

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service

Chapter CC23--Staffing
Ssubchapter CC23.4--Promotion
Personnel INSTRUCTION 6--Chief Professional Officer Nomination Criteria
and Selection Process

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Section A. Purpose and Scope

This INSTRUCTION establishes the policy and procedure to nominate and appoint a chief professional officer (CPO). This policy and procedure applies to:

1. The selection of CPOs in the dental, nurse, pharmacist, and engineer professional categories as required by statute; and
2. The selection of CPOs for professional categories for which a CPO is not required by statute, when the Surgeon General (SG) has determined that the appointment of a CPO would benefit the Public Health Service (PHS).

Section B. Authority

1. In accordance with 42 United States Code (U.S.C.) 206(b), there shall be a CPO in the dental, nurse, pharmacy, and engineer categories.
2. Pursuant to 42 U.S.C. 216(a), the SG is authorized to appoint CPOs in other professional categories as needed.
3. General criteria by which CPOs may be promoted to flag rank grades is set forth in 42 U.S.C. 206(c).
4. The authority to establish policy and procedure for the selection of CPOs has been delegated to the SG as part of the general authority to administer the PHS Commissioned Corps and is published at 53 Federal Register 5046-5047, February 19, 1988.

Section C. Responsibilities

1. CPOs serve as the primary point of contact between the Office of the Surgeon General and the respective professional categories. The CPO provides leadership and direction for the category, and serves as the advocate for the category in areas of interest to the Corps.
2. Each CPO shall serve as a distinguished example to all officers in the CPO's professional category, shall advocate and promote professional development, and shall foster the highest levels of commitment and integrity for officers serving in the represented professional category.

Section D. Nomination Criteria

1. Minimum Nomination Criteria. To be eligible for nomination as a CPO, an officer must meet the following criteria:
 - a. Be appointed in, and hold his/her PHS commission as a member of, the professional category for which the CPO is to be selected;
 - b. Be a member of the Regular Corps and hold either the temporary or permanent pay grade of 0-6;
 - c. Have served at least 12 years of active duty with the uniformed services;
 - d. Have served at least six years on chive duty as an officer of the PHS Commissioned Corps;
 - e. Have no more than 26 years of service creditable for purposes of determining eligibility to retire; and

- f. Maintain current professional licensure when required in accordance with established PHS policy on licensure, as set forth in INSTRUCTION 4, Subchapter CC26.1, "Professional Licensure/Certification Requirements for Health Care Providers in the Public Health Service," of this manual, or as required by paragraph 2., below.
2. Category-Specific Criteria. In addition to meeting the minimum criteria set forth in paragraph 1., of this section, an officer must also meet any additional eligibility criteria established for the specific professional category the CPO will represent.
 - a. Category-specific criteria include, but are not limited to, any professional skill, experience or credentials that distinguish an individual in a given profession as having superior qualifications and/or abilities. Examples include advance academic training, board certification or special standing within nationally recognized professional organizations.
 - b. Category-specific criteria will be developed by the Professional Advisory Committee for each professional category, subject to the approval of the SG.

Section E. Selection Process

1. General. All CPO candidates will be nominated and evaluated by CPO Nomination Boards convened as necessary at the direction of the SG.
 - a. The SG will convoke a CPO Nomination Board whenever a CPO vacancy occurs or is anticipated, and shall select the individuals to sit on the Board, subject to the criteria set forth in paragraph 2., of this section.
 - b. The Board shall identify, evaluate and recommend candidates for CPO to the SG, who will make the final selection.
 - c. If appointment of the CPO involves promotion of the nominee to a flag grade, regardless of whether the promotion is required by statute or is discretionary under 42 U.S.C. 206(c)(1), the promotion will be accomplished as part of the CPO selection process and is not subject to the flag rank promotion process described in INSTRUCTION 7, Subchapter CC23.4, "Flag Officer Selection and Assignment," of this manual.
2. CPO Nomination Board Composition
 - a. A separate Board will be convened for each professional category for which the SG determines there will be a CPO and for each of the categories for which a CPO is established by statute.

