

MANUAL: Personnel
Chapter Series CC--Commissioned Corps Personnel Manual
Part 2--Commissioned Corps Personnel Administration

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service

Chapter CC22--Pay and Allowance Administration
Subchapter CC22.2--Special Pays
Personnel INSTRUCTION 4--Medical Officers' Retention Bonus (MORB)

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Section A. Purpose and Scope

This INSTRUCTION states the conditions and circumstances under which medical officers of the Public Health Service (PHS) Commissioned Corps may be paid Medical Officers' Retention Bonus (MORB) and the procedures for processing MORB contracts. The purpose of MORB is to aid PHS in recruiting and retaining competent medical officers with clinical specialty skills training.

Section B. Authority

Medical officers in the Armed Forces are authorized MORB by Section 703 of Public Law 101-189, National Defense Authorization Act, Fiscal Years 1990 and 1991. The PHS Act (42 U.S.C. 210(a)(2)) specifies that medical and dental officers on active duty in the PHS Commissioned Corps are authorized special pay in the same amounts as, and under the same terms and conditions which apply to, the special pay paid to commissioned medical and dental officers of the Armed Forces under Chapter 5 of Title 37, U.S. Code.

Section C. Definitions

For the purpose of this INSTRUCTION, the following definitions shall apply:

1. MORB Contract. A written agreement, which has been properly signed and notarized, by which an officer agrees to remain on active duty for at least two years, beginning on the effective date of the agreement. An agreement to serve under the MORB Program will be executed in triplicate on Form PHS-6310, "Medical Officers' Retention Bonus (MORB) Contract" (see Exhibit I).
2. Call to Active Duty For Not Less Than Two Years. An order to active duty by personnel order which specifies either:
 - a. No terminal date for the tour of duty; or
 - b. A terminal date for the tour of active duty that is at least two years after the effective date of call to active duty.
3. Creditable Service. The officer's years of active duty as a medical officer in the uniformed services, and the years such officer spent participating in a medical internship and/or residency training while not on active duty with a uniformed service. (See INSTRUCTION 3, CC22.2, "Retention Special Pay," of this Manual.)
4. Creditable Service Entry Date. The service entry date used to determine the rates of special pay for medical officers.
5. Retention Special Pay (RSP). A lump sum bonus payable on an annual basis to medical officers who contract to serve on active duty in the commissioned corps for 1, 2, 3, or 4 years. (See INSTRUCTION 3, CC22.2, "Retention Special Pay," of this Manual.)
6. Board Certified. For the purposes of MORB, "board certified" is defined in Section C.3., INSTRUCTION 1, Subchapter CC22.2, "Monthly Special Pays for Medical, Dental, Optometry, and Veterinary Officers," of this Manual.
7. Fully Trained in a MORB Specialty. For the purposes of MORB, "fully

trained in a medical specialty" is defined as satisfactory completion of an accredited residency training program approved by the Accreditation Council for Graduate Medical Education or the Advisory Board for Osteopathic Specialists of the American Osteopathic Association. (The Bureau of Health Professions, Health Resources and Services Administration, PHS, will verify whether the officer meets the requisite criteria to be considered "fully trained in a medical specialty" for purposes of this current (initial) cycle.)

Section D. Eligibility

To be eligible for MORB a medical officer must:

1. Be entitled to RSP (referred to as "additional special pay" in the United States Code) under 37 U.S.C. 302(a)(4);
2. Be in pay grade 0-6 or below;
3. Not be serving obligated service pursuant to participation in a PHS-supported scholarship or training program or if serving obligated service pursuant to participation in a PHS-supported scholarship or training program, have 8 years of Creditable Service;
4. Not be participating in PHS-supported, long-term training as defined in Subchapter CC25.2, INSTRUCTION 1, "Extramural Training," of this manual;
5. Be eligible to remain on active duty for a period of at least two years from the effective date of the MORB contract or the specified term of the contract;

