regulation 135-381 (Incapacitation of Reserve Component Soldiers), DD MM YYYY.
 - b. Department of Army Pamphlet 135-381 (Incapacitation of Reserve Component Soldiers Processing Procedures), DD MMM YYYY.
2. The application for Tier **(1 or 2)** INCAP pay for claim period(s) **DD MMM YYYY – DD MMM YYYY** meets the criteria established by law for entitlement. *(as applicable) This claim exceeds the six month statutory limit for entitlement.* Payment is approved.
3. **RANK LAST NAME** earned **\$\$** of nonmilitary income during this claim period and/or demonstrated a loss of **\$\$** nonmilitary income during this claim period.
4. This request is based on an in line of duty (ILD) condition incurred on **XX MMM YYY** during a **(duty or order type)** period. *Detail limitations as prescribed by profile or medical treatment plan that may limit ability to perform military duties and/or demonstrate a loss of nonmilitary earned income. For example: RANK NAME is recovering from a procedure performed on DD MMM YYY to repair his/her ILD condition. The prescribed treatment plan indicates (minor / moderate / significant) limitations. His anticipated return to duty is DD MMM YYY or RANK LAST NAME returned to military duty on DD MMM YYYY. He was previously approved and paid TIER X pay for claim periods DD MMM YYY to DD MMM YYY in the gross amount of \$\$.* If necessary, detail applicable Medical Retention Decision Point (MRDP) and/or Integrated Disability Evaluation System (IDES) enrollment/process information here.

Figure D-6. Pay authorization memo template (first page)

5. For additional information, please contact **POC Title/RANK FIRST MI. LAST NAME, Position Title**, at **commercial phone** or **.mil email / group inbox**.

FOR THE *(INSERT APPROPRIATE AUTHORITY LINE)*:

(SIGNATURE BLOCK)

CF:
Commander, Unit (OfficeSymbol/POC)
IRB Authority (Office Symbol)
DCS, G-1 (DAPE-PRC/POC)

Figure D-6. Pay authorization memo template—continued

D-7. Reconsidering a denial for incapacitation pay memo template

When the RC member appeals a denied claim, the approval authority must notify the RC member about the results of the appeal request. Figure D-7 illustrates all the information that should be in the notification memo.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(OFFICE SYMBOL)

DATE

MEMORANDUM THRU
Commander, **IRB Authority, Command (OFFICE SYMBOL), mailing address**
Commander, **Unit, mailing address**
FOR RANK FIRST MI LAST NAME, mailing address

SUBJECT: Results of Reconsideration for Denial of Incapacitation (INCAP) Pay – Tier (**type**)

1. The request for reconsideration to your application for INCAP Pay, for claim periods **DD MMM YYYY** to **DD MMM YYYY**, does not meet the criteria established by law for entitlement; therefore, your request will be forwarded to the Deputy Chief of Staff, G-1, Headquarters, Department of the Army, 300 Army Pentagon, Washington, DC 20310-0300 for appellate review.
2. Your request is based on an approved (**formal/informal**) line of duty determination for your (**condition**) sustained on **DD MMM YYYY** during (**insert type of duty performed and/or orders type**). Further detail reasons for denial (performance of duty, insufficient documentation, termination of medical care, no physical profile, no medical treatment plan, retired/separation, violation of profile/medical treatment plan, overturned ILD determination, missed appointments, false claim, withheld information, unemployment, and so forth.).
3. You have the right to submit additional documentation. To do so, submit your written, formal request within 30 days of receipt of this memorandum, together with any additional substantiating documentation to your unit administrator/representative to upload as an appeal, via the eMMPS.
4. (As applicable.) If you are separated or retired from the Army Reserve, you have the option to petition the Army Board for Corrections of Military Records (ABCMR) for relief regarding disposition of this claim. You may complete a Department of Defense Form 149 (Application for Correction of Military Record) under the provisions of Section 1552, Title 10, United States Code, with supporting documentation, and submit to the Army Review Boards Agency (ARBA) in accordance with the instruction on the form, or via the ARBA website at <http://arba.army.pentagon.mil>. Please note that filing request through the ABCMR does not guarantee approval of the request.

