

DEVELOPMENTAL COUNSELING FORM

For use of this form, see ATP 6-22.1; the proponent agency is TRADOC.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army.
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: The DoD Blanket Routine Uses set forth at the beginning of the Army's compilation of systems or records notices also apply to this system.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI)	Rank/Grade	Date of Counseling
Organization	Name and Title of Counselor	

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g. Performance/Professional or Event-Oriented counseling, and includes the leader's facts and observations prior to the counseling.)

EVENT ORIENTED

The purpose of this counseling is to inform you that you tested positive for _____, an illicit drug on _____ (collection date).

Additionally, you are also hereby notified of potential opportunities to attend rehabilitative programs if necessary. Lastly, this counseling notifies you of mandatory adverse administrative actions in light of your positive test result for a controlled substance. Adverse administrative actions include, imposition of an administrative flag IAW AR 600-8-2 (suspension of favorable personnel actions), notification to DoD Consolidated Adjudications (DoD CAF), which may have a negative impact on your eligibility for a security clearance, notification to federal law enforcement and mandatory involuntary divestiture of any personally owned firearms and ammunition IAW 18 USC 922(g)(2), and mandatory initiation of administrative separation / elimination proceedings IAW:

AR 135-178 (TPU Enlisted)

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

1. This counseling statement has been furnished to you, not as a punitive measure under the provisions of article 15, UCMJ, but as an administrative measure.
2. IAW AR 600-85, para. 16-11b, this counseling session constitutes your referral to an appropriate substance use disorder clinic (SUDCC) for an assessment to determine if you have an abuse or dependence issue. A Substance Abuse Professional will determine an appropriate level of care for you, such as:
 - a. attendance to only a substance abuse prevention educational class
 - b. enrollment into a substance abuse treatment/rehabilitation program, which may include attendance of substance abuse prevention educational class.
3. Substance abuse assessment and treatment options:
 - a. If you are AC, AGR, or on Active-duty status, I will refer you to the closest SUDCC or military installation using DA Form 8003.
 - b. If you are TPU, you may access care at your own expense at a licensed state treatment facility within 30 days of this counseling. Contact the Nurse Case Managers at the Readiness Divisions who can assist you in finding appropriate treatment:
 - i) 81st POC is Donna Brunetti at 803-751-9547 and email: donna.m.brunetti.ctr@mail.mil
4. Additional treatment options include:
 - a. the Veterans Administration at www.va.gov (if eligible);
 - b. State Dept of Health and Community Human Services care, dial 211 (United Way) within the state you are seeking services;
 - c. Substance Abuse and Mental Health Administration at 1-800-662-4357 or 877-726-4727; or
 - d. You can search for a treatment agency via the Internet at <http://www.findtreatment.samhsa.gov/>
5. IAW AR 600-85, para 16-8a(3) administrative separation must be initiated and processed to the separation authority for decision on any Soldier with a positive drug test that could not have resulted from legitimate medical use of a drug. Accordingly, separation / elimination proceedings are being initiated IAW the Army regulation identified above. You will be flagged IAW AR 600-8-2 and all favorable personnel actions suspended while your adverse administrative action is pending. Additionally, notice to DoD CAF will be made via DA Form 5248-R and an incident report entered in the Joint Personnel Adjudication System (JPAS), potentially resulting in an adverse impact to your security clearance eligibility. Lastly, IAW 18 USC 922(g)(3), divestiture of any personally owned firearms or ammunition for one (1) year from the date the drug offense was discovered (positive urinalysis) is mandatory. A copy of Army EXORD 240-18 as well as a Frequently Asked Questions (FAQ) handout about this mandatory divestiture as required by 18 USC 922(g)(3) is attached to this counseling. Soldiers who possess, purchase, or transfer firearms and ammunition in violation of 18 USC 922 may be committing a federal criminal felony offense. NOTE: Illicit positive test results are reported by Army Reserve Headquarters - Fort Bragg to federal law enforcement authorities for entry into criminal reporting databases to include the FBI's National Instant Criminal Background Check System (NICS).
6. If separated from military service due to your illicit drug use, a characterization of Honorable may entitle you to benefits through the Veteran's administration. You will need to consult with the VA regarding any medical, educational, GI Bill or other benefits that may be available to you. If you receive a General (Under Honorable Conditions) Discharge, it could result in the possible loss of some or all Veterans Benefits and substantial prejudice in obtaining civilian employment. An Other Than Honorable Discharge may make you ineligible for Federal & State benefits available to veterans of military service. In addition, if you have contributed money to the Montgomery G.I. Bill and you are released with a less than Honorable Discharge, you will not be eligible to receive money for educational purposes and any money already contributed for educational purposes is nonrefundable and may be forfeited.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (*other than rehabilitative transfers*) , separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

Plan of Action *(Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below)*

1. Administrative separation proceedings are being initiated under the appropriate Army regulation identified in Part II above. You may request that a USAR Trial Defense Services (TDS) attorney be appointed to you to provide legal guidance and counsel by using the attached request form.

2. You will be referred for evaluation to SUDCC (AGR/MOB) or a community-based, certified program at no cost to the Government (TPU), which may be a program directed by civilian judicial authorities, if applicable, or one located through a resource directory provided to Soldier. **FAILURE TO COOPERATE CONSTITUTES GROUNDS FOR SEPARATION.** (OPTIONAL: Soldier will also attend Alcoholics Anonymous/Narcotics Anonymous or similar recovery program meetings & show proof of attendance as authorized by AR 600-85, para 8-19.) Soldier may request referral for substance abuse treatment. This will not affect any pending legal action, but is for the Soldier's benefit. **A REQUEST FOR TREATMENT MAY BE MADE WITHOUT ADMITTING TO A SPECIFIC INCIDENT.**

3. You are required to comply with 18 USC 922(g)(3) by personally divesting yourself of any personally owned weapons and/or ammunition. A mandatory notice required by EXORD 240-18 is attached and serves as presumptive notice of your obligation to comply with the provisions of 18 USC 922.

4. If you seek civilian treatment, you must sign a Release of Information treatment form, which allows the treatment facility to share information with me and/or my designee. Additionally, you will provide me a copy of the Release of Information from the treatment facility. This will enable me to discuss your assessment, treatment option(s) and progress. Furthermore, you must request that the initial assessment and outcome is documented on the DA Form 4465 (Patient Intake/Screening Record), which provides me documented evidence of the encounter. This will aid in the development of an effective treatment plan (regimen), such as establishing monthly rehabilitation drug testing under the RO Test Basis Code. Lastly, you must request that the counseling personnel provide quarterly (every 90 days) of written documentation on the DA Form 4466 (Patient Progress Report) to update me and/or my designee of your progress until you successfully complete the program.

5. You will remain a satisfactory participant by attending all regularly schedule Battle Training Assemblies (BTA) and Annual Training (AT) / Extended Combat Training (ECT) and by maintaining compliance with all mandatory readiness indicators (PHA, dental readiness, APFT, height/weight, etc.)

ATTACHMENTS: EXORD 240-18 NOTIFICATION TO SOLDIERS AFFECTED BY 18.._
HQDA EXORD 240-18 Annex A - Frequently Asked Questions (FAQ)
USAR Trial Defense Services (TDS) Request Form
18 USC 922(g)(3) Acknowledgment

Session Closing: *(The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.)*

Individual counseled: ☐ I agree ☐ disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled: _____ Date: _____

Leader Responsibilities: *(Leader's responsibilities in implementing the plan of action.)*

Signature of Counselor: _____ Date: _____

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: *(Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)*

Counselor: _____ Individual Counseled: _____ Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.