



DEPARTMENT OF THE NAVY  
BUREAU OF MEDICINE AND SURGERY  
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IN REPLY REFER TO  
BUMEDINST 6320.79B  
BUMED-M3  
1 Apr 2022

BUMED INSTRUCTION 6320.79B

From: Chief, Bureau of Medicine and Surgery

Subj: MEDICAL EXAMINATIONS FOR MEMBERS ON THE TEMPORARY DISABILITY  
RETIRED LIST

Ref: (a) DoD Instruction 1332.18 of 17 May 2018  
(b) 10 U.S.C. §1210  
(c) 38 CFR 4.1–4.150  
(d) SECNAVINST 1850.4F  
(e) SECNAV M-1850.1 of September 2019  
(f) DoD Manual 6025.18, Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs, 13 March 2019  
(g) BUMEDINST 6000.19  
(h) DoD Manual 1332.18, Volume 1, Disability Evaluation System (DES) Manual: General Information and Legacy Disability Evaluation System (LDES) Time Standards and Volume 2, Disability Evaluation System (DES) Manual: Integrated Disability Evaluation System (IDES), 5 August 2014  
(i) NAVPERS 15560D  
(j) MCO 1900.16  
(k) NAVMED P-117  
(l) BUMEDINST 6010.30

1. Purpose. To establish procedures for the periodic physical examination (PPE) of Navy and Marine Corps members on the temporary disability retired list (TDRL), per references (a) through (k), Manual of the Medical Department, chapter 18, article 18-18 and reference (l). This instruction is a complete revision and should be reviewed in its entirety. The changes in subparagraphs 1a through 1e have been implemented.

a. New option to perform TDRL PPE virtually, when appropriate, and using the NAVMED Form 6120/9, Temporary Disability Retired List (TDRL) as the default documentation for completing these examinations for submission directly to the Physical Evaluation Board (PEB).

b. Expansion of requirements for specialty conditions which expands scope of providers that can complete TDRL PPEs.

c. Updates references and policy language to bring document in line with current directives, to include: insertion of language on roles and responsibilities for Navy Personnel Command (NAVPERSCOM) and Manpower Management Separations and Retirement-4 (MMSR-4), Navy Medicine Readiness and Training Commands (NAVMEDREADTRNCMD), regional force medical readiness departments, and changes to TDRL duration.

d. Updated system of record to limited duty Sailor and Marine Readiness Tracker (LIMDU SMART) system for tracking status of members on TDRL.

e. Use of Department of Defense (DoD) Secure Access File Exchange (SAFE), or alternate means of secure and encrypted transmission, per reference (l), when sending medical records to NAVMEDREADTRNCMD, NAVPERSCOM, or MMSR-4.

2. Cancellation. BUMEDINST 6320.79A.

3. Scope and Applicability. This instruction applies to all NAVMEDREADTRNCMDs and their subordinate activities.

4. Background

a. Per references (a) through (g), the TDRL is a list of Service members found to be unfit for military duty by reason of disability. TDRL placement is determined by the PEB. A member may be placed on the TDRL for up to 3 years if placed into the program on or after January 1, 2017, or 5 years if placed into the program prior to January 1, 2017. Criteria for placement on the TDRL includes:

(1) Having condition(s) that are not stabilized sufficiently to permit the assignment of a permanent disability rating and having a combined Department of the Navy disability rating of 30 percent or higher, or

(2) Having potential for the unfitting, unstable condition(s) to improve or worsen while on the TDRL. If the Service member's disability stabilizes and is rated at 30 percent or higher, they will be transferred to the Permanent Disability Retired List (PDRL).

b. If the Service member's disability stabilizes and is rated at less than 30 percent and the Service member does not have 20 years of service, they will be discharged from the TDRL with severance pay. Per reference (a), initial placement on TDRL disability will be determined stable when the preponderance of medical evidence indicates the severity of the condition will probably not change enough within the next 3 years to increase or decrease the disability rating percentage, per reference (b).

c. Service members placed on the TDRL must be assessed at least every 18 months, via a PPE, to determine whether there has been a change in the unstable and unfitting condition(s) for which the member was temporarily retired. Information on a change in condition(s) since placement on the TDRL, and overall assessment of occupational and social functioning, guides the PEB to formulate a final disposition of assignment to the PDRL, discharge from the TDRL with severance pay, or fit to return to duty. The PEB uses reference (c) to determine final disability rating percentages.

d. Per references (d) and (e), the Chief of Naval Personnel or the Commandant of the Marine Corps will remove the member's name from the TDRL at such time the PEB determines one or more of these listed conditions exist:

(1) The member is fit for full duty.

