

CHAPTER 21

SPECIAL PAYS FOR NURSE CORPS OFFICERS2101 REGISTERED NURSE ACCESSION BONUS

*210101. Entitlement. A nurse who qualifies for appointment as a nurse corps officer in one of the military departments, and who during the period beginning 29 November 1989 and ending on 30 September 1996, executes a written agreement to accept a commission and serves on active duty as a nurse corps officer for a period of not less than four years may, upon acceptance of the agreement by the Secretary of the military department concerned, be paid a lump sum accession bonus up to a maximum of \$5,000.

*210102. Special Provisions

A. An individual who received financial assistance from the Department of Defense to pursue a baccalaureate degree is not eligible for the accession bonus.

B. An individual who holds an appointment as a nurse corps officer is not eligible.

C. An individual with prior active duty service as a nurse corps officer must have been discharged from active duty at least twelve months prior to execution of the written agreement for this accession bonus.

D. The Secretary of the Military Department concerned shall determine the amount of the accession bonus up to the maximum of \$5,000.

210103. Recoupment

*A. An officer who receives an accession bonus and subsequently fails to become licensed as a registered nurse within eighteen months after receipt of the bonus, and/or remains licensed as a professional registered nurse in any state in the United States during the period for which the bonus was paid, shall refund the entire amount of bonus.

*B. A nurse corps officer who dies or is separated from active duty while serving the re-

quired period of active duty incurred for an accession bonus is entitled to the proportionate part of the period of active duty served under the agreement. Payment exceeding that proportionate entitlement shall be recouped, except in the following circumstances:

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 the Department of Defense or Service regulations, when approved by the Secretary of the military department concerned;

3. In other cases, when the ASD(HA) determines recoupment is not in the best interest of the Government.

*C. A discharge in bankruptcy under Title 11, United States Code, shall not release a person from an obligation to reimburse the United States required under the terms of a written agreement entered into for this accession bonus, if the final decree of the discharge in bankruptcy was issued within a period of 5 years after the termination of the agreement. This paragraph applies to any case commenced under Title 11 after 1 October 1989.

D. An obligation to reimburse the United States imposed for the reasons stated above is for all purposes a debt owed to the United States.

E. However, reduce the amount to be recouped by an amount equal to any reduction taken under subparagraphs 350702F or 350802D.

210104. Coverage of Period of Lapsed Authority During the 90-day period 30 November 1993 through 27 February 1994, officers who met eligibility requirements of this section any time during the period 1 October 1999 through 29 November 1993, may execute agreements. Such agreements may be accepted and deemed to have been executed by the Secretary concerned on the

first date on which the officer qualified during the period of lapsed authority.

2102 INCENTIVE SPECIAL PAY FOR CERTIFIED REGISTERED NURSE ANESTHETISTS (CRNA)

210201. Entitlement

*A. Active Duty Not Less Than One Year. For the period 5 October 1994 through 30 September 1996, a nurse corps officer on active duty under a call or order to active duty for a period of not less than one year, who is qualified and performing as a CRNA may be paid incentive special pay in an amount not to exceed \$15,000 for each year of a properly executed written agreement to serve on active duty.

*B. The ISP rate per year for any contract for which the CRNA is not obligated for training as a CRNA at the beginning of the contract year is \$15,000.

*C. The rate per year during any period for which the CRNA is obligated for training as a CRNA is \$6,000.

D. Active Duty Less Than One Year in Support of Persian Gulf Conflict. Any qualified certified registered nurse anesthetist officer who served on active duty in support of the Persian Gulf Conflict may be entitled to special pay benefits for nurse anesthetists. See Part 8, Chapter 63, Health Care Officers on Active Duty in Support of the Persian Gulf Conflict, to determine eligibility and entitlement.

E. Effective 5 December 1991, the following categories of CRNA Nurse Corps 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 CRNA Nurse Corps 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 CRNA Nurse corps officers involuntarily retained under 10 U.S.C. 12305 (reference (c)).

3. CRNA Nurse Corps officers who voluntarily agree to remain on active duty for less than one year when officers are involuntarily retained 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. Any retired CRNA Nurse Corps officer recalled to active duty for more than 30 days under 10 U.S.C. 688 (reference (c)).

210202. Special Provisions

A. The officer first must execute a written agreement under which he or she agrees to remain on active duty for a period of not less than 1 year. The effective date of the agreement shall be prescribed in military department regulations issued by the Secretary concerned and shall be included in the agreement. Subject to mutual acceptance, an officer may execute a 2 year agreement in Fiscal Year 1990. Under such agreement, payments shall be made at the beginning of the agreement and on the one year anniversary date.

*B. Selection procedures for CRNAs to be awarded incentive special pay shall be made under guidance formulated by the Secretaries of the military departments, or their designees.

*C. The Assistant Secretary of Defense (Health Affairs) (ASD(HA)) has determined that as a minimum the selection criteria shall stipulate: Approval authority for payment of incentive special pay to individual eligible officers rests with Secretary of the military department concerned, or designee. This authority shall not be delegated to an officer below the grade O-7.

*D. Incentive special pay (ISP) is payable in lump sum annual installments upon execution of the written Service agreement. The Secretary of the military department concerned, or designee, may terminate at any time an officer's entitlement to ISP. If terminated, unearned ISP shall be recouped on a pro rata basis subject to the provisions described below. The authority to terminate an ISP agreement shall not be delegated to an officer below the grade O-7.

*E. CRNA Nurse Corps officers eligible under subparagraph 210201C are entitled to a monthly pro rata portion of the annual amount authorized for a regular CRNA Nurse Corps officer. Also prorate on a daily basis for any month in which service is less than the full month.

210203. Recoupment. The provisions of subparagraph 210103B, C, and D apply to a CRNA who executes an incentive special pay agreement.

210204. Refund. CRNA Nurse Corps officers paid under subparagraph 210202E 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.

210205. Coverage of Period of Lapsed Authority During the 90-day period 30 November 1993 through 27 February 1994, officers who met eligibility requirements of this section any time during the period 1 October 1993 through 29 November 1993, may execute agreements. Such agreements may be accepted and deemed to have been executed by the Secretary concerned on the first date on which the officer qualified during the period of lapsed authority.

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