



DEPARTMENT OF DEFENSE  
SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE



## TOPIC: CONVALESCENT LEAVE FOR RESTRICTED REPORTS

JULY 2024

Topics from Deputy Secretary of Defense Memo, "Updates to Department of Defense Policies to Enhance Support for Adult Sexual Assault Victims," signed May 2024. Available at [www.sapr.mil/latest-policy-updates](http://www.sapr.mil/latest-policy-updates).

**Enclosure 2 DoDI 6495.02, Volume 1, as follows:**  
Authorizes convalescent leave for Restricted Reports.

### **DHA Director Responsibilities Regarding Convalescent Leave**

4. **DIRECTOR, DHA.** The Director, Defense Health Agency (DHA), shall:

c. Require adherence to the SAPR policy in this volume and in Reference (c), to include:

(6) Requiring military treatment facility (MTF) commanders or MTF directors (depending on who has jurisdiction over the facility) to assess granting convalescent leave (non-chargeable) to Service members for their treatment and recuperation from sexual assault based on a recommendation from a healthcare provider (medical or mental health) or sexual assault medical forensic examiner in accordance with the procedures in [DoDI 1327.06, "Leave and Liberty Policy and Procedures"](#).

(a) Convalescent leave is available for both Restricted and Unrestricted Reports.

1. Convalescent leave for adult sexual assault victims who file a RESTRICTED REPORT may be approved by MTF commanders or MTF directors, as they are able to accept a Restricted Report as "healthcare personnel" (see Glossary in DoDI 6495.02, vol.1).

2. In accordance with the policy in [DoDI 1327.06, "Leave and Liberty Policy and Procedures"](#), convalescent leave may be approved to start immediately following the release from a medical facility, the completion of a SAFE, or the completion of an appointment with a healthcare (medical or mental health) provider after the sexual assault incident is reported.

(b) Only commanders of Service members, MTF commanders, or MTF directors are authorized to approve convalescent leave, in accordance with [section 701\(m\) of Title 10, United States Code](#), as amended by Section 633 of the [Fiscal Year 2023 National Defense Authorization Act](#), and [DoDI 1327.06](#).

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### **What is convalescent leave?**

Convalescent leave is a period of non-chargeable leave granted to Service members under medical care, which is part of the treatment prescribed for recuperation and convalescence. It is also referred to as "sick leave."

**Can Service members who experience sexual assault be granted convalescent leave after completing a SAFE even if they do not have an identified medical condition and just want a few days to rest and recover?**

*A Service member's commanding officer or the director of a military medical treatment facility may grant convalescent leave to a member who is diagnosed with a medical condition and is determined not yet fit for duty because of that condition. The Service member's medical or behavioral health care provider may determine such Service member's fitness for duty and recommend convalescent leave to provide for the convalescence from their medical condition.*

*Sick in quarters status is a period of authorized absence where the Service member is excused from duty for medical treatment or medically directed self-treatment in home, barracks, or other non-hospital facilities (e.g., hotel, motel, occupying beds in dispensaries).*

*If a Service member develops symptoms or has concerns about returning to duty, they should visit their primary care provider, or any follow-up care identified by the Emergency Department to discuss their concerns with that health care provider.*

**Do I need to request convalescent leave to go to regular medical and mental health appointments or to go see my SARC?**

*Please see DoDI 1327.06 for convalescent leave procedures.*

**Is there a limit to the amount of convalescent leave that I can request?**

*As per DoDI 1327.06, convalescent leave shall not exceed 30 days with respect to a medical condition of a Service member. In granting convalescent leave, care must be taken to limit the duration to the minimum that is essential in relation to the diagnosis, prognosis, and probable final disposition of the Service member, and tailored to the Service member's specific medical needs rather than based on a predetermined formula. Convalescent leave that exceeds 30 days shall be controlled at the level designated by the Secretary concerned, but not below the grade of O-5 or the civilian equivalent.*

**Is there a requirement for the DD Form 2910 to be signed in order for a victim to receive convalescent leave from a military treatment facility (MTF)?**

*No. A Service member's commanding officer or the director of an MTF may grant convalescent leave to a Service member who is diagnosed with a medical condition and is determined not yet fit for duty as a result of that condition.*

**If the Service member is assigned to an MTF and they want to make a Restricted Report but do not want their commanding officer to know about a convalescent leave recommendation by their healthcare provider, is there another way to have that recommendation approved?**

*The Service member should reach out to their Special Victims' Counsel/Victims' Legal Counsel/Victims' Counsel (SVC/VLC/VC) if they are concerned about a healthcare provider's convalescent leave recommendation being viewed by their direct chain of command.*

**Does the convalescent leave policy apply to Expedited Transfers?**

*Convalescent leave recommendations made by healthcare providers and Service member requests for Expedited Transfer are separate.*

**What is the criteria for an MTF director or commander to grant convalescent leave? Is there a memo template?**

*The criterion for convalescent leave is found in DoDI 1327.06, "Leave and Liberty Policy and Procedures."*

**Any suggestions on what to do if a convalescent leave request is denied?**

*Commanders and MTF directors exercise their discretion when approving requests for leave, including convalescent leave.*

**Is convalescent leave a benefit for active duty victims within the SAPR program?**

*Convalescent leave is a non-chargeable leave status available to Service members upon approval by their commander or MTF director. The criterion for convalescent leave is found in DoDI 1327.06, "Leave and Liberty Policy and Procedures."*

**Does the convalescent leave guidance cover what a Reservist can do if they were sexually assaulted on a duty weekend but are not on orders? Would they get training weekends off and receive pay and points for those weekends? How many weekends could they be off if they are entitled to being off?**

*Convalescent leave policy is established in DoDI 1327.06, "Leave and Liberty Policy and Procedures," and applies to eligible Reservists.*