NOTE: MORB contracts will not be processed for medical officers who have or who will attain 30 years of active service prior to the expiration date of the contract unless the Agency Head concerned indicates that the officer will be recommended for retention for the entire period of the contract and that the Agency currently predicts that the officer will be in the top one-third of all officers recommended for retention. For example, a medical officer who has a retirement credit date of February 20, 1962, will not be permitted to enter a four-year MORB contract with an effective date of January 1, 1989, unless his/her Agency Head indicates that the officer will be recommended for retention until at least December 31, 1992, and that the Agency Head believes that the officer will be in the top one-third of all officers in that Agency who are recommended for retention beyond 30 years of active service. An officer with a retirement credit date of February 20, 1962, could, of course, enter either a two-year or three-year contract without concern about the 30-year retirement policy.

6. Be board certified or fully trained in a medical specialty specified in Section F, below;
7. Hold a current, valid license to practice medicine or osteopathy (see INSTRUCTION 4, Subchapter CC26.1, "Professional Licensure/ Certification Requirements for Health Care Providers in the Public Health Service," of this Manual; Officers who have been granted a waiver of the licensure requirement pursuant to the above-cited INSTRUCTION are not eligible for MORB);
8. Execute a MORB contract to remain on active duty for at least two years or two years beyond the service obligation end date for medical officers whose obligations will be completed prior to October 1, 1991; and
9. Be capable of undertaking the clinical practice of his/her specialty which may be verified by assignment to a clinical practice billet, by being credentialed to practice at a Federal health care facility, or by a special board established by the Surgeon General if the MORB specialty is practiced outside a Federal facility. If an officer is not in full time clinical practice as reflected in his/her billet, the officer must submit documentation of current or planned involvement in clinical practice for the equivalent of 14 days (112 hours) per year at a military, Bureau of Prisons, Indian Health Service, or Coast Guard facility, and this practice activity must be reflected in the officer's billet. Similar information will be required for officers who practice their MORB specialty in other than Federal facilities. Such outside work activities must be approved in advance on Form HHS-520, "Request for Approval of Outside Activity," which must be included in the officer's official personnel folder. Medical officers with the OB/GYN specialty will need to provide evidence of a commitment to complete the equivalent of the Department of Defense Combat Casualty Care Course B training.

IT IS IMPORTANT TO NOTE THAT MORB IS AN INTERIM SPECIAL PAY PROGRAM. THEREFORE, MEDICAL OFFICERS WHO ARE ELIGIBLE FOR MORB MUST HAVE THEIR CONTRACTS IN THE DIVISION OF COMMISSIONED PERSONNEL, OFFICE OF THE SURGEON GENERAL, NOT LATER THAN AUGUST 10, 1990. IF CONTRACTS ARE NOT RECEIVED BY THAT DATE, MORB WILL NOT BE PAID. THERE WILL BE NO WAIVERS OF THIS DEADLINE.

Section E. Responsibilities

Surgeon General (SG) or His/Her Designee. The SG, or his/her designee, is responsible for:

1. Certifying that medical officers receiving MORB meet the eligibility requirements specified in Section D. above;

2. Issuing implementing instructions for administering the MORB program; and
3. Awarding MORB payments based on his/her discretion as to the needs of the Service.

Section F. Rate of Medical Officers' Retention Bonus

The annual amount of MORB to which a medical officer is entitled shall be based on the officer's specialty training and the needs of the Service.

