

CHAPTER 06

SPECIAL PAYS FOR DENTAL OFFICERS0601 VARIABLE SPECIAL PAY060101. EntitlementA. Active Duty for at Least One Year

An officer of the Dental Corps of the Army or the Navy or an officer of the Air Force designated as a dental officer who is on active duty under a call or order to active duty for a period of at least one year is entitled to special pay as provided in this section and sections 0602 through 0604.

B. Active Duty Less Than One Year in Support of Persian Gulf Conflict. Any officer of the Dental Corps of the Army or the Navy or an officer of the Air Force designated as a dental officer who served on active duty in support of the Persian Gulf Conflict may be entitled to special pay benefits for dental officers. See part 8, chapter 63, Health Care Officers on Active Duty in Support of the Persian Gulf Conflict, to determine eligibility and entitlement.

C. Effective 5 December 1991, the following categories of dental officers on active duty less than one year, other than active duty for training, are eligible to receive special pay provided under this section, in the same manner as a regular dental officer.

1. Reservists called to active duty for more than 30 days but less than one year, other than active duty for training.

2. Active duty dental officers involuntarily retained under 10 U.S.C. 12305 (reference (c)).

3. Active duty dental officers who voluntarily agree to remain on active duty for less than one year when officers are involuntarily retained on active duty under 10 U.S.C. 12305 (reference (c)), or the Secretary of Defense determines that special circumstances justify the payment of special pay under this subparagraph.

4. Retired dental officers recalled to active duty for more than 30 days under 10 U.S.C. 688 (reference (c)).

060102. Rates Payable

A. If the officer is an intern or has less than 3 years' creditable service \$100.00

B. If the officer has 3 but less than 6 yrs' creditable service and is not an intern 166.66

C. If the officer has 6 but less than 10 years' creditable service. 333.33

D. If the officer has 10 but less than 14 years' creditable service. 500.00

E. If the officer has 14 but less than 18 years' creditable service. 333.33

F. If the officer has 18 or more years' creditable service 250.00

G. If the officer is serving in a pay grade above O-6, regardless of years of creditable service. 83.33

060103. Special Provisions

A. A dental officer is entitled to variable special pay if an ordered tour of less than one year is amended to require continuous active duty for one year or more. Entitlement begins on the date the amending orders are issued to extend the tour to one year or more.

B. Entitlement to this variable special pay is in addition to any other pay and allowances of the officer.

060104. Creditable Service Defined. Use creditable service to compute the dental officer's entitlement to variable special pay. Creditable service includes:

A. All periods of internship and residency training successfully completed while not on active duty; and

B. All periods of internship and residency training not completed, if they were terminated or interrupted as the result of military operational requirements; and

C. All periods of 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.

0602 BOARD CERTIFIED PAY

060201. Entitlement. Dental officers as defined in paragraph 060101 are entitled to board certified pay for active duty when they meet the requirements of this section.

060202. Rates Payable

- A. If the officer has less than 12 years' creditable service\$166.66
- B. If the officer has 12 but less than 14 years' creditable service. 250.00
- C. If the officer has 14 or more years' creditable service 333.33

060203. Special Provisions

A. A dental officer is entitled to board certified pay if:

- 1. Entitled to variable special pay (section 0601); and
- 2. Board certified (paragraph 060205).

B. Entitlement to this board certified pay is in addition to any other pay and allowances of the officer.

060204. Creditable Service Defined. See paragraph 060104.

060205. Board Certified Defined. A dental officer is considered board certified if:

A. Certified by an American Dental Specialty Examining Board recognized by the American Dental Association (ADA); or

B. Awarded a Board Certification Equivalency Certificate issued by the Department of Defense or a military department for a Service recognized dental specialty which is unique to military dentistry. To be eligible for certification, a

dental officer must have completed a formal post-graduate training program of not less than 2 academic years in a military dental specialty for which there is a documented requirement.

0603 ADDITIONAL SPECIAL PAY

060301. Entitlement. Dental officers as defined in paragraph 060101 are entitled to additional special pay when they meet the requirements of this section and the requirements of the Service concerned.