- b. Board Members. Each Board shall consist of five members selected by the SG.
 - (1) Chairperson. One of the five Board members shall be a flag rank officer of a different professional category than that in which the CPO vacancy exists and shall act as chairperson for the Board.
 - (2) Board Member Selection Criteria
 - (a) Three Board members must be in the professional category for which the CPO is to be selected, and hold the temporary or permanent 0-6 grade, unless the exception set forth in paragraph 2.b.(2)(4) of this section applies. The current CPO may sit as one of the officers from the category under consideration. Participation as a member of the CPO Nomination Board disqualifies the officer for consideration for the CPO position to be filled.
 - (b) One Board member, in addition to the chairperson, must hold the temporary or permanent 0-6 grade in a professional category other than the category of the chairperson and the other Board members.
 - (c) There shall be at least two Board members whose permanent duty station is outside the Washington, D.C. metropolitan area.
 - (d) When a professional category has a civil service counterpart within the PHS, and a significant number of these professionals are employed in a civil service capacity within the PHS, there shall be one civil service employee from that profession on the Board. An example is the nurse category. A civil service Board member shall be at least grade GS or GM 13 or above.
 - (e) One member of the Board may be a retired PHS officer, provided all other Board member eligibility criteria have been met.
 - (f) The SG will make every effort to assure that the Board does not consist entirely of men or women or entirely of individuals of one race, but no Board member will be selected on the basis of gender or race.
- 3. Executive Secretary to the Board. An officer assigned to DCP will be designated to serve as Executive Secretary to the Board. The Executive Secretary is responsible for all administrative tasks related to the convocation of the Board, facilitating the Board's deliberations, preparing

the Board's recommendations to the SG, and carrying out the necessary administrative duties to give effect to the SG's final decision.

4. CPO Nomination Board Procedures.

- a. The Board shall identify and review the professional credentials of candidates who meet the eligibility criteria for CPOs as set forth in Section C. of this INSTRUCTION and as set forth in the unique precept written for the professional category the CPO will represent.
- b. The Board shall evaluate all individuals who meet the basic eligibility criteria by reviewing the following factors:
 - (1) Annual performance ratings and evaluations as expressed on the Commissioned Officers' Effectiveness Reports;
 - (2) Past assignments, licensure status and education as recorded in the Assignment Preference and Professional Licensure and Education System;
 - (3) Awards received from the PHS and other uniformed services;
 - (4) Special professional qualifications required by the Board precept for the CPO, such as board certification, professional organization membership, or other specific credentials;
 - (5) Length of active service with the PHS or other uniformed services;
 - (6) Demonstrated leadership and management qualities;
 - (7) Scope and variety of PHS assignments and responsibilities over the course of the individual's career; and
 - (8) Recommendations from current and past Agency heads, bureau directors, and other comparable senior officials. The DCP will solicit recommendations from Agencies as needed to facilitate the Board process.
- c. Following its review of all eligible candidates, the Board will select no more than five officers who will be recommended to the SG. The five officers will be rated as either qualified or highly qualified, and any special justification for the Board's recommendations will be documented.
- d. The Executive Secretary will forward the Board's recommendations to the SG for final decision.

Section F. Conditions of Service as Chief Professional Officer

1. CPOs shall be appointed for a period of four years and will serve no more than four years in that capacity. However, any CPO continuing to serve past four years does so in the capacity of Acting CPO.
2. Appointment as a CPO will be effected by an official personnel order (p.o.) which specifies the effective date and the projected ending date.
3. Appointment as a CPO is in addition to any responsibilities the individual has in his/her permanent duty assignment.
4. Individuals appointed may be removed at any time as the SG may direct.

Section G. Privacy Act Provisions

Personnel 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 09-37-0005, "PHS Commissioned Corps Board Proceedings, HHS/OASH/OSG."