



Department of Defense
DIRECTIVE

AD-A270 351



February 21, 1986
NUMBER 1340.8

ASD(HA)

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SUBJECT: Special Pay for Dental Corps Officers

- References:
- (a) DoD Directive 1340.8, "Continuation Pay for Dental Corps Officers," October 9, 1980 (hereby canceled)
 - (b) Title 37, United States Code, Sections 302b (amended), 303a, and 311.
 - (c) Title 11, United States Code
 - (d) DoD Directive 5154.13, "DoD Military Pay and Allowances Committees," February 11, 1980
 - (e) DoD 7110.1-M, "Budget Guidance Manual," July 8, 1982, authorized by DoD Instruction 7110.1, October 30, 1980
 - (f) DoD Directive 1340.13, "Special Pay for Medical Corps Officers," September 27, 1982

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A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) and provides DoD policies governing the payment of special pay to Dental Corps officers of the Military Departments under Section 302b of reference (b).

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD) and the Military Departments.

C. DEFINITIONS

The terms used in this Directive are defined in enclosure 1.

D. POLICY

It is the policy of the Department of Defense to administer dental corps officers' special pay in a manner that will assist in attracting and retaining the number and quality of dental corps officers needed in the Military Departments.

E. PROCEDURES

1. Variable Special Pay

a. Variable special pay is authorized to an officer who is a member of the Dental Corps of the Army or the Navy, or an officer of the Air Force designated as a dental officer,

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provided that officer is on active duty under a call or order to active duty for a period of not less than one year.

b. Variable special pay entitlements shall be paid to dental officers below the pay grade 0-7 at the following rates:

(1) \$1,200 per year, if an officer is undergoing dental internship training or has less than 3 years of creditable service.

(2) \$2,000 per year, if the officer has at least 3 but less than 6 years of creditable service and is not undergoing dental internship training.

(3) \$4,000 per year, if the officer has at least 6 but less than 10 years of creditable service.

(4) \$6,000 per year, if the officer has at least 10 but less than 14 years of creditable service.

(5) \$4,000 per year, if the officer has at least 14 but less than 18 years of creditable service.

(6) \$3,000 per year, if the officer has 18 or more years of creditable service.

c. An officer who is serving in a pay grade above 0-6 is entitled to variable special pay at the rate of \$1,000 per year.

d. Authority for variable special pay is contained in 37 U.S.C. 302b(a)(1) (reference(b)).

2. Additional Special Pay

a. A dental corps officer entitled to variable special pay under subsection E.1., above, is entitled to additional special pay for any 12-month period during which the officer is not undergoing dental internship or residency training. Such additional special pay shall be paid at the following rates:

(1) \$6,000 per year, if the officer has at least 3 but less than 14 years creditable service.

(2) \$8,000 per year, if the officer has at least 14 but less than 18 years of creditable service.

(3) \$10,000 per year, if the officer has 18 or more years of creditable service.

b. Authority for additional special pay is contained in 37 U.S.C. 302b(a)(4) (reference (b)). An officer may not be paid additional special pay for any 12-month period unless he

or she first executes a written agreement to remain on active duty for a period of not less than one year beginning on the date he or she accepts the award of such additional special pay. If an officer enters initial residency training, or does not serve on active duty for the agreed-on period, the officer concerned is entitled to additional special pay only for the part of the period on active duty that the officer served (or the part of the period on active duty served before entering an initial residency), and the officer may be required to refund any amount in excess of that entitlement subject to subsection E.5., below.

c. The Secretary of the Military Department concerned may terminate at any time an officer's entitlement to additional special pay. If such entitlement is terminated, the officer concerned is entitled to such special pay only for the part of the period on active duty that the officer served, and the officer may be required to refund any amount in excess of that entitlement subject to subsection E.5., below.

3. Board Certified Pay

a. Authority for board certified pay is contained in 37 U.S.C 302b(a)(5)(reference (b)). Entitlement shall be subject to the definition of "board certified" in enclosure 1.

b. Dental officers who are entitled to variable special pay under subparagraph E.1. above and who are board certified are entitled to additional special pay at the following rates:

- (1) \$2,000 per year, if the officer has less than 12 years of creditable service.
- (2) \$3,000 per year, if the officer has at least 12 years but less than 14 years of creditable service.
- (3) \$4,000 per year, if the officer has 14 or more years of creditable service.

