



CCD 122.01  
EFFECTIVE DATE: 10 February 2022

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**By Order of the Secretary of Health and Human Services:**

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SUBJECT: Promotions

1. PURPOSE: This Directive prescribes regulations governing the permanent and temporary grade promotions of U.S. Public Health Service (USPHS) Commissioned Corps officers.
2. APPLICABILITY: This Directive applies to all members of the Regular Corps and Ready Reserve Corps.
3. AUTHORITIES:
  - 3-1. [42 U.S.C. § 207](#), "Grades, ranks, and titles of commissioned corps"
  - 3-2. [42 U.S.C. § 209](#), "Appointment of personnel"
  - 3-3. [42 U.S.C. § 210b](#), "Professional categories"
  - 3-4. [42 U.S.C. § 211](#), "Promotion of commissioned officers"
  - 3-5. [42 U.S.C. § 216](#), "Regulations"
  - 3-6. Commissioned Corps Directive (CCD) [122.02](#), "Force Distribution and Management"
  - 3-7. [CCD 123.01](#), "Involuntary Separation"
  - 3-8. [Executive Order 11140](#), "Delegating certain functions of the President relating to the Public Health Service," dated 30 January 1964
4. PROPONENT: The proponent of this Directive is the Secretary of the Department of Health and Human Services.
5. SUMMARY OF REVISIONS AND UPDATES: This is the second issuance of this Directive within the electronic Commissioned Corps Issuance System (eCCIS). Changes include:
  - 5-1. Adding applicability of this policy to the Ready Reserve Corps;
  - 5-2. Consolidating categories of officers' specialties from 11 to 5 including new combined categories of applied public health, allied health, and medical services effective 1 September 2023;

- 5-3. Adding promotion credit to officers appointed at the O-3 level or higher;
- 5-4. Clarifying noncompetitive and competitive examinations and adding precepts;
- 5-5. Clarifying policy on promotion lists, promotion allocation by grade, and failure to be promoted;
- 5-6. Limiting the use of temporary promotions and, by 1 September 2023 with the approval of the President, moving all qualified officers (except for flag officers) to a permanent grade equivalent to their temporary grade;
- 5-7. Defining the effective date of promotion; and
- 5-8. Adding more responsibilities to ASH and SG.

6. POLICY: The provisions of this Directive are effective immediately, unless otherwise noted.
- 6-1. Professional Categories. For the purpose of determining eligibility for promotion review the USPHS Commissioned Corps is divided into categories as follows:
- a. For the period until 31 August 2023, the USPHS Commissioned Corps is divided into the following categories: Medical, Dental, Nurse, Engineer, Scientist, Environmental Health, Veterinary, Pharmacy, Dietitian, Therapy, and Health Services.
  - b. Effective 1 September 2023, the USPHS Commissioned Corps is divided into the following category groups:
    - (1) Medical. The Medical category group consists of the previous Medical category.
    - (2) Dental. The Dental category group consists of the previous Dental category.
    - (3) Applied Public Health. The Applied Public Health category group consists of the previous categories/specialties as follows: Engineer, Scientists (except psychologist), Veterinary, Environmental Health, Information Systems, Healthcare Administration, Public Health, Medical Technology, Medical (Health) Record Administration, and other health professions/specialties required by the USPHS Commissioned Corps as determined by the Assistant Secretary for Health (ASH).
    - (4) Allied Health. The Allied Health category group consists of the previous categories/specialties as follows: Pharmacy, Social Worker, Psychologist (PhD and PsyD), Dietitian, and other health professions/specialties required by the USPHS Commissioned Corps as determined by the ASH.
    - (5) Medical Services. The Medical Services category group consists of the previous categories/specialties as follows: Nurse, Optometry, Physician Assistant, Podiatry, Therapy, Dental Hygiene, and other health professions/specialties required by the USPHS Commissioned Corps as determined by the ASH.
- 6-2. Restricted Categories and Grades. The ASH may restrict specific categories by limiting permanent promotion to the Full grade (O-4) and/or Senior grade (O-5) only if vacancies exist in such grades.
- 6-3. Promotion credit. Promotion credit is the total active-duty time of a Regular Corps officer in the Assistant grade (O-2) or above. The USPHS Commissioned Corps will grant constructive service credit to officers originally appointed to permanent grades above the O-2 grade as follows:
- a. Officers appointed to the Senior Assistant grade (O-3) receive 3 years of promotion credit.
  - b. Officers appointed to the Full grade (O-4) receive 10 years of promotion credit.
  - c. Officers appointed to the Senior grade (O-5) receive 17 years of promotion credit.