060302. References

- A. Army: DA Msg 061843Z Aug 86 (reference (s)).
- B. Navy: SECNAVINST 7220.61F (reference (t)).
- C. Air Force: AFR 36-4 (reference (j)).

060303. Eligibility Criteria. To qualify for additional special pay under this section, a dental officer who is entitled to variable special pay under section 0601 must:

- A. Not be undergoing internship or initial residency training; and
- B. Sign an agreement to remain on active duty for at least one additional year from the effective date of the agreement. For dental officers on active duty less than one year in support of the Persian Gulf conflict, see part 8, chapter 63, to determine eligibility and entitlement.

C. Effective 5 December 1991, dental officers on active duty for less than one year, other than active duty for training, under the provisions of subparagraph 060101C, receive additional special pay provided under this section.

060304. Creditable Service Defined. See paragraph 060104.

060305. Rates Payable. If eligible under paragraph 060303, a dental officer with:

- A. At least 3, but less than 14 years' creditable service, is entitled to additional special pay of \$6,000 for each 12 month period.

B. At least 14, but less than 18 years' creditable service, is entitled to additional special pay of \$8,000 for each 12 month period.

C. Eighteen or more years' creditable service is entitled to additional special pay of \$10,000 for each 12 month period.

D. If eligible under subparagraph 060303C, pay a monthly pro rata portion of the applicable annual amount for additional special pay. If service during any month is less than a full month, prorate on a daily basis.

060306. Time of Payment. Pay additional special pay annually at the beginning of each 12 month period, starting with the effective date of the written agreement. For dental officers eligible under subparagraph 060303C, pay a monthly pro rata portion of the annual amount on a monthly basis, prorating on a daily basis for any month in which service is less than a full month.

060307. Termination, Recoupment, and Refund of Unearned Additional Special Pay

A. The Secretary of the military department concerned may terminate at any time an officer's entitlement to additional special pay. If entitlement is terminated, recoup the unearned additional special pay on a pro rata basis (based on 360 days per year), subject to C below.

B. If an officer enters internship or initial residency training or does not serve on active duty for the period of the agreement, recoup the unearned additional special pay on a pro rata basis (based on 360 days per year), subject to C below.

C. Recoupment of unearned additional special pay 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.

D. A discharge in bankruptcy that is entered within 5 years after the last day of a terminated additional special pay agreement which had specified the period of time an officer had agreed to serve, does not discharge the dental officer from a debt arising under the terminated additional special pay agreement.

E. Dental officers on active duty for less than one year, other than active duty for training, who do not serve the full term of active duty that corresponds to a monthly amount must refund any amount received in excess of the amount that corresponds to the actual period of active duty.

0604 TRANSITION (SAVINGS) PROVISIONS

060401. Entitlement

A. Effective 1 October 1985, a dental officer who is entitled to the special pays of this chapter is entitled to such pays in an annual amount at least equal to the total annual amount of special pay for active duty plus dental continuation pay, if any, the officer would have been entitled to on 30 September 1985, under the then existing provisions of law and DoD regulation.

B. The computation under this section will include the dental officer's continuation pay entitlement amount (under previous law and DoD regulation in effect on 30 September 1985) only if the officer enters into an additional special pay agreement under section 0603 of this chapter. Otherwise, only the officer's monthly special pay for active duty (under previous law in effect on 30 September 1985) will be included.

C. The DoD regulation in effect 30 September 1985, provided that a dental officer who was in a residency training program or a formal dental education program was entitled to continuation pay in an amount equal to 2 months' basic pay at the rates in effect on 1 October 1979. When an officer was in a training status on 30 September 1985, the officer's continuation pay entitlement (2 months' basic pay) is the amount which will be used to calculate the officer's saved pay. Effective

14 November 1986, and when no longer in such a training status, the officer's saved pay may be recalculated as if the officer had not been in a training status on 30 September 1985.

D. A dental officer who was accepted for a residency training program or a formal dental education program on or before 30 September 1985, which is scheduled to begin after 30 Septem-

ber 1985, is entitled to saved pay while in that program based upon his or her continuation pay entitlement on 30 September 1985.

0605 INTERSERVICE TRANSFERS

060501. Entitlement Policy. The provisions of paragraph 050501 apply to dental officers.