



SECRETARY OF THE ARMY
WASHINGTON

16 MAR 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2021-05 (Integrated Disability Evaluation System)

1. References. See enclosure.

2. Purpose. To improve total force readiness and reduce the Army's medically non-deployable population, the Department of Defense (DoD) implemented new timeliness goals for Soldier referrals through the Disability Evaluation System (DES). Commanders and leaders at all levels are responsible for individual Soldier readiness and will use all available tools, resources, and authorities to reduce the number of medically non-deployable Soldiers within their formations. Pursuant to references 1b and 1c, this directive implements procedures for the disposition of Soldiers referred through the DES. This directive also provides Army guidance for processing DES referrals of Reserve component (RC) Soldiers with potentially unfitting conditions that they claim were incurred or aggravated while on an order to active duty of more than 30 days.

3. Applicability. Unless otherwise stated, this directive applies to the Regular Army, Army National Guard/Army National Guard of the United States, and U.S. Army Reserve.

4. Policy.

a. Effective 19 September 2019, the Integrated Disability Evaluation System (IDES) timeliness goal is to complete 80 percent of all active-duty and non-active duty Soldiers' cases in no more than 180 calendar days, starting from the date of referral and ending on the date of return to duty, retirement, or separation. The calculation of processing time excludes administrative absences or accrued leave authorized to be taken during transition, or any amount of time in a deferment status. The 180-day IDES timeliness goal comprises three phases:

(1) Medical Evaluation Board (MEB) Phase. The MEB phase will not exceed 72 days, starting on the date of referral to an MEB by a DoD medical care provider and ending on the date the MEB returns a Soldier to duty without referring to an informal physical evaluation board (IPEB) or on the date the MEB forwards the IDES case file to the physical evaluation board (PEB). Paragraph 2–8a of reference 1g and paragraph 1–25a of reference 1j are amended to allow an officer under investigation for a Uniform Code of Military Justice (UCMJ) offense or charged with a UCMJ offense to remain eligible for referral into and completion of the MEB phase.

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(2) Physical Evaluation Board Phase. The PEB phase will not exceed 82 days, starting on the date the MEB forwards the complete MEB case file to the PEB and ending on the date the final results of the disposition are approved. DoD has reduced, from 10 days to 6 days, the window for Soldiers to make a PEB election based on the results of an informal or formal PEB. In the absence of an approved extension by the PEB president or designated representative, if the PEB does not receive a Soldier's election by the sixth day, a Soldier will be deemed to have concurred with the PEB findings. That Soldier cannot request a Formal Physical Evaluation Board (FPEB) after day 6 unless good cause is established for missing the election deadline.

(3) Transition Phase. The transition phase of the IDES includes processing Soldiers for separation or retirement. The IDES goal of transition completion within 26 days excludes administrative absences or any authorized leave a Soldier takes, starting from the date that the PEB final disposition is approved by the U.S. Army Physical Disability Agency (USAPDA) and ending on the date a Soldier separates or retires from military service. Commanders will ensure that Soldiers are prepared to out-process, including completion of Soldier for Life Transition Assistance Program requirements, and to sign out on permissive temporary duty (TDY)/transition leave within 26 days of DES case completion. Permissive TDY may not be taken in increments for DES separations.

b. Soldiers should initiate transition activities as early as the MEB phase of the IDES process. Leave, while permissible, is generally discouraged in the MEB phase with the exception of emergency situations. Commanders may grant leave, if requested by Soldiers, as long as the leave or other required absence is communicated immediately to a Soldier's assigned Physical Evaluation Board Liaison Officer (PEBLO).

c. Commanders must ensure that approved absences do not prevent the timely completion of Veterans Affairs Compensation and Pension examinations and other required medical treatment. Encouraging the use of accrued leave after IPEB adjudication is permissible, regardless of any request for an FPEB, so as to not conflict with scheduled proceedings.

d. USAPDA will establish a window, not to exceed 90 days, that allows flexible assignment of a separation date based on an individual's circumstances. Commands will counsel Soldiers to determine appropriate separation dates, including requested transition leave, at completion of the IDES process. In accordance with paragraph 6-4 of reference 1I, Soldiers undergoing DES transition are authorized to use accrued leave as transition leave. Commanders will approve requests for transition leave if no extraordinary circumstances warrant disapproval of such requests. Commanders in the grade of O-6 or above will endorse extension requests beyond the 90-day separation window for the use of accrued leave for transition or other extenuating circumstances. USAPDA is the approval authority for all requests.

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e. Pursuant to references 1d, 1e, 1g, 1h, 1j, and 1n, with consent of the Soldier, commands will initiate an Expiration Term of Service (ETS) or Mandatory Removal/Retirement Date (MRD) extension request to extend the Soldier on active duty. This includes RC Soldiers on active duty orders for more than 30 days when identified for referral to DES to complete IDES processing. If an extension is required, Soldiers referred into the DES must notify their PEBLOs and submit a request through the chain of command.

(1) Enlisted Soldiers. Paragraph 1–10 of reference 1h and paragraph 1–33 of reference 1n are amended as follows. Requests for retention past set release date, when physical disability processing is required or has been initiated, will be submitted pursuant to references 1g and 1n. Reference 1n is amended to designate the General Court Martial Convening Authority or delegate as approval authority for requests. However, disapproval actions will be forwarded to the Headquarters, Department of the Army (DAPE-MP-IP) for decision.