- d. Officers appointed to the Director grade (O-6) grade receive 18 years of promotion credit.
- e. The Surgeon General (SG) may grant additional constructive service credit for specific professions required by the USPHS Commissioned Corps to meet its critical needs.

6-4. Seniority in Grade.

- a. Establishment of Seniority Lists. The USPHS Commissioned Corps will establish seniority lists for each grade of each category in the Regular Corps. The seniority lists will include the names of officers on active duty in the Regular Corps. The USPHS Commissioned Corps will arrange the names of officers on each seniority list in the order of their seniority pursuant to 42 U.S.C. § 211(j). The ASH may issue policies that address promotion of and seniority lists for officers in the Ready Reserve Corps.
- b. Entitlement to Same Seniority. If two or more officers on the same seniority list are entitled to the same seniority, the USPHS Commissioned Corps will determine their relative standing on such list as follows:
  - (1) An officer already in a grade will have relative standing over an officer originally appointed to the grade.
  - (2) If an officer is originally appointed on the same day that another officer is promoted to the same grade, the officer promoted to the grade will have relative standing over the officer appointed to the grade.

6-5. Promotion Boards.

- a. Appointment of Permanent Promotion Boards. In accordance with policy issued by the ASH, the SG will appoint one or more promotion boards to consider the qualifications of officers for permanent promotion.
- b. Board Members. Promotion board members must consist of three or more officers who hold a grade that is higher than the officers being considered for promotion and who meet the professional and suitability requirements to serve as promotion board members as established by the ASH. No board member can be below the O-5 grade nor serve 2 consecutive years as a promotion board member for a particular grade.
- c. Officers Considered for Promotion. The USPHS Commissioned Corps will present officers' USPHS Commissioned Corps records, arranged by category group and grade, to the promotion boards for evaluation.
  - (1) The promotion boards will consider for promotion those officers who will become eligible for promotion in the following promotion year.
  - (2) The ASH will establish the eligibility criteria that an officer must meet in order for a promotion board to consider the officer for promotion. Such criteria must include a consideration of the officer's seniority and the conditions of service outlined in [CCD 111.03](#), "Conditions of Service."

## 6-6. Examination for Promotion.

- a. Types of examinations by the Promotion Boards. The examination for a promotion to the Assistant (O-2), Senior Assistant (O-3), Full (O-4), Senior (O-5), or Director (O-6) grades in the USPHS Commissioned Corps consists of a review and evaluation of the officer's USPHS Commissioned Corps records.
  - (1) Noncompetitive Examinations. Examinations for promotions to the permanent O-2 and O-3 grade are noncompetitive.
  - (2) Competitive Examinations. The ASH may prescribe an examination for grades above the permanent O-3 grade as either noncompetitive or competitive.
- b. Precepts. The ASH will establish precepts by which the promotion boards will examine each officer's ability to assume the responsibilities of the next higher grade.
- c. Rating Values. The Promotion Boards will rate every officer examined for promotion to each grade in accordance with the precepts prescribed by the ASH.
- d. Health Standards. The ASH may require officers to provide health records or undergo a health examination as part of the examination for a permanent promotion.

