

ALARACT 039/2024

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UNCLAS

SUBJ/ALARACT 039/2024 – ADMINISTRATIVE ABSENCE FOR NON-COVERED REPRODUCTIVE HEALTHCARE

THIS ALARACT MESSAGE HAS BEEN TRANSMITTED BY JSP ON BEHALF OF HQDA, DCS, G-1//DAPE-PR

1. (U) REFERENCES:

1.A. (U) JOINT TRAVEL REGULATIONS, AVAILABLE AT <HTTPS://WWW.TRAVEL.DOD.MIL>

1.B. (U) DODI 1327.06 (LEAVE AND LIBERTY POLICY AND PROCEDURES), AVAILABLE AT <HTTPS://WWW.ESD.WHS.MIL/>

1.C. (U) UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS), MEMORANDUM (ADMINISTRATIVE ABSENCE FOR NON-COVERED REPRODUCTIVE HEALTHCARE), 16 FEBRUARY 2023, AVAILABLE AT <HTTPS://WWW.DEFENSE.GOV/NEWS/RELEASES>

1.D. (U) AD 2023-05, ADMINISTRATIVE ABSENCE FOR NON-COVERED REPRODUCTIVE HEALTHCARE

1.E. (U) AR 40-66, MEDICAL RECORD ADMINISTRATION AND HEALTHCARE DOCUMENTATION

1.F. (U) AR 600-8-10, LEAVES AND PASSES

2. (U) PURPOSE: TO IMPLEMENT ARMY AND DOD POLICY CHANGES FOR ADMINISTRATIVE ABSENCE ASSOCIATED WITH NON-COVERED REPRODUCTIVE HEALTHCARE.

3. (U) ARMY POLICY:

3.A. (U) COMMANDERS ARE RESPONSIBLE TO MEET OPERATIONAL REQUIREMENTS AND PROTECT THE HEALTH AND SAFETY OF SOLDIERS IN THEIR CARE. COMMANDERS WILL EXERCISE OBJECTIVITY, COMPASSION, AND DISCRETION WHEN ADDRESSING ALL HEALTHCARE MATTERS, INCLUDING REPRODUCTIVE HEALTHCARE MATTERS, AND HAVE A DUTY TO ENFORCE

EXISTING POLICIES AGAINST DISCRIMINATION AND RETALIATION IN THE CONTEXT OF REPRODUCTIVE HEALTHCARE CHOICES.

3.B. (U) ELIGIBLE SOLDIERS WILL BE ABLE TO ACCESS LAWFULLY AVAILABLE NON-COVERED REPRODUCTIVE HEALTHCARE, AS DEFINED IN PARAGRAPH 4 OF THIS GUIDANCE, REGARDLESS OF WHERE THEY ARE STATIONED.

3.C. (U) ELIGIBLE SOLDIERS MAY REQUEST AN ADMINISTRATIVE ABSENCE FROM THEIR NORMAL DUTY STATION WITHOUT BEING CHARGED LEAVE TO ACCESS NON-COVERED REPRODUCTIVE HEALTHCARE. REQUESTS MUST INCLUDE SUPPORTING DOCUMENTATION TO CERTIFY MEDICAL PROVIDER VALIDATION OF THE MEDICAL CONDITION AND LOCATION OF CARE.

3.D. (U) COMPANY-LEVEL OR EQUIVALENT COMMANDERS MAY APPROVE AN ADMINISTRATIVE ABSENCE FOR A PERIOD OF UP TO 21 DAYS PER REQUEST FOR ELIGIBLE SOLDIERS TO RECEIVE OR ACCOMPANY A DEPENDENT OR DUAL-MILITARY SPOUSE WHO RECEIVES NON-COVERED REPRODUCTIVE HEALTHCARE. NOTE: UNIT COMMANDERS OR APPROVAL AUTHORITIES WHO, AS MATTER OF CONSCIENCE OR MORAL PRINCIPLE, OBJECT TO THE NON-COVERED REPRODUCTIVE HEALTHCARE WILL NOT BE REQUIRED TO PARTICIPATE IN THE PROCESS; HOWEVER, THE REQUEST OR APPROVAL WILL NOT BE DELAYED AND WILL BE FORWARDED TO THE NEXT HIGHER UNIT COMMANDER OR APPROVAL AUTHORITY IN THE SOLDIER'S CHAIN OF COMMAND.

3.E. (U) THE AUTHORITY TO DISAPPROVE A REQUEST FOR AN ADMINISTRATIVE ABSENCE TO RECEIVE OR ACCOMPANY A DEPENDENT OR DUAL-MILITARY SPOUSE WHO RECEIVES, NON-COVERED REPRODUCTIVE HEALTHCARE IS WITHHELD TO BRIGADE-LEVEL OR EQUIVALENT COMMANDERS WITH A SERVICING LEGAL ADVISOR. THE TIME FROM SUBMISSION OF A VALID REQUEST TO APPROVAL OR DISAPPROVAL WILL NOT EXCEED 7 BUSINESS DAYS.

