

Information for Soldiers in the MEB and PEB Systems

Continued Military Service if Found "Unfit" (COADs and COARs)

This information paper is provided as general information only. It is provided as a service to Soldiers in the MEB/PEB process. Please consult with a Soldiers Counsel regarding the specifics of your case.

The Physical Evaluation Board (PEB) is responsible for determining whether physical conditions identified by the Medical Evaluation Board (MEB) prevent the Soldier from performing military duties. Soldiers with medical conditions which prevent them from performing military duties, including primary military occupational specialty (PMOS) duties, basic Soldier skills, and taking and passing an APFT, will be discharged because of physical disability.

Soldiers who are discharged because of physical disability may continue in a limited duty status either on Active Duty or in the Ready Reserve when the member's service obligation or special skill and experience justifies such continuation. Continuation on active duty is commonly referred to as "COAD." Continuation as a "drilling" member of the Army Reserve or National Guard is commonly referred to as "continuation on active reserve" or "COAR." COADs and COARs offer some Soldiers the opportunity to complete 20 years of military service and qualify for length of service retirement in lieu of discharge because of disability.

In order for a Soldier to ensure they are considered for COAD or COAR, the Soldier must request consideration in writing. Requests should be provided to the Soldier's PEBLO for inclusion in the Soldier's PEB file. If the Soldier is found "unfit" by the PEB then the COAD or COAR request will be forwarded to the approving authority for action, before the Soldier is discharged. COAD and COAR requests are approved and disapproved at high levels, either at Human Resources Command or at the National Guard Bureau.

Soldiers must meet one of three criteria to qualify for consideration for continued service:

- a. More than 15 but less than 20 years of active federal service for COAD or 15 but less than 20 years of qualifying service for non-regular retirement (i.e. "good years" in the Guard or Reserve) for COAR; or
- b. Qualified in a critical skill or shortage MOS; or
- c. Disability is the result of combat or terrorism.

A Soldier who qualifies for consideration will not necessarily be approved for COAD or COAR. Approximately 47% of COAD requests and 48% of COAR requests were approved during fiscal year 2007. Consideration criteria include the following:

- a. Disability is not the result of misconduct, willful neglect, or incurred while absent without leave;
- b. The Soldier is capable of working in a normal military environment without adversely affecting the Soldier's or other's health or requiring undue loss of time from duty for medical treatment; and
- c. The Soldier is physically capable of performing useful duty in the MOS for which currently qualified or potentially trainable.

Requests for COAD or COAR do not require supporting documentation. However, in order to bolster a request, a Soldier may attach documents. Examples of supporting documents which may be effective include: 1) statements from commanders or supervisors addressing the Soldier's physical capabilities and requesting that the Soldier's request be approved; and 2) letters from treating physicians addressing the Soldier's physical capabilities.

A Soldier whose COAD or COAR request is approved, and who reaches length of service retirement within six months, is not referred back into the Physical Disability Evaluation System (PDES) system. The Soldier will retire for physical disability at the end of the COAD or COAR. A Soldier will be referred back to the PDES only if the Soldier consents and has incurred a new, acute grave illness or injury, or has suffered a grave deterioration. A COAD or COAR of greater than six months generally requires referral back to the PDES. If the disability has remained unchanged or increased in severity then the PEB will find the Soldier unfit. If the disability has healed or improved so that the Soldier is capable of performing his or her PMOS in other than a limited duty status, the Soldier may be found fit.

A COAD or COAR may help Soldiers with significant investments in military careers by allowing these Soldiers to continue military service until the Soldiers are qualified for length of service retirement (20 years). Soldiers with over 15 years of military service and who may be discharged because of disability should strongly consider submitting a request. Soldiers with between 18 and 20 years of military service who elect not to request a COAD or COAR must submit a statement declining COAD or COAR, or the Soldier's PEBLO must submit a statement that the Soldier was counseled and declined to request a COAD or COAR.

The foregoing general information is provided to assist Soldiers in the MEB/PEB process. Attorneys are available by appointment at the Fort Sill MEB Outreach office at 580-442-5058 to discuss the MEB/PEB process with you.