## 6-7. Promotion Lists.

- a. Establishment of Promotion Lists. The promotion board must make a promotion recommendation for each officer it examines and establish a rank ordered list for each grade of each category group that contains the names of officers ranked according to the board's evaluation of the officers' qualifications for promotion.
- b. Recommendation and Determination of Promotion Lists.
  - (1) When generating the promotion list, the ASH must consider grade, success rates, numbers limitations (see Sections 6-8. and 6-10.a.), and the officer's compliance with the USPHS Commissioned Corps' conditions of service (see CCD 111.03). In addition, the ASH may consider other relevant information including the officer's standing on the rank ordered lists prepared by the promotion boards, reports of security violations, marginal or substandard performance, misconduct, or medical fitness for duty.
  - (2) The ASH will determine the permanent promotion success rates prior to the meeting of the promotion boards. Such success rates must adhere to the following:
    - (a) Noncompetitive Examinations. The intended success rate for a noncompetitive permanent promotion is 100 percent of eligible officers and the USPHS Commissioned Corps will promote an officer provided that the promotion board recommends the officer for such promotion and the officer meets the requirements established by the ASH (e.g., conditions of service).
    - (b) Competitive Examinations are subject to the limitations in Section 6-8. The success rates for competitive promotion to the

permanent O-4 and O-5 grades (when not restricted) must be no less than 80 percent unless the promotion board finds that more than 20 percent of the eligible officers are not qualified in which case the resultant success rate may be less than 80 percent. The success rate for all other permanent grade promotions are based on the needs of the USPHS Commissioned Corps, and the ASH may request that the promotion board only recommend officers who possess special qualifications prescribed by the SG.

- c. Approval of Promotion List. The USPHS Commissioned Corps will submit the promotion lists to the ASH who will determine which officers he/she will approve for temporary promotions (see Section 6-10), and which officers he/she will recommend that the Secretary forward to the President for approval for permanent promotions.
- 6-8. Promotion Allocation by Grade. The promotion of an officer must not cause the USPHS Commissioned Corps to exceed the authorized distribution of officers by grade as outlined in [CCD 122.02](#), "Force Distribution and Management," which provides the authorized distribution of officers by grade from the O-1 grade to the O-6 grade. This distribution is inclusive of both temporary and permanent grades and does not require (apart from action pursuant to other provisions of law or regulation) the USPHS Commissioned Corps to separate any officer from the Service or reduce an officer in grade.
- 6-9. Permanent Promotion.
- a. Submission of "Recommended for Promotion" List. The USPHS Commissioned Corps will submit the names of Regular Corps officers recommended for permanent promotion through appropriate administrative channels to the President for approval. If authorized in policy issued by the ASH, a subsequent year's promotion board may reexamine for promotion an officer who fails to receive a permanent promotion in the current year.
  - b. Failure of Permanent Promotion. The USPHS Commissioned Corps may terminate the commission of an officer who fails to be promoted in accordance with [CCD 123.01](#), "Involuntary Separation," or may be retired in accordance with [CCD 123.01](#) or [CCD 124.01](#), "Retirement" (for additional policy regarding failure of promotion, see [CCI 331.01](#), "Permanent Grade Promotions").
- 6-10. Temporary Promotion.
- a. Flag Grade Promotion. Promotions to Assistant Surgeon General (ASG) (i.e., O-7 and O-8) and the O-9 and O-10 grades are temporary promotions. The Secretary approves such promotions (see [CCD 122.02](#), "Force Distribution and Management," and [CCI 322.03](#), "Flag Grade Positions and Promotion").
  - b. O-6 grade and below. The USPHS Commissioned Corps may only utilize temporary promotions to fill permanent grade vacancies when the ASH determines that there is an insufficient number of officers who hold the permanent grade to meet the USPHS Commissioned Corps' force management requirements.
    - (1) The ASH may not approve a temporary promotion that will result in the combined number of permanent grades and temporary grades exceeding the promotion allocation by grade described in Section 6-8.
    - (2) Temporary Promotions During National Emergency or War. Notwithstanding Section 6-10.b.(1)., pursuant to [42 U.S.C. § 211\(k\)](#) in

time of war or national emergency proclaimed by the President, the USPHS Commissioned Corps may recommend to the Secretary any officer of the Regular Corps in any grade for a temporary promotion to any higher grade, up to and including the O-6 grade, whether or not a vacancy exists in such grade. Within one year of the termination of the proclamation of the President, the USPHS Commissioned Corps will reduce officers promoted to a temporary grade under the previous sentence to their permanent grade.

