



**EFFECTIVE DATE: CCI 623.01
3 April 2018**

By Order of the Assistant Secretary for Health:

ADM Brett Giroir, M.D., M.P.H.

SUBJECT: Blended Retirement System Continuation Pay

1. **PURPOSE:** This Instruction sets forth the policies and procedures governing the continuation pay for officers of the Commissioned Corps of the U.S. Public Health Service (Corps) enrolled under the Blended Retirement System (BRS).
2. **APPLICABILITY:** This Instruction applies to:
 - 2-1. Regular Corps officers who have a Date of Initial Entry into Military/Uniformed Service (DIEMS) after 31 December 2017.
 - 2-2. Regular Corps officers who have a DIEMS prior to 1 January 2018 and less than 12 years of uniformed service.
3. **AUTHORITY:** Commissioned Corps Directive (CCD) CCD 124.02, "Blended Retirement System Blended Retirement System"
4. **PROPONENT:** The proponent of this Instruction is the Assistant Secretary for Health (ASH). The responsibility for assuring the day-to-day management of the Corps is the Surgeon General (SG).
5. **SUMMARY OF REVISIONS AND UPDATES:** This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System (eCCIS).

6. POLICY:

- 6-1. Blended Retirement System Continuation Pay (BRSCP). BRSCP is a one-time bonus for officers enrolled under the BRS. BRSCP is a bonus that is generally paid to an eligible officer who requests BRSCP at 10 years of service (as calculated from the officer's BRS Date). An officer may receive 2.5 times one month of base pay as a bonus for agreeing to serve four years of obligated service. This bonus payment is in addition to any other pay and allowances.
- 6-2. General Conditions to Receive BRSCP. To be eligible to receive BRSCP an officer must:
- a. Be covered under BRS.
 - b. Have completed 10 years of service as computed from his/her BRS Date.
 - c. Have sufficient retainability to complete his/her active-duty obligation under the BRSCP agreement, but in no instance less than four years of retainability from the anniversary of the officer's 10 years of service as calculated from his/her BRS Date.
 - d. Meet the Corps Conditions of Service.
 - e. Execute and submit BRSCP agreement to remain on active-duty for a period of four years from the effective date of the agreement.
- 6-3. Payments and Rates for BRSCP.
- a. Amount. BRSCP is 2.5 times one month of basic pay for the month the officer achieves 10 years of service as determined by his/her BRS date, regardless of when the payment is made to the officer.
 - b. The BRSCP will be paid as either a lump sum payment or two payments over four years. BRSCP will be authorized by a personnel order. If two payments are selected by the officer, the first payment will be effective on the effective date of the BRSCP Agreement and the second payment will be effective on January 1 of the year in which the second anniversary of the effective date of the BRSCP Agreement occurs.
 - c. Terms and obligations of the BRSCP agreement are binding upon the payment of BRSCP.
- 6-4. BRSCP Agreement.
- a. Completion of BRSCP Agreement by Officer. The officer will complete a BRSCP agreement located at the Commissioned Corps Management Information System Web site (<https://dcp.psc.gov/ccmis/>). The original agreement must be submitted through administrative channels to the Health and Human Services (or non-HHS, if applicable) component official responsible for completing the certification statement set forth in the agreement. The officer should retain a copy of the agreement to verify, if necessary, that an agreement was completed on a certain date.
 - b. The completed agreement must be signed by the officer within the following timeframes:

- (1) An officer with a Date of Initial Entry into Military/Uniformed Service (DIEMS) on or after 1 January 2018 or who opts-in to BRS prior to reaching 10 years of service as computed by his/her BRS Date must sign the agreement no later than 60 days after the anniversary of his/her 10 years of service as computed by the officer's BRS Date.
 - (2) An officer who has 10 or more years of service as computed from his/her BRS Date when he/she opted-in to BRS must sign a BRSCP agreement within 60 days of the date he/she opts-in to BRS. However, in order to be eligible to receive BRSCP the officer must sign the agreement on or before his/her anniversary of 12 years of service as computed from his/her BRS Date.
- c. Submission of BRSCP Agreements. The officer's HHS Operating Division/Staff Division (OPDIV/STAFFDIV) or non-HHS Agency, if applicable, Commissioned Corps Liaison will forward all original BRSCP agreements with documentation to DCCPR/Compensation. The original agreement must be received by DCCPR/Compensation within 60 days after the officer signs the agreement.
- d. Invalidation of Agreements. Upon any payment of BRSCP, an officer's BRSCP agreement shall remain in effect unless voluntarily or involuntarily terminated under either Section 6-6 or 6-7.
- e. Effective Date of BRSCP Agreement.
- (1) For an officer with a DIEMS on or after 1 January 2018 or who opts-in to BRS prior to reaching 10 years of service as computed by his/her BRS Date, the effective date will be the officer's anniversary of 10 years of service as computed by his/her BRS Date.
 - (2) For an officer who has 10 or more years of service as computed from his/her BRS Date when he/she opted-in to BRS, the effective date will be the date the officer opted-in to BRS.
- 6-5. Obligated Service.
- a. An officer who enters into an agreement and accepts BRSCP must serve four years of obligated active duty service from the effective date of the agreement.
 - b. The officer's obligation will be served concurrently with any existing service obligation.
 - c. Absence Without Leave (AWOL). Any period during which an officer is determined to be in an AWOL status will not be credited toward fulfillment of an active-duty obligation incurred under a BRSCP agreement, and will serve to extend the period of active-duty required by the agreement. ([37 U.S.C. §503\(b\)](#))
 - d. Repayment. An officer that has received BRSCP and fails to complete the period of obligated service will be subject to full or partial repayment provisions in accordance with [37 U.S.C. §373](#). (see Section 6-8)
- 6-6. Voluntary Termination of BRSCP Agreements. If termination of the BRSCP agreement is a result of an officer's voluntary separation from active duty, the officer will be required to repay a pro rata portion based on the unserved agreement period, as set forth in Section 6-

8. In addition, the officer will be divested of travel and transportation, shipment of household goods, and transfer of, use of, or payment for unused annual leave.