(2) The disability has stabilized and is rated at less than 30 percent and member does not have 20 years of service; member will be discharged from the TDRL with severance pay.

(3) The member is non-compliant with completing required PPE.

(4) The disability has stabilized and is rated at 30 percent or higher; member will be transferred to PDRL.

#### 5. Roles and Responsibilities

a. NAVPERSCOM and MMSR-4 must:

(1) Manage the TDRL program for their respective service, per reference (e).

(2) Maintain an accurate account of members on the TDRL.

(3) Designate NAVMEDREADTRNCMDs to coordinate PPEs and direct members to undergo these examinations.

(4) Arrange and coordinate alternate means of examination (virtual or telehealth appointments), with the President of the PEB, when members are unable to travel or report for PPEs due to circumstances beyond their control.

(5) Obtain additional medical information when requested by the PEB.

(6) Monitor failures to report for PPE and take appropriate actions in such cases.

(7) Implement disposition of members whose cases are finalized by the PEB, as appropriate.

(8) Coordinate with the most capable NAVMEDREADTRNCMD nearest the member's current place of residence, or alternatively any capable NAVMEDREADTRNCMD that can accommodate timely scheduling of PPEs. NAVMEDREADTRNCMDs will provide TDRL PPE appointments for members of other Services.

(9) Per reference (f), coordinate with the NAVMEDREADTRNCMD to provide the PEB case file through secure and encrypted modes of transmission.

(10) Fund travel, allowances, and medically necessary attendants required for TDRL members to complete PPE, per reference (d).

(a) Notify the member at least 3 months before the PPE is due, and no later than 3 months before the third or fifth anniversary of the member's placement on the TDRL. An advance copy of orders or travel authorization will be forwarded to Service members, and optionally sent to the cognizant or designated NAVMEDREADTRNCMD, as appropriate.

(b) In collaboration with the NAVMEDREADTRNCMD, determine if the PPE appointment will be conducted in-person or virtually. If an in-person examination is required, NAVPERSCOM or MMSR-4 will generate and send advance notifications, along with member's TDRL case files received from the PEB to the designated examining NAVMEDREADTRNCMD. Virtual appointments do not require travel orders or authorization.

b. NAVMEDREADTRNCMD must:

(1) Collaborate with NAVPERSCOM or MMSR-4 to arrange all required appointments, whether virtual or in-person. If in-person examinations or testing is not required, TDRL PPE can be completed virtually using NAVMED 6120/9, for submission to the PEB. The NAVMED-READTRNCMD may assist, but is not responsible for arranging member's travel.

(2) Coordinate with the member to eliminate scheduling conflicts.

(3) Consult NAVPERSCOM or MMSR-4 if all required appointments cannot be arranged in a timely fashion or within the shortest reasonable timeframe. Virtual or telehealth appointments at any NAVMEDREADTRNCMD can be used to fulfill TDRL PPE requirements if in-person appointments are not required.

(4) Notify NAVPERSCOM or MMSR-4 when appointments, virtual or in-person, have been created and agreed upon by the member. NAVPERSCOM or MMSR-4 will then create and issue travel orders for the Service member with a copy to the designated NAVMEDREADTRNCMD.

(5) Use the TDRL application, at least monthly, in LIMDU SMART or current system of record, to ensure accuracy of information.

(6) Request TDRL PEB case files for unstable, unfitting condition(s) for which the member was placed on the TDRL from NAVPERSCOM or MMSR-4. As appropriate, request examinations performed at Department of Veterans Affairs (VA) facilities for condition(s) which the member was placed on TDRL.

c. Service members on the TDRL must:

(1) Maintain current contact information with the appropriate finance center and NAVPERSCOM or MMSR-4 at all times, to include: name, physical or forwarding address, date of birth, accessible e-mail address, and telephone numbers, per reference (e).