1. Critical Specialty Amount:

| Critical Specialty | Commissioned Corps Specialty Code | Two-Year Annual Amount | Three-Year Annual Amount | Four-Year Annual Amount |
|--------------------|--------------------------------------|---------------------------|-----------------------------|----------------------------|
| Group #1 | | | | |
| Surgery | 5400 | \$10,000 | \$15,000 | \$20,000 |
| Orthopedics | 1000 | 10,000 | 15,000 | 20,000 |
| Group #2 | | | | |
| Anesthesiology | 0100 | 8,000 | 12,000 | 16,000 |
| Ophthalmology | 5800 | 8,000 | 12,000 | 16,000 |
| Otolaryngology | 1200 | 8,000 | 12,000 | 16,000 |
| Urology | 2000 | 8,000 | 12,000 | 16,000 |
| Group #3 | | | | |
| Radiology | 1800 | 10,000 | 15,000 | 20,000 |
| Radiology-Ther | 1802 | 10,000 | 15,000 | 20,000 |
| Radiology-Diag | 1803 | 10,000 | 15,000 | 20,000 |
| OB/GYN | 0800 | 10,000 | 15,000 | 20,000 |
| Nuclear Medicine | 2400 | 10,000 | 15,000 | 20,000 |
| Group #4 | | | | |
| Cardiology | 0602 | 10,000 | 14,000 | 18,000 |
| Dermatology | 0300 | 10,000 | 14,000 | 18,000 |
| Group #5 | | | | |
| Emergency Medicine | 6200 | 11,000 | 13,000 | 15,000 |
| Allergy | 0601 | 11,000 | 13,000 | 15,000 |
| Med-Gastro | 0604 | 11,000 | 13,000 | 15,000 |
| Med-Pulmonary Dis | 0606 | 11,000 | 13,000 | 15,000 |
| Med-Endoc/Metab | 0607 | 11,000 | 13,000 | 15,000 |
| Med-Hematology | 0608 | 11,000 | 13,000 | 15,000 |

| | | | | |
|----------------------|------|--------|--------|--------|
| Med-Infect Dis | 0609 | 11,000 | 13,000 | 15,000 |
| Med-Nephrology | 0610 | 11,000 | 13,000 | 15,000 |
| Med-Oncology | 0611 | 11,000 | 13,000 | 15,000 |
| Med-Rheumatology | 0612 | 11,000 | 13,000 | 15,000 |
| Med-Diag Lab Immunol | 0613 | 11,000 | 13,000 | 15,000 |
| Med-Geriatric | 0614 | 11,000 | 13,000 | 15,000 |
| Med-Critical Care | 0615 | 11,000 | 13,000 | 15,000 |

| <u>Critical Specialty</u> | <u>Commissioned Corps Specialty Code</u> | <u>Two-Year Annual Amount</u> | <u>Three-Year Annual Amount</u> | <u>Four-Year Annual Amount</u> |
|-------------------------------|----------------------------------------------|-----------------------------------|-------------------------------------|------------------------------------|
|-------------------------------|----------------------------------------------|-----------------------------------|-------------------------------------|------------------------------------|

Additions to Group #5

| | | | | |
|----------------------|------|--------|--------|--------|
| Ped-Allergy | 1501 | 11,000 | 13,000 | 15,000 |
| Ped-Cardiology | 1502 | 11,000 | 13,000 | 15,000 |
| Ped-Endocrinol | 1506 | 11,000 | 13,000 | 15,000 |
| Ped-Nephrology | 1504 | 11,000 | 13,000 | 15,000 |
| Ped-Diag Lab Immunol | 1508 | 11,000 | 13,000 | 15,000 |
| Ped-Neo/Perina | 1507 | 11,000 | 13,000 | 15,000 |
| Ped-Gastroent | 1505 | 11,000 | 13,000 | 15,000 |
| Ped-Hematolog | 1503 | 11,000 | 13,000 | 15,000 |
| Ped-Neurology | 1509 | 11,000 | 13,000 | 15,000 |
| Ped-Pulmonolgy | 1510 | 11,000 | 13,000 | 15,000 |
| Ped-Crit Care | 1511 | 11,000 | 13,000 | 15,000 |
| Clin Pharmacology | 8000 | 11,000 | 13,000 | 15,000 |

