



REGIONAL HEALTH COMMAND ATLANTIC

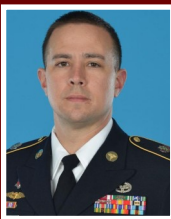
OFFICE OF THE INSPECTOR GENERAL



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SOCIAL MEDIA ACTIVITIES

Social media is an environment in which all Soldiers need to understand the left and right limits. The multitude of platforms available are increasingly a part of our everyday social interactions, but the impersonal and often anonymous nature make it easy to be swept up in a wide-ranging variety of groups, organizations, and topics; and the ease of social media access and use makes it possible for Soldiers to quickly commit errors in judgement that have lasting impact. Soldiers must always keep the fact that we work for an organization where the American citizens trust us to be "loyal to the Constitution, laws, and ethical principles above private gain" in the forefront of their minds and as a guiding consideration in how they choose to interact with others and express their beliefs. The special trust and confidence instilled in the Army requires a professionalism that goes beyond reproach, and as such, Soldiers' expressed opinions and public affiliations must be in support of "good order and discipline." While the breadth of social media can result in confusion, Army guidance helps clarify what Soldiers are prohibited from doing.

AR 600-20, Army Command Policy, RAR Issue Date 6 November 2014, is clear: "Military personnel must reject participation in extremist organizations and activities."

Examples of these organizations and activities include any that advocate:

- Racial, sex, sexual orientation, or ethnic hatred or intolerance.
- The use of force or violence or unlawful means to deprive individuals of their rights under the United States Constitution or the laws of the United States, or any State.
- Support for terrorist organizations or objectives.
- The use of unlawful violence or force to achieve goals that are political, religious, discriminatory, or ideological in nature.

Soldiers may hold personal, private beliefs that are consistent with the public views expressed by extremist organizations, and "following" or reading publically available material is not inherently prohibited (although doing so on duty without official sanction **is** prohibited). Actions in support of these organizations, however, is expressly prohibited. Specific examples of prohibited activities that could occur in the social media setting include:

- Fund raising, to include directly donating.
- Recruiting or training members, including encouraging others to join.
- Creating, organizing, or taking a visible leadership role in an extremist organization or activity, which could include "creating" or even "moderating" groups or pages that serve to support extremist causes.
- Distributing literature which concerns extremist causes, organizations, or activities, which could include "sharing" or "posting" such materials on social media.

Commanders, along with their legal counsel, are best positioned to determine what constitutes active participation (and have the inherent authority to take appropriate actions to do so) or what will adversely affect good order and discipline or morale within the command. It is similarly important to note that enforcement of these prohibitions is a **responsibility** of commanders, not an option. Because there is a continuum of behavior, individual instances of which will be up to command to evaluate, Soldiers are well-advised to exercise caution and deliberate consideration.

Commanders also **must** take positive actions to educate Soldiers, notifying them of both the requirements for conduct and the consequences of violating prohibitions. But if violations of above occur, options for commanders to address violations of the above include the following:

- UCMJ, Art. 92—Failure to obey a lawful general order or regulation.
- UCMJ, Art. 116—Riot or breach of peace.
- UCMJ, Art. 117—Provoking speeches or gestures.
- UCMJ, Art. 133—Conduct unbecoming an officer.
- UCMJ, Art. 134—General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting.
- Separation, reclassification or a bar to reenlistment, or other administrative or disciplinary action deemed appropriate.

Soldiers and Commanders should actively review AR 600-20, Chpt 4-12, in its entirety, as well as proactively confirm local command policies governing social media, to inform their social media conduct. An additional valuable resource is the [Army Social Media Handbook](#). Ultimately, though, there is no substitute to good judgment and embracing the Army Values in both personal and professional settings.

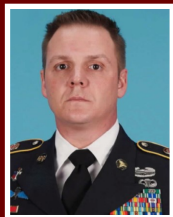


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HIPAA VIOLATIONS: APPROPRIATE FOR THE IG?



