

MILPERSMAN 1910-152

SEPARATION BY REASON OF NON-COMPLIANCE WITH ALCOHOL REHABILITATION TREATMENT

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References	(a) OPNAVINST 5350.4E (b) SECNAVINST 5300.28F (c) 10 U.S.C.
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1. **Policy and Procedure**. Per references (a) and (b), unless a written waiver is obtained, commands must process all Service members, to include Selected Reserve (SELRES) in an active status or SELRES currently serving on active duty, who are considered not having successfully completed an alcohol rehabilitation treatment, for administrative separation (ADSEP) using notification procedure under [MILPERSMAN 1910-402](#). Additional guidance in processing SELRES members is outlined in reference (a), chapter 5.

2. **Separation Authority (SA)**. Refer to [MILPERSMAN 1910-704](#) to determine SA. When an ADSEP board is held, refer to [MILPERSMAN 1910-710](#) for additional guidance in determining SA.

3. **Characterization of Separation**. General (under honorable conditions), unless an entry-level separation ([MILPERSMAN 1910-308](#)) or honorable is warranted, per [MILPERSMAN 1910-304](#).

4. **Treatment Non-Compliance**. Per reference (a), the following are examples of situations when a Service member does not demonstrate the expected level of recovery or does not successfully complete treatment:

a. Any Service member who incurs a subsequent alcohol incident at any time in his or her career after a period of treatment at level 2 or above, precipitated by a prior alcohol incident.

b. Any Service member who has been screened by medical personnel and found in need of treatment and who commences but subsequently does not complete any prescribed treatment (i.e., formal care). All instances when Service members do not complete treatment are not automatically considered to have an incomplete treatment (e.g., leaving treatment due to emergency). Commands may contact the Office of the Chief of Naval Operations (OPNAV) Drug and Alcohol Deterrence Office (OPNAV N173) for additional assistance.

c. Any Service member who incurs an alcohol incident at any time during outpatient, intensive outpatient, or residential treatment that resulted from an alcohol incident, command-referral, or self-referral (even though treatment may not have been completed).

d. Any Service member who does not participate in, follow, or successfully complete any medically-prescribed and command-approved recovery aftercare plan. This determination must be made by the Service member's commanding officer (CO) in consultation with the Drug and Alcohol Program advisor (DAPA) and Substance Abuse Rehabilitation Program (SARP) counselor.

Note 1: Conduct, which amounts to a refusal, failure to complete, or non-amenability, must be determined by a medical officer or licensed independent practitioner. Conduct, which amounts to an alcohol incident, must be determined by the Service member's CO.

Note 2: In the event a Service member incurs an alcohol incident subsequent to screening, but prior to the commencement of formal care, he or she must be reevaluated by a SARP counselor and then allowed to receive appropriate treatment.

5. **What is an Alcohol Incident?** An offense punishable under reference (c), chapter 47, or civilian authority, committed by a Service member where, in the judgment of the Service member's CO, the consumption of alcohol was a contributing factor.

6. **Waiver Requests.** Waiver requests will be submitted to Navy Personnel Command (NAVPERSCOM) Enlisted Performance and Separations Branch (PERS-832) (for active duty and Training and Administration the Reserve personnel) or NAVPERSCOM Reserve Enlisted Personnel Branch (PERS-913) (for Selected Reserve), via OPNAV (N173B) and the appropriate echelon 3 commander. A sample waiver request can be found on the MyNavy HR Web site at <https://www.mynavyhr.navy.mil/Support-Services/Culture-Resilience/Drug-Alcohol-Deterrence/Publications-Resources/Sample-Letters/>.