



CCI 387.01
EFFECTIVE DATE: 11 April 2018

By Order of the Assistant Secretary for Health:

ADM Brett P. Giroir, M.D.

SUBJECT: Separation of Commissioned Officer

1. PURPOSE: This Instruction provides general policy regarding separation from active duty. It includes the responsibilities of the officer; the programs to which officers of the Commissioned Corps of the U.S. Public Health Service (Corps) are assigned or detailed; and the Division of Commissioned Corps Personnel and Readiness (DCCPR).
2. APPLICABILITY: This Instruction applies to all Corps officers serving on extended active duty. With the exception of Section 8-4, this Instruction does not apply to officers commissioned in accordance with CCI 371.02, "Junior Commissioned Officer Student Training and Extern Program (JRCOSTEP)."
3. AUTHORITY:
 - 3-1. 37 U.S.C. § 211, Participation in Thrift Savings Plan
 - 3-2. [42 U.S.C. §202](#), "Administration and supervision of Service"
 - 3-3. 42 U.S.C. § 212, Retirement of commissioned officers
 - 3-4. [42 U.S.C. §216](#), "Regulations"
 - 3-5. [5 U.S.C. §8432](#), "Contributions"
 - 3-6. 5 U.S.C. § 8840e, "Members of the uniformed services"
 - 3-7. CCD 123.01, "Involuntary Separation"
 - 3-8. Joint Travel Regulations (JTR)
4. PROPONENT: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The Surgeon General (SG) is responsible for assuring the day-to-day management of the Corps.
5. SUMMARY OF REVISIONS AND UPDATES: This is the first issuance of this Instruction in the electronic Commissioned Corps Issuance System (eCCIS) and replaces Commissioned Corps Personnel Manual (CCPM) CC23.6.3, "Form PHS-1373, "Separation of Commissioned Officer", dated 25 July 1983.

- 5-1. Removes references to the former Reserve Corps and Inactive Reserve Corps. Also removes operational procedures and authorizes the Director, DCCPR, to issue operational guidance.
- 5-2. Increases the time for notifying the Corps of a request to separate or retire from active duty from 30 days to 90 days in advance of the last day the officer is physically present at his/her duty station.
- 5-3. Clarifies the circumstances under which a separating officer may be divested of payment for travel and transportation of house hold goods (HHG) and/or unused annual leave.
- 5-4. Added the provision for Blended Retirement System with regard to separation of an officer in Section 8-2(e).
- 5-6. Clarifying the use of the Form PHS-1373 in Section 6-2.
- 5-7. Adds a provision for returning the Common Access Card (CAC) prior to separation from the Corps.

6. POLICY:

- 6-1. Separation is a general term that is used to reflect an officer's departure from active duty service. This includes voluntary or involuntary resignation or release from the Service with termination of commission, placement in non-active status, or retirement. This does not include when an officer is placed into a non-duty with pay status. For information on the various types of separations, refer to Book 3, Section 8, "[Separations and Retirements](#)," of the eCCIS.
- 6-2. Form PHS-1373, "Separation of Commissioned Officer," is used by an officer to request separation from active duty and the form is also used by DCCPR to make a determination regarding travel and transportation of household goods (HHG) entitlements, and lump sum payment of unused annual leave.
- a. Officers requesting voluntary separation from active duty must complete Form PHS-1373 in the following circumstances:
- (1) Voluntary separation with less than 20 years of service creditable towards retirement where the officer desires to separate from active duty.
 - (2) Retirement upon completion of 20 or more years of service creditable towards retirement. (see [CCI 384.02](#), "Voluntary Retirement (20 to < 30 years)")
- b. Officers undergoing a mandatory or involuntary separation from active duty are not required to complete the Form PHS-1373 in order to be separated. However, in order to ensure personnel orders are processed with the most accurate information for the officer after their retirement/separation, it is recommended the PHS 1373 be submitted in accordance with DCCPR guidance in the following circumstances:
- (1) Mandatory retirements. (see [CCI 385.02](#), "Retirement (30 Years)," [CCI 322.03](#), "Flag Grade Positions and Promotion," and [CCI 322.04](#), "Chief Professional Officer Nomination")
 - (2) Medical disability separations and retirements. (See [CCI 386.01](#), "Disability Retirement")
 - (3) Officers called to duty in the Ready Reserve Corps whose appointment is expiring.
 - (4) Involuntary separation under the probationary authority or as a result of a board proceeding, e.g., 3-year File Review Board, Involuntary Termination Board, Involuntary Retirement Board, etc. (see [CCI 341.03](#), "Regular Corps Records Review," [CCD 123.01](#), "Involuntary Separation," and [CCI 385.01](#), "Involuntary Retirement (20 Years)")
 - (5) A PHS-1373 is not required when an officer is separated as a result of misconduct and policy requires the divestment of benefits or the Director, DCCPR, has directed such divestment.
- c. Completing the Form PHS-1373 is not required for an officer separated due to the death of the officer; absence without leave for 30 or more consecutive calendar days; or due to a guilty finding by a civil authority of one or more criminal offenses and sentenced to confinement for a period in excess of 30 days in a Federal, State, or local penitentiary or correctional institution, with or without suspension or probation.