SFC JAMES MUNNS
IG NCO

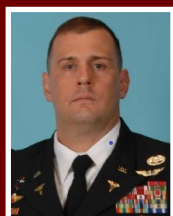
A common request for assistance received by the RHC-A IGO involves concerns about HIPAA violations. Additionally, a part of the IG Action Process is to ask, "Have you notified any other organization?" One external agency specifically relevant to HIPAA at every MTF is the HIPAA Compliance Officer or the Privacy Office. In the event they are unable to address your concerns or you otherwise feel that contacting the IG is important, the information below can inform your request for assistance.

First, is the United States Army (or its sister branches) required to comply with HIPAA? According to [DoD Instruction 6025.18](#), issued 13 March 2019, all of the branches of Service "are regulated in accordance with federal regulation issued by the Department of Health and Human Services (HHS) pursuant to Public Law 104-191 as amended, also known and referred to in this issuance as "HIPAA."" The DoDI also amplifies what is considered PHI and the requirements for its safe handling, storage, and destruction. [DoD Manual 6025.18](#), issued 13 March 2019, further details specific considerations for the disclosure of information governed by HIPAA.

To that end, the DoD has formally adopted HIPAA and requires subordinate elements to comply with it, although with multiple specific exceptions pertaining to the military mission (see [The Military Command Exception](#) and [AR 40-66, Medical Record Administration and Health Care Documentation, RAR Issue Date 4 January 2010](#), Chapter 2-4). The DoD has also determined that except for certain specific circumstances, HIPAA preempts the provisions of State Law. And finally, according to the DoDM, HIPAA concerns ARE appropriate for the Inspector General: "Pursuant to Section 1320a-7c(a)(5) of Title 42, U.S.C., nothing in this issuance should be construed to diminish the authority of any statutory Inspector General, including such authority as provided in the Appendix of Title 5, U.S.C., also known as the "Inspector General Act of 1978."" (DoDM 6025.18, 3.2.a).

So there you have it, HIPAA violations ARE appropriate for the Inspector General—although nothing precludes an individual from first attempting to resolve the issues with the MTF's HIPAA Compliance Officer or Privacy Office, whose contact information can be found on the specific MTF's website or by calling their information line.

OFFICER RATING CHAINS IN THE MTF SETTING



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Secondary to the nature of MTF manning and a variety of factors—TDA vs MTOE, disproportionate number of field grade officers and civilian personnel as compared to maneuver units, increasing joint staffing due to DHA, frequently non-standardized internal organizations (various departments versus company/battalion/brigade), MTOE Aligned Personnel (MAP), common lack of overlap between commanders and rating officials, and more—officer rating chains in MTFs can be challenging. Ultimately, there are some absolute requirements that should be used when determining rating chains, and while non-command leaders may functionally be the ones determining rating chains, it is the responsibility of commanders to validate their legitimacy IAW [AR 623-3, Evaluation Reporting System, published 4 June 2019](#).

Army regulations have statutory authority, and must be complied with when finalizing officer rating chains regardless of the complexities above. Commanders should review AR 623-3 in its entirety and work with their S-1 / G-1 subject matter experts (SMEs) as well, but some pearls to keep in mind are as follows:

- Table 2-1 details the minimum grade for senior raters (SR). Note that this sets minimum grades for both military and civilian senior raters.
- Intermediate raters (IR) are a consideration unique to specialty branches—Chaplain Corps, JAGC, and AMEDD. Due to the latter, they are especially critical for commanders at MTFs to consider. 2-3b., 2-6 and 2-13 provide specific guidance, but generally look at cases where there is technical (e.g. clinical performance) supervision between the rater and SR, dual supervision (e.g. an officer who is both a clinician and in a staff or leadership role), and when the logical SR does not meet SR grade eligibility requirements as per Table 2-1. IRs are not authorized for officers in other branches or enlisted personnel.
- 2-8 provides specific guidance, but generally when neither the rater nor the SR is an Army officer (so either GS or a sister service), an Army officer will service as a supplementary reviewer. The reviewer must be senior in to the rated officer and typically senior to the senior rater. The reviewer advises on evaluation practices and assists on Army-specific considerations, but they will not evaluate the rated officer. It is important to note that a reviewer **will** be identified in the published rating chain at the beginning of the rating period.
- The phrase "your rater's rater is your senior rater" is commonly used as a colloquialism when discussing rating chains. However, that guidance does not appear in AR 623-3. Rather, 2-7a.(3) states that the SR will be the immediate supervisor of the rater and a supervisor above all other rating officials in the rated officer's chain of command or supervision, except as per 2-6 (covering situations with IRs) or 2-7a.(13) (specific exceptions).