4. Method of Payment. Special pay payable to an officer under subsections E.1. and 3., above, shall be paid monthly. Special pay payable to an officer under subsection E.2., above, shall be paid annually at the beginning of the 12-month period for which the officer is entitled to such payment. Payments shall be in accordance with procedures established by the Military Departments.

5. Recoupment

a. An officer who voluntarily terminates service on active duty before the end of the period for which a payment was made to such officer under subsection E.2., above, shall

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refund to the United States an amount which bears the same ratio to the amount paid to such officer as the unserved part of such period bears to the total period for which payment was made.

b. When an officer is entitled to a proportionate amount of special pay under paragraph E.2.b. or c., above, recoupment of amounts exceeding the officer's entitlement is not required when the officer's failure to complete the period of active duty specified in the agreement is due to:

(1) Death or disability that is not the result of misconduct or willful neglect and not incurred during a period of unauthorized absence;

(2) Separation from military service by operation of laws or regulations of DoD or Service regulations, when approved by the Secretary of the Military Department concerned; or

(3) In other cases, when the Assistant Secretary of Defense for Health Affairs (ASD(HA)) determines recoupment is not in the best interest of the Government.

c. A discharge in bankruptcy under 11 U.S.C. (reference (c)) shall not release a person from an obligation to reimburse the United States Government required under the terms of an agreement described in paragraph E.2.b., above, if the final decree of the discharge in bankruptcy was issued within a period of five years after the last day of a period during which such person had agreed to serve on active duty. This applies to a discharge in bankruptcy in any proceeding beginning after September 30, 1985.

6. Saved Pay Provision

a. An officer who is entitled to special pay under 37 U.S.C. 302b (reference (b)) shall be entitled to such pay in an annual amount that is not less than the total annual amount of dental continuation pay and special pay for dental officers under former sections 311 and 302b of reference (b), respectively, to which that officer was entitled on September 30, 1985.

b. Computation of "saved pay" for a dental officer will include amounts to which the officer was entitled under former Section 311 of reference (b) only if the officer enters into an agreement under section 302b of reference (b); otherwise, only amounts to which the officer was entitled under former section 302b of reference (b) will be used in the "save pay" computation.

c. The former section 311 of reference (b) provided that a dental officer may be paid up to four months' basic pay;

the implementing regulations (DoD Directive 1340.8 (reference (a))) provided that an officer in a residency training program or a formal dental education program was entitled to two months' basic pay. When an officer was in a training status on September 30, 1985, the amount to which that officer is entitled--two months' basic pay--is the amount that should be used to calculate the "saved pay," not the amount to which the officer would have been entitled had he or she not been in a training status. Further, a dental officer accepted for a residency training program or a formal dental education program on or before September 30, 1985, is entitled to "save pay" while in that program at the amount authorized by former 37 U.S.C. 311 (reference (b)) and reference (a).

F. RESPONSIBILITIES

1. The Secretaries of the Military Departments shall:

a. Submit proposed implementing documents for review by the DoD Military Pay and Allowances Committee, in accordance with DoD Directive 5154.13 (reference (d)).

b. Include the costs of the program in budget estimates for military personnel appropriations, in accordance with DoD 7110.1-M (reference (e)).

c. Submit data for preparation of the reports required by Congress, in accordance with enclosure 2 of DoD Directive 1340.13 (reference (f)), as requested by the ASD(HA).

d. Recommend program changes or improvements to the Secretary of Defense, through the ASD(HA).

e. Establish a formal process for reviewing applications for board certification equivalency for military required dental specialties for which an American Dental Specialty Examining Board recognized by the American Dental Association (ADA) does not exist.

2. The Assistant Secretary of Defense (Health Affairs) (ASD(HA)) shall:

a. Monitor and evaluate the effectiveness of procurement and retention in the Dental Corps Officer special pay program, and make appropriate recommendations to the Secretary of Defense and Secretaries of the Military Departments concerning program changes or improvements.

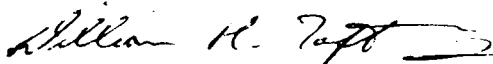
b. Prepare the reports pertaining to this program as required by the Congress, in accordance with Section 303a(c) of reference (b).

G. INFORMATION REQUIREMENTS

The reporting requirements of this Directive have been assigned Report Control Symbol DD-HA(SA) 1562.

H. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward one copy of implementing documents to the Office of the Assistant Secretary of Defense (Health Affairs) within 120 days.