- c. Basis for Temporary Promotion. The USPHS Commissioned Corps will base its selections for temporary promotions upon consideration of the officer's qualifications for promotion and the officer's ability to perform the duties and responsibilities of the higher grade as demonstrated by his/her training, experience, and record with the USPHS Commissioned Corps. The ASH may terminate any temporary promotion made at any time.
- d. Conversion to Permanent Grades. The USPHS Commissioned Corps will convert all qualified officers who hold a temporary grade to an equivalent permanent grade no later than 1 September 2023, the date of the President's approval, or another date established by the Secretary, whichever is later. The ASH may delay this conversion for up to one year (i.e., 1 September 2024) with no further extension if the information technology (IT) systems that support the promotion process need the additional time to make the changes necessary to manage the conversion.
  - (1) Except for flag officers, an officer may no longer hold a temporary grade unless approved in accordance with this Directive.
  - (2) For an officer who has a pending temporary promotion personnel order that has an effective date after 1 September 2023, the USPHS Commissioned Corps will reissue the personnel order to make the promotion a permanent promotion; however, the SG may cancel the promotion at any time prior to the effective date in accordance with policy issued by the ASH. The previous sentence does not apply to temporary promotions to a flag grade,
  - (3) For an officer who holds a flag grade the equivalent grade is the permanent O-6 grade. Such officers will hold the permanent O-6 grade and retain their temporary flag grade while they remain qualified for the flag grade.
  - (4) In accordance with policy issued by the ASH, the USPHS Commissioned Corps may convene a board (e.g., Temporary Promotion Revocation Board (TPRB)) to review an officer and make a recommendation regarding whether the officer is qualified for the permanent grade.

6-11. Effective Date of Promotion.

- a. Permanent Promotion. The USPHS Commissioned Corps will not make the effective date of a permanent promotion prior to the date of the President's approval or the date the officer meets the eligibility criteria established by the ASH, whichever is later.
- b. Temporary Promotion. The USPHS Commissioned Corps will not make the effective date of a temporary promotion prior to the date of the ASH's approval (Secretary's approval for flag grade promotions) or the date the officer meets the eligibility criteria established by the ASH, whichever is later.

- c. Administrative and/or Disciplinary Action.
  - (1) Prior to the effective date of any promotion, the ASH may:
    - (a) Suspend the temporary or permanent promotion of an officer when the officer is under investigation for allegations of unacceptable performance or misconduct or when administrative and/or disciplinary actions are pending.
    - (b) Deny the temporary or permanent promotion of an officer when the USPHS Commissioned Corps has or is actively pursuing administrative and/or disciplinary actions and when an officer fails to meet the requirements established by the Secretary, ASH, or designees (e.g., conditions of service).
  - (2) After the effective date of any promotion, the USPHS Commissioned Corps may terminate a permanent promotion in accordance with policy issued by the ASH (see also [CCD 111.02](#), "Disciplinary Action," and [CCD 123.01](#), "Involuntary Separation") and may terminate a temporary promotion in accordance with policy issued by the ASH.

7. RESPONSIBILITIES:

- 7-1. The authority to promulgate policy Instructions implementing this Directive resides with the ASH.
  - a. The ASH or designee will determine the promotion success rates, or the number of officers the USPHS Commissioned Corps can promote, as outlined in this Directive.
  - b. The ASH may redelegate the authorities outlined in this Directive.
- 7-2. The SG may issue Personnel Operations Memoranda (POM) in accordance with this Directive and as authorized by the ASH. The SG may redelegate authorities as necessary.

8. HISTORICAL NOTES: This is the second issuance of this Directive within the eCCIS.

- 8-1. CCD 122.01, "Promotions," dated 6 July 2011.
- 8-2. Commissioned Corps Personnel Manual (CCPM) CC43.4.1, "Promotion of Commissioned Officers in the Public Health Service," dated 15 February 2000.