

MILPERSMAN 1050-180 CONVALESCENT LEAVE

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References	(a) DoD Directive 1327.06 of 16 June 2009 (b) Directive-type Memorandum 23-001 of 4 January 2023 (c) DON Guidance for Expansion of the Military Parental Leave Program of 17 January 2023
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1. **Authority to Grant Convalescent Leave.** Unless otherwise indicated, convalescent leave will be granted only when recommended by Chief, Bureau of Medicine and Surgery, through action taken upon the report by a medical board or the recommended findings of a physical evaluation board, or higher authority.

2. **Who May Grant Convalescent Leave.** Per reference (a), the following individuals in positions of authority may grant convalescent leave to active duty Navy patients subject to a set of conditions:

a. A member's commanding officer (CO) (upon advice of attending physician);

b. Commanders of Navy, Army, or Air Force medical facilities, for personnel hospitalized therein; or

c. The CO of the nearest naval hospital for personnel hospitalized in U.S. Public Health Service hospitals or civilian hospitals; and

d. Managers of Veterans Administration hospitals within the United States or Puerto Rico, may grant convalescent leave to active duty Navy patients, with or without reference to a medical board, a physical evaluation board, or higher authority, provided the conditions stated below are met.

3. **Conditions for Granting Convalescent Leave.** All of the following conditions must be met before convalescent leave may be granted:

a. The convalescent leave is being granted subsequent to and because of a period of hospitalization. Hospitalization is defined as formal admission to a medical treatment facility.

b. The member is not awaiting disciplinary action or separation from the Service for medical or administrative reasons.

c. The medical officer in charge (OIC) of the case considers the convalescent leave to be beneficial to the patient's health.

d. The medical OIC of the case certifies:

(1) the patient is not fit for duty,

(2) the patient will not need hospital treatment during the convalescent leave period contemplated, and

(3) such leave will not delay final disposition of the case.

4. **Providing Recovery After Birth.** Per reference (b), to provide an appropriate recovery period for Service members who give birth, convalescent leave may be authorized if such leave is specifically recommended, in writing, by the health care provider of the birth parent to address a diagnosed medical condition and is approved by the CO. Convalescent leave for childbirth will begin on the first full day after the birth of the child, or the date of release of the member from the hospital or similar facility where the birth took place, whichever is later. The period of convalescent leave will be taken in one increment. Per reference (c), convalescent leave for childbirth may be authorized for greater than 30 days if appropriate for the medical condition and approved by the CO.

5. **Maximum Allowable Leave Rate**

a. When considered necessary by the attending physician, convalescent leave may be granted to a member on active duty by the member's CO or the hospital's CO for a period not to exceed 30 days per period of hospitalization.

b. In instances where care is not provided by a federal military hospital, up to 30 days convalescent leave may be granted by the member's CO upon the recommendation of the attending physician.

c. Care must be exercised to keep convalescent leave to the minimum amounts required to enable recuperation. Convalescent leave that exceeds 30 days must be approved by the Secretary of the Navy unless delegated to a lower echelon. Approval for convalescent leave for childbirth will be per paragraph 4 above.

6. **Exercising Care in Granting Leave**

a. Care must be exercised in granting convalescent leave to limit the duration of such leave to that which is essential in relation to

- (1) diagnosis,
- (2) prognosis,
- (3) estimated duration of treatment, and
- (4) probable final disposition of the patient.

b. If considered necessary, the member's CO may require patients receiving care at a facility other than a federal military hospital be examined by a military medical treatment facility prior to the authorization of additional convalescent leave.

c. Convalescent leave must not delay processing of medical boards or administrative disposition of the member. Members awaiting physical evaluation board (PEB) action may be placed on convalescent leave, but must remain in the local area. Only the PEB may grant exceptions to this policy.

7. **Granting Leave to Prisoners of War (POW)**. The Office of the Chief of Naval Operations Military Pay and Compensation Branch (OPNAV N130) may grant convalescent leave to repatriated POW upon their transfer or detachment to the United States with or without action by a medical board or PEB.