Figure D-7. Reconsideration of a denial for incapacitation pay memo template

5. For additional information, please contact **(insert appropriate INCAP POC) NAME, Position Title, phone number, and email.**

FOR THE **(INSERT APPROPRIATE AUTHORITY LINE):**

(SIGNATURE BLOCK)

CF: *(as applicable)*
Unit Commander (OFFICE SYMBOL / POC)
Approval Authority (Office Symbol / POC)
DCS, G-1 (DAPE-PRC)

Figure D-7. Reconsideration of a denial for incapacitation pay memo template—Continued

Glossary

Section I

Abbreviations

AD

active duty

ADT

active duty for training

AGR

Active Guard and Reserve

AHRC

Army Human Resources Command

APD

Army Publishing Directorate

ARBA

Army Review Boards Agency

ARNG

Army National Guard

ARNGUS

Army National Guard of the United States

AT

annual training

DA

Department of the Army

DCS

Deputy Chief of Staff

DCS, G-1

Deputy Chief of Staff, G-1

DHA

Defense Health Agency

DOD

Department of Defense

DODD

Department of Defense directive

DODI

Department of Defense instruction

eMMPS

Electronic Medical Management Processing System

FTNGD

full-time National Guard duty

HRC

Human Resources Command

IDES

Integrated Disability Evaluation System

IDT

inactive duty training

ILD
in line of duty

IMA
individual mobilization augmentee

INCAP
incapacitation

IRB
incapacitation review board

IRR
Individual Ready Reserve

IRS
Internal Revenue Service

JTR
Joint Travel Regulations

LDI
line of duty investigation

LES
leave and earnings statement

LOD
line of duty

MEB
medical evaluation board

MEDCHART
Medical Electronic Data Care History and Readiness Tracking

MTF
medical treatment facility

MUTA
multiple unit training assembly

NGB
National Guard Bureau

NLD
not in line of duty

OHA
overseas housing allowance

PEB
physical evaluation board

RC
Reserve Components

RD
readiness division

SECARMY
Secretary of the Army

SHCP
Supplemental Health Care Program

SOL
statute of limitations

TASS

Total Army School System

TDA

tables of distribution and allowances

TOE

table of organization and equipment

TPU

troop program unit

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USC

U.S. Code

Section II**Terms****Active Army**

The Active Army consists of (1) Active Army Soldiers on active duty; (2) Army National Guard of the United States (ARNGUS) and USAR Soldiers on active duty (except as excluded below); (3) ARNG Soldiers in the service of the United States pursuant to a call to active duty; and (4) all persons appointed, enlisted, or inducted into the Army without component. Excluded are Soldiers serving on ADT; Active Guard and Reserve status; active duty operation support – Reserve Component for 179 days or fewer; and active duty pursuant to the call of the President (10 USC 12304).

active duty

Full-time duty in the active Military Service of the United States. As used in this regulation, this term applies to ARNG and AR Soldiers who are serving in full-time duty and includes full-time training duty, annual training duty, full-time National Guard duty, and attendance, while in the active service, at a school designated as a service school by law or by the Secretary of the Army. This includes Active Guard and Reserve (see DODI 1215.06, Encl. 3).

Active Guard and Reserve

AR and ARNGUS personnel serving on AD under 10 USC 12301(d) and ARNG personnel serving on full-time National Guard duty under 32 USC 502(f). These personnel are on FTNGD duty or AD (other than for training or AD in the Active Army) for 180 days or more for the purpose of organizing, administering, recruiting, instructing, or training the RCs and are paid from National Guard, Army, or Reserve personnel appropriations. Exceptions are personnel ordered to AD as General officers, U.S. Property and Fiscal Officers under 32 USC 708, members assigned or detailed to the Selective Service System under the Military Selective Service Act (50 USC App 460), members of the Reserve Forces Policy Board serving under 10 USC 10301, and members of RC on active duty to pursue special work per 10 USC 641(1)(E).

active service

Service on active duty or full time National Guard duty.

active status

The status of an ARNGUS or AR commissioned officer, other than a commissioned warrant officer, who is not in the inactive ARNG, in the Standby Reserve (Inactive List), or in the Retired Reserve.

aggravated

The worsening of a pre-existing medical condition over and above the natural progression of the condition as a direct result of military duty.

