

**Defense Advisory Committee on Women in the Services (DACOWITS)**  
**Request for Information for Sept. 13-14 Sep 2016 Meeting**  
**RFI #12**

Soldiers provide a copy of their convalescent profile from their medical provider to their company or other unit commander. Convalescent leave after a termination of pregnancy (for example, miscarriage, abortion) will be determined on an individual basis by the attending physician; a loss of a pregnancy after 20 weeks gestation is authorized 6 weeks of convalescent leave. E-profile does not list a diagnosis; however, the unit commander will know if a Soldier was on already pregnancy profile. Number of miscarriages/abortions (spontaneous or elective) are not annotated on the profile and are not visible to the unit commander. The company/unit commander, with the supporting medical documentation, is the approval authority for convalescent leave.

9 Aug 2016

## Information Paper

Subject: M&RA RESPONSE TO DACOWITS REQUEST FOR INFORMATION: MARINE  
CORPS POLICY ON CONVALESCENT LEAVE

1. Purpose. To provide response to the Defense Advisory Committee on Women in the Service (DACOWITS) in preparation for the upcoming quarterly meeting to be held 13-14 September 2016.

2. Background. DACOWITS has asked three (3) questions concerning the Marine Corps policy on convalescent leave. The Marine Corps Policy on convalescent leave is stated in MCO 1050.3J (Regulations for Leave, Liberty, and Administrative Absence).

3. Discussion

**DACOWITS Question 12: What medical documentation is required by Service members to provide to their chain of command?**

M&RA Response 12a: Per MCO 1050.3J, Ch 2, par 17c(4), a medical officer certifies to the commanding officer that the Marine is physically unfit for duty, will not need hospitalization during the convalescent leave period contemplated, and such leave will not delay final disposition of the case.

**DACOWITS Question 12b: What (if any) annotations are included on the form in the case of a miscarriage, abortion, or stillborn birth? Meaning to what extent is Protected Health Information (PHI) shared with the servicewoman's chain of command (e.g., number of miscarriages/spontaneous abortions, elective abortions, etc.)?**

M&RA Response 12b: Per MCO 1050.3J, Ch 2, par 17, convalescent leave following childbirth shall be 42 days. During pregnancy, Marines shall continue to perform their duties as long as they are medically fit. Per MCO 1050.3J, Ch 2, par 17c(4), the medical officer's responsibility is to certify to the commanding officer that the Marine is physically unfit for duty. The medical officer will normally only address the current diagnosis on a form. However, pursuant to applicable law and regulations, commanders are authorized to receive necessary PHI in order to carry out an activity under the authority of the commander. Such PHI may include information other than the current diagnosis which is relevant to a Marine's fitness for duty. Appropriate military command authorities have a duty to protect the use and disclosure of PHI.

**DACOWITS Question 12c: Who in the chain of command reviews and approves convalescent leave requests?**

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M&RA Response 12c: Per MCO 1050.3J, the Marine's commanding officer (upon advice of the attending military or civilian physician), may grant convalescent leave.

4. Points of Contact at MPO for the Leave and Liberty Policy are Lieutenant Colonel Michael Blessing, work phone number: (703)784-9358, work email address: [Michael.Blessing@usmc.mil](mailto:Michael.Blessing@usmc.mil), and Lieutenant Colonel Dawn M. Burke, work phone number (703) 784-9585, work email address: Dawn.Burke@usmc.mil.

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*Pregnancy and Parenthood RFI #12*

The committee requests written response from the Military Services on the process for Service members to request convalescent leave.

*RFI Question:*

What medical documentation is required by Service members to provide to their chain of command?