(2) Attend PPE appointments and provide medical records of care received at civilian, network, or VA facilities to the designated examining NAVMEDREADTRNCMD, NAVPERSCOM, MMSR-4, or covered entity, to fulfill TDRL PPE requirements, per reference (g).

(a) Failure to attend periodic appointments will result in suspension of retired pay until compliance with TDRL requirements is met. TDRL pay will be terminated at the end of the third or fifth anniversary of the Service member's placement on the TDRL if a final disposition has not been determined, per reference (b).

(b) Should use the DoD SAFE, or alternate means of secure and encrypted transmission, when sending medical records to NAVMEDREADTRNCMD, NAVPERSCOM, or MMSR-4, per reference (f). The link to DoD SAFE to submit documents via secure and encrypted electronic transmission is <https://safe.apps.mil/>.

6. Action

a. PPE. NAVMED 6120/9 must be used to document PPE at NAVMEDREADTRNCMDs. The PEB uses reference (c), the Veterans Affairs Schedule for Ratings Disability (VASRD) to finalize disability ratings. Therefore, the TDRL PPE examiners must ensure the completed PPEs are in compliance with the applicable sections of the VASRD for the PEB to accurately adjudicate and render final disability ratings. VASRD can be accessed via <https://www.benefits.va.gov/WARMS/bookc.asp>.

(1) The facility to which the TDRL member has been directed for care is responsible for providing the PPE documentation, and reporting in full detail all examination findings and impacts associated with each impairment of the TDRL member, to include activities of daily living, social, and physical limitations.

(2) TDRL members ordered to a NAVMEDREADTRNCMD for a PPE are priority patients similar to active duty Service members. NAVMEDREADTRNCMDs must provide the examination without delay. Virtual or telehealth TDRL PPEs must be utilized to the greatest extent for conditions not requiring in-person examinations.

(3) The PEB does not require a full-body examination or examination of conditions that were not found originally unfitting and unstable by the PEB.

(4) Per reference (e), for unstable, unfitting conditions for which the PEB placed the member on the TDRL, the provider completing the PPE must:

(a) Describe current status of condition(s) and prognosis for which member was placed on the TDRL. They must state if the member's condition is improving, worsening, or staying the same.

(b) Describe current limitations or impairments to activities of daily living and current level of occupational, physical, and social functional status or impairment.

(c) Describe any new disability caused by, or directly related to the treatment of, unstable or unfitting condition(s) for which the Service member was placed on the TDRL.

(d) Describe any new disability that arose as a residual from an unstable, unfitting condition(s) (e.g., neuropathy or permanent lung damage that is a residual of cancer).

(5) The PPE examiner must obtain any consultations, laboratory or radiological tests, or additional studies needed to document the member's physical condition. The physician can utilize TDRL PEB case files, completed VA examinations, and electronic health record as references when completing a PPE.

(6) The PPE examiner must convene a competency board, per references (d) and (e), if a member not previously declared incompetent is considered to be incompetent at the time of the PPE examination.

(7) When completing a TDRL PPE, the PPE examiner must ensure compliance with examination criteria outlined in references (d) through (h).

b. Report of the PPE

(1) NAVMED 6120/9 is the default documentation for completing a TDRL PPE. A TDRL PPE does not require the convening of a medical board, a medical board report cover sheet, or a convening authority's signature. TDRL PPEs should be completed by a physician working within their scope of practice based on approved clinical privileges. When a non-physician provider is completing TDRL PPEs within their scope of practice, a co-signature by a physician is required. The exception for the physician co-signature requirement is when strictly mental health conditions are present, and where licensed clinical psychologist can complete TDRL PPEs independently of physicians. Additionally, for those conditions outside of the scope of their respective practice, the providers noted above can complete the TDRL PPEs when appropriate supporting documentation is accessible from a specialist (i.e., a network oncology evaluation that addresses the stability and prognosis of the oncologic condition).

(2) VA examinations are not a substitute for TDRL PPEs, and will not be accepted by the PEB for final adjudication.

(3) The TDRL report must contain:

(a) The current name, preferred address, e-mail, and telephone number of the member.

(b) Date of the report.

(c) Name of cognizant NAVMEDREADTRNCMD.

(d) An interval history since the last examination with particular reference to the member's employment and work time lost due to the disability for which retired.