3.F. (U) THE PERIOD OF ABSENCE WILL BE LIMITED TO THE MINIMUM NUMBER OF DAYS ESSENTIAL TO RECEIVE THE REQUIRED CARE AND TRAVEL NEEDED TO ACCESS THE CARE BY THE MOST EXPEDITIOUS MEANS OF TRANSPORTATION PRACTICAL.

3.G. (U) THE SOLDIER OR DEPENDENT MAY USE A DIFFERENT LOCATION OTHER THAN THE CERTIFIED CLOSEST AVAILABLE CAPABLE MEDICAL FACILITY AND THIS ADMINISTRATIVE ABSENCE MAY BE GRANTED REGARDLESS OF WHETHER SUCH CARE IS AVAILABLE WITHIN THE LOCAL AREA OF THE ELIGIBLE SOLDIER'S DUTY LOCATION, AS DEFINED IN SECTION 0206 OF REFERENCE 1.A, OR WHETHER THE DEPENDENT OR DUAL-MILITARY SPOUSE RESIDES WITH, OR IS GEOGRAPHICALLY SEPARATED FROM, THE SOLDIER.

3.H. (U) REQUESTS FOR ADMINISTRATIVE ABSENCE WILL BE GIVEN ALL DUE CONSIDERATION AND WILL BE GRANTED TO THE GREATEST EXTENT PRACTICABLE UNLESS, IN THE JUDGMENT OF THE COMMANDER, THE SOLDIER'S ABSENCE WOULD IMPAIR PROPER EXECUTION OF THE MILITARY MISSION.

3.I. (U) ELIGIBLE SOLDIERS WILL NOT BE GRANTED AN ADMINISTRATIVE ABSENCE IF THEIR INTENTION IS TO SELL, TO OFFER FOR SALE, OR TO RECEIVE PROCEEDS FROM A SALE RESULTING FROM AN ASSISTED REPRODUCTIVE TECHNOLOGY (ART) PROCEDURE WHILE ON, OR IN CONNECTION WITH TAKING, SUCH ABSENCE.

3.J. (U) IN CONSIDERING THE MISSION IMPACT OF A SOLDIER'S REQUEST FOR AN ADMINISTRATIVE ABSENCE FOR NON-COVERED REPRODUCTIVE HEALTHCARE (FOR EXAMPLE, WHERE RECURRING CARE MAY BE NECESSARY OVER A PERIOD OF TIME, COMMANDERS WILL COORDINATE WITH THE ELIGIBLE SOLDIER TO BALANCE OPERATIONAL REQUIREMENTS AND THE HEALTHCARE SCHEDULE). SOLDIERS MAY NEED TO DISCLOSE A MINIMUM AMOUNT OF HEALTH INFORMATION NECESSARY FOR COMMANDERS TO AUTHORIZE THE ADMINISTRATIVE ABSENCE.

3.K. (U) COMMANDERS WILL NOT LEVY ADDITIONAL REQUIREMENTS ON THE SOLDIER (INCLUDING, BUT NOT LIMITED TO, CONSULTATIONS WITH A CHAPLAIN, OTHER FORMS OF COUNSELING, OR MEDICAL TESTING EXCEPT AS PRESCRIBED IN PARAGRAPH 3.C OF THIS GUIDANCE) PRIOR TO APPROVING OR DENYING THE ABSENCE.

3.L. (U) COMMANDERS MAY ALSO GRANT A SOLDIER CONVALESCENT LEAVE FOLLOWING RECEIPT OF NON-COVERED REPRODUCTIVE HEALTHCARE BASED ON A RECOMMENDATION OF A DOD HEALTHCARE PROVIDER OR A CIVILIAN HEALTHCARE PROVIDER FROM WHOM THE SOLDIER IS RECEIVING CARE.

3.M. (U) CONSISTENT WITH EXISTING LAW AND ARMY POLICY, COMMANDERS WILL PROTECT THE PRIVACY OF PROTECTED HEALTHCARE INFORMATION THEY RECEIVE. SUCH HEALTHCARE INFORMATION WILL BE RESTRICTED TO PERSONNEL WITH A SPECIFIC NEED TO KNOW. THAT IS, ACCESS TO THE INFORMATION MUST BE NECESSARY FOR THE CONDUCT OF OFFICIAL DUTIES. PERSONNEL WILL ALSO BE ACCOUNTABLE FOR SAFEGUARDING THIS HEALTHCARE INFORMATION CONSISTENT WITH EXISTING LAW AND REFERENCE 1.D.

3.N. (U) INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY WILL BE USED TO REQUEST THE ADMINISTRATIVE ABSENCE. THE ABSENCE REQUEST PROCESS WILL BE USED. THE ABSENCE TYPE IS "ADMINISTRATIVE ABSENCE," THE

ABSENCE NAME IS "ADMINISTRATIVE ABSENCE", AND THE REASON IS "NON-COVERED REPRODUCTIVE."