Army

The Active Army, Army National Guard, and the Army Reserve.

Army commands

U.S. Army Forces Command, U.S. Army Training and Doctrine Command, U.S. Army Material Command

Army National Guard

That part of the organized militia of the several States and territories, Puerto Rico, and the District of Columbia, active and inactive, that—

- a. Is a land force.
- b. Is trained, and has its officers appointed, under the sixteenth clause of Section 8, Art. I, U.S. Constitution.
- c. Is organized, armed, and equipped wholly or partly at Federal expense.
- d. Is federally recognized.

Army National Guard of the United States

The Reserve Component of the Army, all of whose members are members of the ARNG. The ARNGUS consists of:

- a. Federally recognized units and organizations of the ARNG.
- b. Members of the ARNG who are also Reserves of the Army.

Army service component commands

U.S. Army Africa, U.S. Army Central, U.S. Army North (Fifth Army), U.S. Army South, U.S. Army Europe, U.S. Army Pacific, U.S. Army Special Operations Command, U.S. Army Surface Deployment Distribution Command, U.S. Army Space and Missile Defense Command/Army Forces Strategic Command, U.S. Army Cyber Command

Basic training

Initial entry training that provides non-prior service enlisted personnel instruction in basic skills common to all enlisted Soldiers and precedes advanced individual training.

direct reporting units

U.S. Army Test and Evaluation Command, U.S. Army Military District of Washington, United States Military Academy West Point, U.S. Army War College, U.S. Army Installation Management Command, U.S. Army Marketing and Engagement Brigade, U.S. Army Corps of Engineers, U.S. Army Reserve Command, U.S. Army Acquisition Support Center, U.S. Army Intelligence and Security Command, U.S. Army Medical Command, U.S. Army Criminal Investigation Command, Arlington National Cemetery, U.S. Army Resources Command, U.S. Army Financial Management Command.

duty status

A member is considered to be in a duty status during any period of active duty, funeral honors duty, or inactive duty training; while traveling directly to or from the place at which funeral honors duty, or inactive duty is performed; while remaining overnight immediately before the commencement of inactive duty training or between successive periods of inactive duty training, at or in the vicinity of the site of the inactive duty training, if the site is outside reasonable commuting distance of the member's residence; and while remaining overnight at or in the vicinity of the place the funeral honors duty is to be performed immediately before serving such duty, if the place is outside of a reasonable commuting distance from the member's residence.

earned income

Wages, salaries, tips, professional fees, other compensation received for personal services and employee compensation that are included in gross income, plus any net earnings from self-employment for the taxable year. Earned income includes taxable compensation received by RC Members for the performance of Reserve duties. Employee pay is earned income if it is taxable. Nontaxable employee pay, such as certain dependent care benefits and adoption benefits, is not earned income. Earned income is shown in box 1 of an individual's IRS Form W-2, and is reported on line 7 of IRS Form 1040, or line 1 of IRS Form 1040EZ (Income Tax Return for Single and Joint Filers With No Dependents).

expiration of service obligation

The scheduled date on which an individual's statutory or contractual (whichever is later) Military Service obligation will end.

extended active duty

Active duty performed by a member of the ARNGUS or AR when strength accountability passes from the ARNG or AR to the Active Army.

full-time National Guard duty

Training or other duty, other than inactive duty, performed by a member of the ARNGUS or the Air National Guard of the United States in the member's status as a member of the National Guard of a State or territory, the Commonwealth of Puerto Rico, or the District of Columbia under section 32 USC 316, 502(f), 503, 504, or 505, for which the member is entitled to pay from the United States or for which the member has waived pay from the United States.

general officer command

An AR command authorized a general officer commander by a table of organization and equipment (TOE)/modified TOE or by tables of distribution and allowances (TDA).