6-7. Involuntary Termination of BRSCP Agreements.

- a. Involuntary Separation. An officer who is involuntarily separated from active duty due to a probationary separation, Involuntary Termination Board, Board of Inquiry, AWOL, or other administrative separation proceeding, will be required to repay a pro rata portion of the payment, as set forth in Section 6-8.
- b. Disability Separation and Retirement. An officer who is separated or retired (temporarily or permanently) for disability while serving under a BRSCP agreement will have his/her agreement automatically terminated as of the date the officer is placed in retired status. An officer whose BRSCP agreement is terminated under this provision will not be required to repay a pro rata portion of the payment, provided that the disability is not the result of misconduct or willful neglect and not incurred during a period of unauthorized absence.
- c. Death. In the event an officer dies while serving under a BRSCP agreement, the agreement is automatically terminated as of the date of the officer's death. No repayment of the BRSCP is required for amounts previously received by the officer, so long as the death is not the result of misconduct or willful neglect, and is not incurred during a period of unauthorized absence.
- d. Involuntary Separation for Convenience of the Government. An officer who is released from active-duty or retired because of a reduction-in-strength, number's limitation, or other reasons for the convenience of the government as determined by the SG, while serving under a BRSCP agreement, will have his/her agreement automatically terminated as of the date of the officer's separation or retirement. There will be no repayments of any payments already received under the BRSCP agreement. This subsection does not apply to those officers who are involuntarily separated under Section 6-7.a.

6-8. Computation of Repayment for Failure to Complete BRSCP Agreement. An agreement terminated prior to the expiration of the active-duty obligation is subject to recoupment of unearned BRSCP by the government as follows:

- a. An officer who terminates service on active duty before the end of the period for which BRSCP payment was made, will be required to repay a pro rata portion of the payment received which represents the unserved portion of that payment.
- b. In determining the amount to be repaid by the officer, the earned portion of the BRSCP agreement will be determined on the basis of 1/360th of the payments received for each day that the officer failed to serve on active duty. For this purpose, the 31st day of any month will be disregarded, and the month of February will be treated as a 30-day month.
- c. If failure to complete the period of active-duty obligation specified in the agreement is due to any of the conditions as set forth in Sections 6-7.b, 6-7.c., or 6-7.d., repayment of BRSCP will be waived.

6-9. Oversight, Administrative Provisions, and Responsibilities.

- a. DCCPR will determine an officer's eligibility for BRSCP and active-duty obligation, and if eligible, accept the officer's BRSCP agreement. If approved for BRSCP,

DCCPR will notify the officer through a personnel order of the approval for BRSCP and the corresponding active-duty obligation.

- b. If an officer's BRSCP agreement is terminated, DCCPR will notify the officer and appropriate HHS collection official concerning the officer's indebtedness resulting from the termination of the agreement. The ASH may grant a waiver of the indebtedness when a determination is made that payment would be inequitable or not in the public interest when:
 - (1) Payment would cause an unconscionable financial hardship for the individual;
 - (2) Payment is impossible due to the present and projected financial status of the individual; or
 - (3) Payment would be unconscionable because of severe illness, or physical or mental disability of the individual, or because of severe or terminal illness in the individual's immediate family.
- c. The OPDIV/STAFFDIV or non-HHS organization to which the officer is assigned is responsible for paying the BRSCP.
- d. DCCPR is responsible for notifying the agency of the BRSCP payment.

7. RESPONSIBILITIES:

- 7-1. The ASH is responsible for establishing Corps policies.
- 7-2. The SG is responsible for assuring the day-to-day management of the Corps.
- 7-3. DCCPR is responsible for management of the day-to-day operations of the Corps.
- 7-4. All officers are responsible for adhering to the guidelines and procedures listed in this Instruction as well as any additional guidance provided by the SG or Director, DCCPR.

8. HISTORICAL NOTES: This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System (eCCIS).

Appendix A

Definitions

- a. Active Duty Obligation (ADO). An obligation to serve on active-duty through a specified date, which is in exchange for any benefit to the member such as special pays, scholarship, government-sponsored training or government-sponsored education, and loan repayment.
- b. Order or Call to Active-duty (CAD) for Not Less Than One (1) Year. An order to active-duty by personnel order which specifies either:
 - (1) No terminal date for CAD; or
 - (2) A terminal date for the tour of active-duty that is at least one (1) year after the effective date of CAD.
- c. Personnel order. An official Corps personnel document issued by the Director, DCCPR:
 - (1) Appointing, or officially announcing the appointment of a commissioned officer.
 - (2) Ordering an officer to active duty.
 - (3) Officially effectuating, documenting, and announcing Corps personnel actions.
 - (4) Authorizing travel and transportation.
 - (5) Authorizing pays and allowances.