4. (U) AS OUTLINED IN DOD POLICY, THE FOLLOWING DEFINITIONS APPLY:

4.A. (U) ART: ONLY THE FOLLOWING COMPONENTS OF ART ARE INCLUDED FOR PURPOSES OF AUTHORIZED ABSENCES AND OFFICIAL TRAVEL FOR NON-COVERED REPRODUCTIVE HEALTHCARE:

4.A.1. (U) OVARIAN STIMULATION AND EGG RETRIEVAL, INCLUDING ANY NEEDED MEDICATIONS AND PROCEDURES REQUIRED FOR RETRIEVAL, PROCESSING, AND UTILIZATION FOR ART OR CRYOPRESERVATION.

4.A.2. (U) SPERM COLLECTION AND PROCESSING FOR ART OR CRYOPRESERVATION.

4.A.3. (U) INTRAUTERINE INSEMINATION.

4.A.4. (U) IN VITRO FERTILIZATION (IVF) INCLUSIVE OF THESE PROCEDURES FOR BENEFICIARIES WHEN CLINICALLY INDICATED:

4.A.4.A. (U) IVF WITH FRESH EMBRYO TRANSFER.

4.A.4.B. (U) GAMETE INTRAFALLOPIAN TRANSFER.

4.A.4.C. (U) ZYGOTE INTRAFALLOPIAN TRANSFER.

4.A.4.D. (U) PRONUCLEAR STAGE TUBAL TRANSFER.

4.A.4.E. (U) TUBAL EMBRYO TRANSFER.

4.A.4.F. (U) FROZEN EMBRYO TRANSFER.

4.B. (U) COVERED ABORTION: AN ABORTION, EITHER MEDICAL OR SURGICAL, WHERE THE LIFE OF THE MOTHER WOULD BE ENDANGERED IF THE FETUS WERE CARRIED TO TERM OR IN A CASE IN WHICH THE PREGNANCY IS THE RESULT OF AN ACT OF RAPE OR INCEST.

4.C. (U) ELIGIBLE SOLDIER: FOR THE PURPOSES OF THIS ADMINISTRATIVE ABSENCE GUIDANCE, ACTIVE SOLDIERS, INCLUDING RESERVE OR NATIONAL GUARD SOLDIERS WHEN ON ACTIVE DUTY ORDERS FOR 30 OR MORE CONSECUTIVE DAYS.

4.D. (U) NON-COVERED ABORTION: AN ABORTION, EITHER MEDICAL OR SURGICAL, THAT IS NOT A COVERED ABORTION.

4.E. (U) NON-COVERED REPRODUCTIVE HEALTHCARE: LAWFULLY AVAILABLE ART AND NON-COVERED ABORTION.

4.F. (U) REPRODUCTIVE HEALTHCARE: ADDRESSES THE REPRODUCTIVE PROCESSES, FUNCTIONS, AND SYSTEMS AT ALL STAGES OF LIFE, INCLUDING, BUT NOT LIMITED TO, SEXUAL HEALTH, TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS, CONTRACEPTION, MENSTRUAL SUPPRESSION, TREATMENT OF UROGENITAL CONDITIONS, MATERNAL HEALTH, PREGNANCY, AND ABORTION.

5. (U) PROPONENT: THE ASSISTANT SECRETARY OF THE ARMY FOR MANPOWER AND RESERVE AFFAIRS IS THE PROPONENT FOR THIS POLICY. THIS POLICY AND ITS IMPLEMENTING INSTRUCTIONS TAKE PRECEDENCE OVER AND CANCEL ANY CONFLICTING GUIDANCE. THE DCS, G-1 WILL COORDINATE WITH THE PROPONENTS OF THE LISTED REFERENCES TO ENSURE THE PROVISIONS OF THIS POLICY ARE INCORPORATED INTO ALL REGULATIONS WITHIN 2 YEARS OF THE DATE OF THIS MESSAGE. THIS MESSAGE IS RESCINDED ON PUBLICATION OF THE REVISED REGULATIONS.

6. (U) POINTS OF CONTACT:

6.A. (U) SUBMIT INQUIRIES REGARDING THIS MESSAGE ONLY TO THE DCS, G-1, COMPENSATION AND ENTITLEMENTS DIVISION USARMY.PENTAGON.HQDA-DCS-G-1.MBX.DAPE-PRC@ARMY.MIL.

6.B. (U) ACTIVE COMPONENT SOLDIERS WITH GENERAL POLICY INQUIRIES, SUBMIT ALL INQUIRIES TO USARMY.KNOX.HRC.MBX.TAGD-LEAVE-AND-PASS-POLICY@ARMY.MIL.

6.C. (U) ARMY NATIONAL GUARD SOLDIERS SEND INQUIRIES TO NATIONAL GUARD BUREAU NG.NCR.NGB-ARNG.MBX.ARNG-COMP-ENTITLEMENT@ARMY.MIL.

6.D. (U) U.S. ARMY RESERVE SOLDIERS SEND INQUIRIES TO OFFICE OF THE CHIEF OF THE ARMY RESERVE USARMY.USARC.OCAR.MBX.G1-POLICY@ARMY.MIL.

7. (U) THIS REGULATORY MANDATE WILL BE RESTATED IN THE NEXT REVISION OF REFERENCE 1.F.

8. (U) THIS ALARACT MESSAGE EXPIRES ON 31 MAY 2025.