Human Resources Command

HRC was formerly called AR-PERSCOM and HRC-St. Louis. HRC executes distribution, strategic talent management, personnel programs and services Army wide in order to optimize total force personnel readiness and strength for an agile and adaptive Army. HRC retains command ownership of the USAR Individual Ready, Standby, and Retired Reserve and administers the AGR and IMA programs.

incapacitation

Physical disability resulting from an injury, illness, or disease that prevents the performance of military duties as determined by the SECARMY, or when still physically able to perform military duty, causes a demonstrated loss of earned income from nonmilitary employment or self-employment engaged at the time he or she incurred or aggravated the injury, illness, or disease. All approved convalescence, recovery, or recuperation periods determined to be within the line of duty are considered incapacitation periods.

incurred

To occur as a result of, or during, military duty.

Individual Ready Reserve/Inactive National Guard

Consists of those ready reservists not in the Selected Reserve. Consists of the following categories: A manpower pool comprised principally of individuals having had training, having served previously in the Active Component or in the Selected Reserve, and having some period of their Military Service obligation remaining. Program examples include the Armed Forces Health Program, Delayed Entry Program, and inactive duty training.

initial entry training

A term used to identify mandatory training each Soldier of the U.S. Army must complete upon initial entry in the service to qualify in a military specialty or branch and which is required by law for deployability on land outside the continental limits of the United States, per 10 USC 671. The term encompasses the completion of basic training and specialty or branch qualification while serving on active duty or active duty for training. For ARNGUS and AR Soldiers it includes completion of initial active duty for training, the Officer Basic Course, and the Warrant Officer Basic Course.

Integrated Disability Evaluation System

A single set of disability medical examinations that identifies conditions that may render a Soldier unfit; a single set of disability ratings provided by VA for use by both departments. The system applies these ratings to the conditions it determines to be unfitting and compensable. The Soldier receives preliminary ratings for his or her VA compensation before separation or retirement for disability. See AR 635-40.

line of duty

A finding—after all available information has been reviewed—that determines an injury, illness, or disease was incurred or aggravated as a result of military duty not due to gross negligence or misconduct of the member. This includes a Reserve Component member on inactive duty training, funeral honors duty, traveling directly to or from such duty or training, or while remaining overnight, immediately before the commencement of—or between successive periods of—such duty.

line of duty determination

An administrative determination, based on the preponderance of the evidence, that an injury, illness, or disease was incurred or aggravated while in an authorized duty status and was or was not due to gross negligence or misconduct of the member.

military duties

The duties of any RC member's office, grade, rank, or rating as assigned by the commander within the limitations of an approved medical profile (DA Form 3349) and not the specialty or skill qualification any member held before incurring or aggravating an injury, illness, or disease in the line of duty.

military technicians

Federal civilian employees required to be drilling members of the RC in which they are employed as civilians.

multiple unit training assembly

This term normally has a number with it (for example, MUTA-4). It refers to the number of consecutive unit training assemblies of which each is 4 hours in length. MUTA-2 would be 8 or more consecutive hours of training.

Readiness Division

A major subordinate command of the USARC.

Ready Reserve

Comprises military members of the ARNGUS and AR, organized in units or as individuals and liable for order to active duty in time of war or national emergency. The Ready Reserve consists of three subcategories: the Selected Reserve, the IRR, and the Inactive National Guard.

reasonable commuting distance

The longest distance a Soldier can be expected to travel involuntarily between his or her residence and a site where IDT will be conducted.