Group #6

| | | | | |
|--------------------|------|-------|-------|-------|
| Undersea Medicine | 2203 | 1,500 | 3,000 | 8,000 |
| Aerospace Medicine | 2000 | 1,500 | 3,000 | 8,000 |
| Occupational Med | 2300 | 1,500 | 3,000 | 8,000 |
| Preventive Med | 1900 | 1,500 | 3,000 | 8,000 |
| Neurology | 1702 | 1,500 | 3,000 | 8,000 |
| Pathology | 1400 | 1,500 | 3,000 | 8,000 |
| Psychiatry | 1701 | 1,500 | 3,000 | 8,000 |
| Gen Internal Med. | 0600 | 1,500 | 3,000 | 8,000 |

Group #7

| | | | | |
|-------------------|------|-------|-------|-------|
| Gen Pediatrics | 1500 | 1,500 | 3,000 | 8,000 |
| Family Practice | 0501 | 1,500 | 3,000 | 8,000 |
| Physical Medicine | 1600 | 1,500 | 3,000 | 8,000 |

2. Officers presently serving under an RSP contract who are eligible to receive MORB will terminate the current RSP contract and will execute a new RSP contract with dates concurrent with the MORB contract. A payback for the unserved portion of the RSP contract will be calculated based on 1/360 for each day not served. The payback will be collected from the new RSP contract amount at the time of payment for the new RSP and MORB contracts.
3. MORB contracts will be payable in equal annual installments. The initial annual installment will be paid upon execution of the MORB service agreement. Payments of subsequent installment amounts will be made on the anniversary date of the contract.
4. Officers who become eligible to receive MORB at a higher rate as a

result of certification (or additional training to become "fully trained") will be entitled to the new rate of MORB at the time of the next annual installment provided documentation is received and approved prior to the issuance of the annual payment.

4. Unless otherwise precluded by law, medical officers who sign MORB contracts who would be eligible for larger payments under future special pay legislation will have the option of executing an agreement under the new legislation only if the new agreement would extend beyond the officer's MORB obligation. This will insure that recipients do not receive the larger payments under the new legislation for the same period which they are obligated under the MORB.
5. Recipients with a training obligation must be explicitly aware that their retention bonus payments and obligation are not concurrent. Retention bonus payments are made annually upon execution of the written agreement while the actual obligation period can be one or more years later. For example, a recipient could conceivably receive MORB payments on January 1, 1990 and January 1, 1991 but have an obligation of September 1, 1992 - August 31, 1994.

Section G. Termination of Medical Officers' Retention Bonus

1. MORB will be terminated upon the officer's release from active duty or upon completion of the contract period.
2. An officer who is relieved from active duty prior to the expiration of the MORB contract will be divested of entitlements for travel and transportation allowances for himself/herself and his/her dependents, shipment of household goods, and transfer or payment of unused annual leave upon release from active duty. The officer will pay back all amounts received for longevity (three-and four-year contracts) and a pro rata amount for Critical Specialty and RSP based on 1/360 for each day not served. For example, if an officer with a specialty in surgery enters a four-year MORB contract and then separates from active duty after serving only two years and nine months of the contract, the officer will be deemed to have entered a two-year contract. Since the officer in this example will have received three MORB payments of \$20,000 each, the officer will have to pay back \$30,000 (\$20,000 per year for a four-year contract minus \$10,000 per year for a two-year contract times three payments) plus three-twelfths of \$10,000 for the unserved portion of the third year of the contract period.
3. The MORB payment of officers promoted to pay grade 0-7 or above or officers who enter a PHS-supported, long-term training program will be recouped

based upon the effective date of promotion.

Section H. Involuntary Termination of MORB Contracts

The same criteria and procedures for termination of RSP contracts shall apply to involuntary termination of MORB contracts as defined in Section L, INSTRUCTION 3, Subchapter CC22.2.

Section I. Privacy Act Provisions

Payroll records are subject to the Privacy Act of 1974. The applicable systems of records are 09-37-0002, "PHS Commissioned Corps Personnel Records, HHS/OASH/OSG," and 09-90-0017, "Pay, Leave, and Attendance Records, HHS/OS/ASPER."

EXHIBIT I