Ultimately, commanders—at the company, battalion, and brigade / hospital level—should work with leaders and supervisors in the hospital as well as SMEs to review and publish rating chains to ensure they both accurately capture the performance and potential of rated officers while complying with regulatory requirements. Failure to invest time and attention in correct rating chains prior to the end of a rating period creates the potential for challenges for raters, senior raters, and commanders alike.



THE IG UPDATE

Supplemental Guidance to IG Update 21-1: Updates to Appearance and Grooming Standards Policies

On April 30, 2021, the Acting Secretary of the Army released Memorandum, "Appearance and Grooming Policies for the United States Army," which further modified the policies outlined in the February 24, 2021, guidance of the same title. This memorandum and the associated Deputy Chief of Staff, G-1, ALARACT 040-2021 (United States Army Appearance and Grooming Modifications), are the result of feedback from the force and the Army's commitment to fostering an environment that promotes and facilitates diversity, equity, and inclusion. The upcoming revision of Chapter 3, Army Regulation (AR) 670-1 (Wear and Appearance of Army Uniforms and Insignia) will include the following modifications and those previously released.

Hairstyles and Length:

- Female Soldiers can wear ponytails in all uniforms. Hair must be neatly and inconspicuously fastened and/or secured in a bun, singular ponytail, two braids, or singular braid. Multiple locs, braids, twists, or cornrows may come together in one or two braids or a single ponytail.
- Length of braids and singular ponytails will not extend past the bottom of the shoulder blades when standing at attention. There is no **minimum** hair length for a ponytail or braid(s).
- The only exceptions to the length of the ponytail or braid(s) are while conducting tactical or physical training in the ACU or APFU. The length of the secured hair cannot hinder a Soldier's performance and or increase risk or safety.
- No portion of the bulk of the hair, as measured from the scalp, will exceed 2 inches (except a bun, which is worn on the back of the head (centered) and may extend a maximum of 3 1/2 inches from the scalp and be no wider than the width of the head).

Hairstyles, cont.

- In all uniforms, the unsecured hair will be worn centered in the back of the head (not on the side or top of the head); hair cannot be wider than the width of the head or interfere with proper wear of authorized Army headgear.
- While female Soldiers are wearing equipment, (e.g., combat vehicle crewman or advanced combat helmet), they are authorized to wear their hair in a ponytail and or a long braid(s) secured in their utility uniform top.
- Female Soldiers can also wear "multiple hairstyles" (e.g., braided twists or loc hair style with a side twist to secure hair placed in a ponytail, two single cornrows encompassing all hair going into a ponytail or bun).
- Commanders will consider the risk of a free hanging ponytail or braid and use their discretion to determine if long hair will be tucked inside the uniform top.

**Please consider safety considerations such as ripping, tearing, pulling, or entanglement due to hair being caught on an object/obstacle if hair is not properly secured.*

Lipstick: Female Soldiers can wear solid color shades of lipstick, to included tinted glosses. They may also wear lip liner, but the colors must match the shade of lipstick worn.

In addition to these modifications, the revision of AR 670-1 will include up-to-date images that reflect authorized and unauthorized hairstyles, nail shapes and color, lipstick colors, and earrings to assist leaders with clear and concise guidance.

References

- SECARMY Memo (Appearance and Grooming Policies for the United States Army), 30 April 2021.
- *ALARACT 040-2021.
- AR 670-1
- DA PAM 670-1 (Guide to the Wear and Appearance of Army Uniforms and Insignia), 26 January 2021.

*replaces ALARACT 016/2021