- 6-3. For information on medical examination requirements upon separation or retirement refer to [CCI 221.02](#), "Medical Examination Requirements."
- 6-4. For information on travel and transportation of HHG refer to the [Joint Travel Regulations](#) (JTR).
7. RESPONSIBILITIES:
- 7-1. The ASH is responsible for establishing policies related to separation of officers from the Corps as delegated by the Secretary.
- 7-2. The SG is responsible for assuring the day-to-day management of the Corps.
- 7-3. The Director, DCCPR, is responsible for:
- a. Acting on requests for separation.
 - b. Maintaining and updating, as necessary, the Form PHS-1373.
- 7-4. An officer's OPDIV/STAFFDIV/ non-HHS organization is responsible for providing the separating officer's and/or his/her dependents' authorized travel and transportation of HHG entitlements. The separating officer shall coordinate his/her travel and transportation of HHG with his/her OPDIV/STAFFDIV/ non HHS organization.
- 7-5. Commissioned Corps Liaisons are responsible for ensuring that the fiscal/administrative information on the Form PHS-1373 is complete and accurate prior to submitting to DCCPR.
- 7-6. 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. PROCEDURES:
- 8-1. The Separating Officer.
- a. The separating officer bears the primary responsibility for initiating the Form PHS-1373 requesting separation or retirement. In accordance with DCCPR guidance, the officer must complete the form, submit a copy to DCCPR, and send the original of the form through their chain of command to their designated Agency Liaison.
 - b. Except when an officer is undergoing involuntary separation proceedings, the Form PHS-1373 must be received in DCCPR at least 90 days in advance of the last day the officer is physically present at his/her duty station. If the form is not received 90 days prior to the last day the officer is physically present at his/her duty station, it may result in a delay in issuance of separation orders and the officer may be divested of benefits.
 - c. All retirements based on length of service must be effective on the first day of the month. (see CCI 384.02, "Voluntary Retirement (20 to < 30 years)," and CCI 385.02, "Retirement (30 Years)").
 - d. Once an officer with less than 20 years of service creditable towards retirement submits a request for separation, the request may not be rescinded without the approval of the Director, DCCPR, or his/her designee.