(e) The results of examination including any consultations, clinical evaluations, and laboratory studies necessary to document the member's physical condition.

(f) Information about the member's current condition and prognosis, including current stability, comparative estimate of changes relative to the member's previous condition, and the likelihood of significant change within the remaining statutory time the member might remain on the TDRL.

(g) In the case of psychiatric disabilities, a statement on the current degree of occupational and social functioning or impairment. Additionally, a statement on whether disclosure to the member of information relative to his or her physical or mental condition, or a personal appearance before the PEB, would be detrimental to the member's physical or mental health.

(4) Whenever a member on the TDRL was previously found mentally incompetent, the report must contain either a statement that the member continues to be incompetent, or a finding of restoration of competency. A report on restoration of competency may be completed by one or two physicians, one of whom must be a psychiatrist or licensed clinical psychologist. The commanding officer must ensure liaison with the Office of the Judge Advocate General.

c. Supplemental Guidance

(1) Unless disclosure of the information contained in the TDRL PPE would adversely affect the Service member's physical or mental health, a copy of the TDRL PPE must be sent to the Service member via certified mail or secure and encrypted transmission, per reference (f), with instructions to send any comments directly to the President, PEB, 720 Kennon Street, S.E., Room 309, Washington Navy Yard, DC 20374-5023. If the member is incompetent, send a copy of the report to member's legal guardian.

(2) Commanders and commanding officers of NAVMEDREADTRNCMD must submit the report and a copy of the member's orders within 30 days following completion of the examination to the President, PEB via secure encrypted electronic transmission. Contact the PEB at (202) 685-6430 for most current alternate e-mail address, as applicable. Alternatively, the NAVMEDREADTRNCMD can send TDRL PPEs via certified mail to President, PEB, 720 Kennon Street, S.E., Room 309, Washington Navy Yard, DC 20374-5023.

(3) The NAVMEDREADTRNCMD regional force medical readiness department, MEB section, or medical readiness department staff must maintain and provide accurate reporting of members on TDRL within the TDRL application in LIMDU SMART or current system of record.

d. Completion of Service Member's Travel Voucher

(1) The NAVMEDREADTRNCMD is responsible for stamping the travel authorization or creating a memorandum to verify the member's arrival and departure dates and times. The member requires this verification for inclusion in their travel voucher.

(2) Upon completion of medical examination and travel, Navy members will complete their travel claim using the Travel Voucher Kit provided by Chief of Naval Personnel and return it via e-mail, facsimile, or conventional mail options as indicated in the Travel Voucher Kit. Members must submit a completed voucher within 5 working days for processing.

(3) Upon completion of medical examination and travel, Marine Corps members will submit a voucher to MMSR-4, per the instructions included with their orders.

e. Special Circumstances

(1) TDRL PPE appointments for post-traumatic stress disorder are required within 6 months of the member being placed on the TDRL, per reference (h).

(2) If a member has difficulty traveling (e.g., bedbound patients) to a NAVMEDREADTRNCMD for PPE examination, the NAVMEDREADTRNCMD may obtain a medical report from the member's attending civilian physician and submit this report to the PEB instead of a PPE at the NAVMEDREADTRNCMD. The report must contain all the required information outlined in subparagraph 6c(2) and be endorsed by the medical board convening authority, MEB approving authority, or designated representative.

7. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Directorate for Administration, Logistics, and Operations, Directives and Records

Management Division portal page at <https://portal.secnave.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the Department of the Navy Directorate for Administration, Logistics, and Operations, Directives and Records Management Division program office.

8. Review and Effective Date. Per OPNAVINST 5215.17A, Force Medical Readiness (BUMED-M34) will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, DoD, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

9. Form or Information Management Control

a. Form. NAVMED 6120/9 Temporary Disability Retired List (TDRL) Assessment is available at: <https://forms.documentservices.dla.mil/order/>

b. Report. The reporting requirements contained in subparagraphs 5a(4), 5a(6), 6a(1), 6b, and 6c in this instruction are exempt from reports control per Secretary of the Navy Manual 5214.1 of December 2005, part IV, subparagraph 7p.

  
G. D. SHAFFER  
Acting

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via the Navy Medicine Web site at, <https://www.med.navy.mil/Directives>