William H. Taft, IV
Deputy Secretary of Defense

Enclosure - 1
1. Definitions

DEFINITIONS

1. Board Certified. A dental officer is considered board certified when the officer has met one of the following criteria:

a. Received certification by an American Dental Specialty Examining Board recognized by the American Dental Association (ADA).

b. Received a Board Certification equivalency certificate issued by the Department of Defense or a Military Department for a Service-recognized dental specialty for which an American Dental Specialty Examining Board recognized by the ADA does not exist. To be eligible for certification a dental officer must have completed a formal postgraduate training program of not less than two academic years in a military dental specialty for which there is a documented requirement.

2. Creditable Service. In accordance with 37 U.S.C. 302b(g) (reference (b)), creditable service of an officer is computed by adding:

a. All periods that the officer spent in dental internship and residency training during which the officer was not on active duty and which was approved for grade entry credit for original appointment as a dental officer; and

b. All periods on active service in the Dental Corps of the Army or Navy, as an officer of the Air Force designated as a dental officer, or as a dental officer of the Public Health Service.

3. Dental Corps Officer. An officer of the Dental Corps of the Army or the Navy, or an officer of the Air Force designated as a dental officer.

4. Dental Internship and Residency Training

a. Dental Internship. The first year of graduate dental education, immediately following dental school, whether a formal internship or the first year of a residency.

b. Dental Residency. A formal program of dental specialty training of two or more academic years that qualifies the officer as eligible for board certification.

DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL

NUMBER	DATE	DISTRIBUTION
1340.8, Ch 1	November 16, 1987	1000 series

ATTACHMENTS

Pages 3 through 6

INSTRUCTIONS FOR RECIPIENTS

The following pen and page changes to DoD Directive 1340.8, "Special Pay for Dental Corps Officers," February 21, 1986, are authorized:

PEN CHANGE

Page 1, Reference section. Add "Reference (g) Public Law 99-661, "1987 Defense Authorization Act," Section 1342(c)

PAGE CHANGES

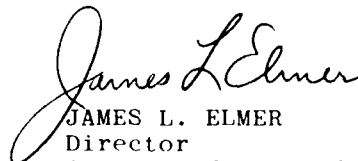
Remove: Pages 3 through 6

Insert: Attached replacement pages

Changes appear on pages 4 and 5 and are indicated by marginal asterisks.

EFFECTIVE DATE AND IMPLEMENTATION

The above changes are effective immediately. Forward one copy of revised implementing documents to the Assistant Secretary of Defense (Health Affairs) within 120 days.


JAMES L. ELMER
Director

Correspondence and Directives

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

or she first executes a written agreement to remain on active duty for a period of not less than one year beginning on the date he or she accepts the award of such additional special pay. If an officer enters initial residency training, or does not serve on active duty for the agreed-on period, the officer concerned is entitled to additional special pay only for the part of the period on active duty that the officer served (or the part of the period on active duty served before entering an initial residency), and the officer may be required to refund any amount in excess of that entitlement subject to subsection E.5., below.

c. The Secretary of the Military Department concerned may terminate at any time an officer's entitlement to additional special pay. If such entitlement is terminated, the officer concerned is entitled to such special pay only for the part of the period on active duty that the officer served, and the officer may be required to refund any amount in excess of that entitlement subject to subsection E.5., below.

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(1) \$2,000 per year, if the officer has less than 12 years of creditable service.

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b. When an officer is entitled to a proportionate amount of special pay under paragraph E.2.b. or c., above, recoupment of amounts exceeding the officer's entitlement is not required when the officer's failure to complete the period of active duty specified in the agreement is due to:

(1) Death or disability that is not the result of misconduct or willful neglect and not incurred during a period of unauthorized absence;

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* pay in an annual amount at least equal to the total annual *
* amount of dental continuation pay and special pay for dental *
* officers under former sections 311 and 302b of reference *
* (b), respectively, to which that officer would have been *
* entitled on September 30, 1985, according to the status of *
* the officer (as determined by the Secretary of the Military *
* Department concerned) during the period for which the pay *
* is paid. However, an officer may not be paid special pay *
* by reason of this paragraph in an amount greater than the *
* amount of special pay to which the officer was entitled *
* under such sections on September 30, 1985. *

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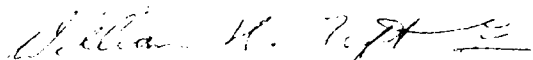
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