*RFI Response:*

- (a) There is no standard medical Convalescent (CONLV) Form provided by BUMED. The information and discharge paperwork varies depending on the Medical Treatment Facility (MTF)/physician.
- (b) For commands that process paper requests, the service member typically completes the Leave Request/Authorization Form (NAVCOMPT 3065). (The number of days requested are based on info from the MTF Clinic/physician that typically lists the medical issue in general terms and number of CONLV days recommended.) The request then goes to the member's chain of command for approval.
- (c) For commands that use the electronic leave request capability of the Navy Standard Integrated Personnel System (NSIPS), service members request leave electronically. (The number of days requested are based on info from the MTF Clinic/physician that typically lists the medical issue in general terms and number of CONLV days recommended.) The request is electronically routed to member's chain of command for approval. POC: BUMED

*RFI Question:*

What (if any) annotations are included on the form in the case of a miscarriage, abortion, or stillborn birth? Meaning to what extent is Protected Health Information (PHI) shared with the servicewoman's chain of command (e.g., number of miscarriages/spontaneous abortions, elective abortions, etc.).

*RFI Response:*

Due to Privacy Act and Health Insurance Portability and Accountability Act (HIPPA) concern, the MTF Clinic/physician typically lists the medical issue in vague terms. If the information is not sufficient for the chain of command, they can contact the MTF clinic/physician for additional information.

Note: All Health Care Providers conduct training in HIPPA and Privacy Act. POC: BUMED

*RFI Question:*

Who in the chain of command reviews and approves convalescent leave requests?

*RFI Response:*

Per MILPERSMAN 1050-180, a member's commanding officer reviews and approves CONLV (upon advice of attending physician). The request is routed through the same chain of command as other forms of leave.

*POC: OPNAV N130C*



## DACOWITS RFIs for September 2016

### **PREGNANCY AND PARENTHOOD POLICIES**

12. The Committee requests **written responses** from the **Military Services** on the process for Service members to request convalescent leave.

- What medical documentation is required by Service members to provide to their chain of command?
  - No medical documentation is required to process a convalescent leave request; member must provide a hard copy of an AF Form 988, Leave Request/Authorization, that is completed, signed and stamped by an appropriate medical authority in Block 7
- What (if any) annotations are included on the form in the case of a miscarriage, abortion, or stillborn birth? Meaning to what extent is Protected Health Information (PHI) shared with the servicewoman's chain of command (e.g., number of miscarriages/spontaneous abortions, elective abortions, etc.)?
  - The reason for convalescent leave is not required on the AF Form 988, just a signature and stamp from an appropriate medical authority and recommendation for duration of convalescence
- Who in the chain of command reviews and approves convalescent leave requests?

**Air Force response:** Per AFI 36-3003, *Military Leave Program*, para 4.2.1.1. "The unit commander normally approves convalescent leave, to include any associated and cleared travel, up to 30 days based on the recommendations by either the MTF authority of the attending physician most familiar with the member's medical condition. Extending convalescent leave beyond 30 days requires additional medical review and consent. **Exception:** Convalescent leave due to pregnancy or childbirth. **Note:** During short absences of the unit commander, the commander's designated representative may approve convalescent leave." Depending on the organization and the internal chain of command, following the supervisor, unit leave monitor, a flight chief, first sergeant (for enlisted members), Squadron Superintendent and/or Deputy may see it prior to the Commander. In addition to AFI 36-3003, convalescent leave is prescribed IAW AFI 41-210 and AFI 44-102.

## **U.S. Coast Guard Response to DACOWITS Request for Information, September 2016**

### **Pregnancy and Parenthood Policies**

Question 12: What is the U.S. Coast Guard process for service members to request Convalescent Leave?

12.1: What medical documentation is Service members required to provide to their chain of command?

Answer The convalescent leave form which is signed by the Medical Officer, and forwarded to the unit commander.

12.2: What (if any) annotations are included on the form in the case of a miscarriage, abortion, or stillborn birth? To what extent is the Protected Health Information (PHI) shared with the service woman's chain of command?

Answer: The absolute minimum amount of PHI is supplied to the unit commander to make an appropriate decision. In the case of a loss or termination of pregnancy without complications, the only PHI communication related to the unit commander is that pregnancy-related duty and mobility restrictions are lifted, not the reason why.

12.3: Who in the chain of command reviews and approves Convalescent Leave requests?

Answer: U.S. Coast Guard medical staff provides recommendations only. The unit commander has the authority to approve Convalescent Leave requests.