- (1) Decisions regarding whether to permit an officer with less than 20 years of service creditable towards retirement to withdraw a separation request may be made in consultation with the OPDIV/STAFFDIV/ non-HHS organization Head or designee to which the officer is assigned.
 - (2) With the concurrence of the officer's OPDIV/STAFFDIV/non-HHS organization Head or designee, the effective date of an officer with less than 20 years of service creditable towards retirement may be adjusted to allow the officer to take terminal leave only if an earlier date would result in the denial of a lump sum payment for unused annual leave (see [CCI 362.01](#), "Annual Leave").
- e. Once an officer with 20 or more years of service creditable towards retirement submits a request for retirement, the request may not be rescinded without the approval of the Director, DCCPR, or his/her designee. See CCI 384.02, "Voluntary Retirement (20 to < 30 years)," for guidance regarding amending an officer's effective date of retirement.
- f. An officer must have a copy of the personnel order directing the separation prior to the last day he/she is physically present at his/her duty station.
- 8-2. DCCPR will process the separation and determine whether the officer will be divested of any entitlements:
- a. The Director, DCCPR, shall divest travel for the officer and/or his/her dependents and transportation of HHG under the following circumstances:
 - (1) The officer voluntarily separates before completing two (2) years of continuous active duty.
 - (2) Under other circumstances authorized in the JTR when such divestment is warranted.
 - b. The Director, DCCPR, shall divest the transfer of, use of, or lump sum payment of unused annual leave under the following circumstances:
 - (1) Officers separating or retiring under "Honorable" conditions shall be paid for unused annual leave in a lump sum payment up to a lifetime limit of 60 days of unused annual leave. All excess unused leave that is not used or paid in a lump sum is forfeited by the officer upon his/her separation from active duty.
 - (2) An officer voluntarily separates before completing one (1) year of continuous active duty.
 - (3) An officer is involuntarily separated during probation as a consequence of the officer's misconduct, refusal to accept a reassignment, failure to comply with the Corps' uniform policies, or failure to comply with the Corps' force readiness standards.
 - (4) An officer receives any characterization of service other than "Honorable" (e.g., "Honorable for the good of the service," "under honorable conditions," "under other than honorable conditions").
 - (5) Under any of the conditions in Section 8-2.c.

- c. Officers shall be divested of travel and transportation of HHG and shall be denied the transfer of, use of, and payment for unused annual leave in the following circumstances:
 - (1) An officer fails to complete a period of active duty agreed to in writing including, but not limited to, obligations pursuant to training, scholarships, and other contractual agreements (e.g., special pays).
 - (2) An officer involuntarily separated under the probationary authority or as a result of a board proceeding (e.g., 3-year File Review Board, Involuntary Termination Board, Involuntary Retirement Board, etc.) fails to submit a Form PHS-1373 in accordance with guidance provided by the Director, DCCPR. In such cases a notation shall be included in the officer's record regarding his/her failure to submit the Form PHS-1373.
 - (3) The Form PHS-1373 is not submitted and received in accordance with the guidance within this Instruction.
 - d. If divestment is indicated, the SG, or his/her designee, in consultation with the officer's OPDIV/STAFFDIV/non-HHS organization Head or designee, may authorize travel and transportation of HHG and/or transfer of, use of, or lump sum payment of unused annual leave if it is determined that such authorization is in the best interests of the government.
 - e. Officers with a Date of Initial Entry into Military/Uniformed Service (DIEMS) on or after 1 January 2018 and officers who elected to enroll in the Blended Retirement System (BRS) whose commissions are terminated prior to completing two (2) years of service, as calculated from the officer's BRS Date, shall forfeit the Government's contributions to his/her Thrift Savings Plan (TSP) as well as any earnings on those contributions, regardless of the reason for separation. (see [TSP.gov](https://www.tsp.gov))
- 8-3. Once DCCPR confirms that the officer is eligible for separation, a personnel order will be issued which will terminate the officer's commission or place the officer in retired status. The order will be issued by DCCPR in a reasonable timeframe and will authorize entitlements, announce indebtedness if necessary, and document home of record, forwarding address, and any other information that is required.
- 8-4. An officer separating with less than 20 years of service creditable towards retirement must return his/her Common Access Card (CAC) identification (ID) card in accordance with DCCPR guidance. Failure to submit the CAC to DCCPR may result in the delay of the issuance of the officer's final Statement of Service. An officer retiring with 20 or more years of service creditable towards retirement or retiring with a medical disability must return the CAC to the ID card issuing office upon receipt of his/her retired ID card.
9. HISTORICAL NOTES: This is the first issuance of this Instruction in the eCCIS, replaces CCPM CC23.6.3, dated 25 July 1983, and creates a standalone Instruction within the eCCIS.