(2) Officers. Pursuant to paragraph 1–24f of reference 1j, a contracted or service provider qualified to render a retention standard will provide medical substantiating evidence to the DES Service Line (SL) for officers who request retention beyond an established non-disability MRD. The DES SL will then process an MRD extension request to the Human Resources Command. Officers extended beyond MRD must be separated or retired not later than 30 days after completion of IDES.

f. Effective 1 March 2020, the DoD requirement to offer an appeal to an FPEB decision was eliminated. However, to ensure due process is afforded to all Soldiers before separation, Headquarters, USAPDA will review and respond to FPEB cases for Soldiers who have non-concurred with the findings and recommendations of the FPEB and have submitted a statement of contention with rationale for their non-concurrence within 6 business days of FPEB results notification. USAPDA will continue conducting mandatory reviews pursuant to reference 1m. Soldiers will still have the opportunity to request a Department of Veterans Affairs Rating Reconsideration within the FPEB election period. Soldiers retain the right to appeal to the Army Board for Correction of Military Records after separation from military service.

g. All Soldiers referred into the IDES and the Legacy Disability Evaluation System (LDES) after 1 March 2020 will complete a multidisciplinary briefing (MDB) before meeting individually with the VA Military Service Coordinator, or within 10 days of referral into the LDES. The MDB will (1) establish Soldier expectations, (2) prepare Soldiers for each stage of the DES process, and (3) inform Soldiers of what is expected of them during the DES process.

h. The VA will assign ratings to all referred and claimed conditions in parallel with the MEB Phase of the IDES process. Once the IPEB fitness determination has been

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made, the VA will provide recommended ratings. This process change applies only to the IDES and will reach full implementation by 31 December 2020.

i. RC Integrated DES Referral Memorandum (IDRM).

(1) Soldiers whose conditions of lasting significance arose and were documented during a period of qualified active service of more than 30 days, that can be connected to a current permanent profiled condition and who are subsequently referred to the DES while serving in the RC, may receive a memorandum in lieu of a line of duty (LOD) determination. If the condition is not documented, and an LOD is not initiated during the period of qualified active service or within 180 days of release from active duty, the force provider will follow reference 1i, paragraph 4–4. The IDRM applies specifically to Soldiers with cases pending adjudication as of the publication of this directive. The memorandum will not confer benefits and entitlements associated with LOD determinations for RC Soldiers as noted in reference 1d. It grants approval only to initiate the DES process in lieu of a DA Form 2173 (Statement of Medical Examination and Duty Status) for the referred condition.

(2) The Adjutant General, U.S. Army Human Resources Command, will delegate the authority to complete the memorandum, not to be delegated further, for up to two representatives from each of these offices: the Army National Guard Medical Administrative Actions Branch; U.S. Army Reserve Command G-1 or Health Services Branch; Office of the Chief of Army Reserve; or Human Resources Command Surgeon Cell (for Individual Ready Reserve only).

j. When the USAPDA or PEB believes that a prior LOD finding may be incorrect, a request for review will be sent to the Commander, U.S. Army Human Resources Command (AHRC-PDC-P), 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5405, clearly detailing the reason for such action, with evidence. The Commander will review the request and, if indicated, return the LOD to the component level (to NGB G-1 or USARC G-1 for RCs, or to the General Court Martial Convening Authority/approval authority for the Regular Army) and request that the proper investigation be conducted. The USAPDA or PEB will place the case in deferred status pending resolution of the LOD matter.

5. Proponent. The Assistant Secretary of the Army for Manpower and Reserve Affairs has oversight of this policy. The Deputy Chief of Staff, G-1 will ensure that the provisions of this directive are incorporated into Army Regulations (ARs) 135–175, 600–8–24, 601–280, 635–8, 635–40, and 635–200 within 2 years of the date of this directive. The Surgeon General will incorporate its provisions into AR 40–501.

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6. Duration. This directive is rescinded on publication of the revised regulations.



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Acting

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REFERENCES

- a. Title 10, United States Code, sections 1074 and 1074a and chapter 61
- b. Department of Defense (DoD) Directive-Type Memorandum (DTM)-18-004 (Revised Timeliness Goals for the Integrated Disability Evaluation System (IDES)), 30 July 2018, incorporating Change 2, effective 19 September 2019
- c. DoD, DTM-20-001 (Policy Revisions for the Disability Evaluation System (DES)), 12 February 2020
- d. DoD Instruction 1241.01 (Reserve Component (RC) Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements), 19 April 2016
- e. DoD Instruction 1332.18 (Disability Evaluation System (DES)), 5 August 2014, incorporating Change 1, effective 17 May 2018
- f. Army Regulation (AR) 40–501 (Standards of Medical Fitness), 27 June 2019
- g. AR 135–175 (Separation of Officers), 30 March 2020
- h. AR 135–178 (Enlisted Administrative Separations), 7 November 2017
- i. AR 600–8–4 (Line of Duty Policy, Procedures, and Investigations), 15 March 2019
- j. AR 600–8–24 (Officer Transfers and Discharges), 8 February 2020
- k. AR 601–280 (Army Retention Program), 16 October 2019
- l. AR 635–8 (Separation Processing and Documents), 17 September 2019
- m. AR 635–40 (Disability Evaluation for Retention, Retirement, or Separation), 19 January 2017
- n. AR 635–200 (Active Duty Enlisted Administrative Separations), 19 December 2016
- o. Department of the Army Pamphlet 635-40 (Procedures for Disability Evaluation for Retention, Retirement, or Separation), 12 January 2017

Enclosure