

My case was referred by the MEB to the PEB and I received a Form 356 (Results of Physical Evaluation Board Proceedings). If I disagree with the outcome, what can I do?

There are several potential actions you can take. You can discuss your case with one of our attorneys who will review the documents and discuss your goals to determine the best course of action. Call our office as soon as you can after receiving your Informal PEB results because you only have **10 calendar days** to respond.

I was told my case will be handled under the Integrated Disability Evaluation System (IDES) and that I have to decide whether to appeal my rating to the VA or to request a Formal Physical Evaluation Board (FPEB) - Can an OAC Attorney help me decide which is appropriate?

Yes. This is a very important decision that can greatly impact your rights and options in this process, so you should call ASAP!

If I ask for a VA reconsideration instead of appealing to the FPEB can OAC Attorneys help with my reconsideration request?

Yes, we can do so—just call our office.

What happens if I decide to ask for a formal hearing?

Our office will assist you in gathering relevant evidence and will advocate on your behalf. We will also identify any evidence, written statements or witnesses for possible use at your hearing. The key to success at your formal hearing is preparation!

What if I am unhappy with my formal hearing decision, can OAC Attorneys assist with an appeal?

Yes. We will help you determine if there is a basis for an appeal and can also advise you if appealing is in your best interest. We will then help ensure that an appropriate appeal is drafted and submitted within the time limits allotted by the DES process.

The PEB placed me on the Temporary Disability Retirement List (TDRL), should I still consult with an OAC Attorney?

Yes. TDRL cases are required by law to be reevaluated every 18 months. For certain conditions, the initial TDRL re-evaluation will occur sooner than 18 months. We can provide you with important information and advice about the TDRL process which will help you when your case is re-evaluated. Once you are temporarily retired you can also call our office if questions come up about your case. Once you receive the results of your re-evaluation from the Informal PEB, you should call our office to discuss your appeal options.

U.S. AIR FORCE OFFICE of AIRMEN'S COUNSEL (OAC)



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PURPOSE: To provide you with information that will allow you to make informed decisions and fully participate in your Medical Evaluation Board (MEB) and Physical Evaluation Board (PEB). This brochure provides information regarding the services that the Office of Airmen's Counsel (OAC) can provide to you.

I'm going through the MEB/PEB process. Are attorneys available to help me throughout this process?

Yes. For questions involving your legal rights during the disability evaluation process you can speak with our attorneys who are specially trained to represent and advise Airmen, not the MEB/PEB, or Command. If you disagree with the informal PEB decision, we can help you decide whether to appeal and help you with all of your appeals including representing you at a Formal PEB hearing.

What can the OAC do for me?

Our attorneys provide legal services to Airmen who are going through the disability evaluation processes. At the beginning, we provide general advice and assist you in developing a strategy to reach your desired outcome. As you progress through the system, we can provide more specific advice and represent you should you request a hearing at the Formal PEB. If you are under the Integrated Disability Evaluation System (IDES), we can also assist with appeals of your VA rating.

In general, if you have a question or feel uncomfortable about something you are told while in the MEB/PEB process, you should call us!

How do I contact an Airmen's Counsel?

You can contact our office at DSN 665-0739 or comm (210) 565-0739. Please call ASAP so we can address your concerns early in the process. When you call, you will be asked for information about your case by a paralegal so please have all your forms and information available (see below) You may also contact us via e-mail at:

afloaja.disabilitycounsel@us.af.mil.

What can I do now that will help me later on during the process?

Make sure you have a copy of your MEB Narrative Summary, the results of your MEB (AF Form 618) your PEB (AF Form 356), your commander's input letter, and VA rating decision. Also, you can start by getting copies of your medical records—your PEBLO can assist you. Also, ask for a copy of your medical notes after every appointment. This will be the most important evidence for your case! You can also begin deciding whether you want to return to duty or to be medically separated or retired. We can give you general advice on what evidence will be most helpful.

I know I want to be found fit and returned to duty, what should I do?

Talk to your doctor about your condition and make certain they know what you want and that your records reflect how well you are doing, especially if there has been a big change in the past several months. Also, check your profile and if it is full of limitations, see if your doctor will change it to reflect good physical fitness. If at all possible, perform all parts of your job and ensure your command is aware of this performance. Additionally, if possible, make sure you have taken and passed the full PT test.

Can the OAC Attorneys make my doctor change his or her notes, my Narrative Summary, or my profile?

No. We are not doctors and we cannot make a doctor change his or her medical opinion.

Can the OAC Attorneys represent me at the Informal PEB (IPEB)?

No. However, we can provide you with important information and advice on how to proceed with your case, so you should contact us as soon as you can.

I received my Form 618 (MEB results) and do not know if I should write a letter of exception. Can I speak to an attorney?

Yes. We can look at any records you provide and speak with you regarding your rights. If you want an attorney to review your packet, you must call our office **immediately**. If you disagree with the MEB findings, we can assist you in submitting an exception letter.

I am unsure if I should request an Independent Medical Review (IMR) - should I request one?

In almost every case you should request the IMR as it gives you the opportunity to have someone else review your entire medical record, consider all your potentially compensable conditions or say your condition(s) are not medically disqualifying if you want to be returned to duty. You have **5 calendar days** to decide if you want an IMR. If you have any questions or concerns about this part of the process, please contact us.