- a. For officers, warrant officers, and enlisted Soldiers, it is a distance within a 50-mile radius of the IDT site. It will not exceed 1.5 hours (90 minutes) of travel time one way by car under average traffic, weather, and road conditions.
- b. An alternative reasonable commuting distance for enlisted Soldiers can be applied when all of the conditions are met. If the distance is within a 100-mile radius of the IDT site, and it will not exceed 3 hours of travel time one way by car under average traffic, weather, and road conditions. The alternative reasonable commuting distance may be applied only when the RC member is assigned to a unit that normally conducts MUTA on 2 consecutive days (MUTA-4) and Government-provided meals and quarters are furnished at the training site.

release from active duty

Termination of active duty status and transfer, or reversion, to a Reserve Component not on active duty, including transfer to the IRR.

Reserve Components of the Army

The ARNGUS and the USAR.

Reserve of the Army

A member of the ARNGUS or the USAR.

Selected Reserve of the Army

Consists of those units and individuals in the Ready Reserve designated as so essential to initial wartime missions that they have priority over all other Reserves. The Selected Reserve includes officers, warrant officers, and enlisted Soldiers who are:

- a. Members of the ARNGUS.
- b. Assigned to troop program units of the USAR.
- c. Serving on active duty (see 10 USC 12301(d)) or full-time National Guard duty (see 32 USC 502(f)) in an AGR status.
- d. IMAs.

separation

An all-inclusive term which is applied to personnel actions resulting from release from active duty, discharge, retirement, dropped from the rolls, release from military control of personnel without a military status, death, or discharge from the ARNGUS with concurrent transfer to the Individual Ready, Standby, or Retired Reserve. Reassignments between the various categories of the AR (Selected, Ready, Standby, or Retired) are not considered as separations.

separation authority

An official authorized by the SECARMY, or a designated official, to take final action with respect to a specified type of separation.

Standby Reserve

Consists of personnel maintaining their military affiliation without being in the Ready Reserve, having been designated key civilian employees, or who have a temporary hardship or disability. These Soldiers are not required to perform training and are not part of units. It is a pool of trained Soldiers who may be mobilized as needed to fill manpower needs in specific skills. The Standby Reserve consists of two training categories: the Active Status List and the Inactive Status List.

tier I

Refers to claims by RC members who are unable to perform their military duties as a result of an injury, illness, or disease caused by Military Service. A determination on the ability to perform military duties during a specified timeframe due to ILD conditions must be made by a military medical physician. Eligible Soldiers are entitled to full military pay and allowances, less any nonmilitary earned income received during the month of the claim. Members authorized tier I incapacitation pay are not authorized to perform in any paid IDT status for which they accrue retirement points. Retirement points may be obtained through approved correspondence courses only.

tier II

Refers to claims by RC members who are determined able to perform their military duties by a military medical physician but who are unable to perform their civilian jobs and can demonstrate a loss of nonmilitary earned income. Eligible members will be reimbursed for lost nonmilitary earned income up to full military pay and allowances and are eligible to accrue retirement points.

Total Army School System

Fully accredited and integrated schools that provide standard, high-quality training and education for all components of the Army, both Active Army and RC.

troop program unit

A TOE or TDA unit of the AR organization which serves as a unit on mobilization or one that is assigned a mobilization mission. The "unit" in this case is the largest separate unit prescribed by the TOE or TDA.

U.S. Army Reserve

The AR includes all Reserves of the Army who are not members of the ARNGUS and who are in a Ready, Standby, or Retired Reserve category. It is a Federal force, consisting of individual reinforcements and combat, combat support, combat service support and training type units organized and maintained to provide military training in peacetime, and a reservoir of trained units and individual reservists to be ordered to active duty in the event of a national emergency.

U.S. Army Reserve Command

A major subordinate command headquarters to the U.S. Army Forces Command, located in Fort Bragg, NC. The USARC headquarters commands footprint extends to all 56 states and territories and more than 30 countries. USARC executes shared administrative control with United States Army Pacific for 311th and 335th Signal Commands, along with the 9th Mission Support Command. USARC executes shared administrative control with United States Army Europe for the 7th Mission Support Command.

Section III**Special Abbreviations and Terms**

This section contains no entries.

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