



**CC23.4.6**  
**EFFECTIVE DATE: 13 February 2008**

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**By Order of the Acting Assistant Secretary for Health:**

**Donald Wright, M.D., M.P.H.**

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SUBJECT: Chief Professional Officer Nomination

1. PURPOSE: This Instruction establishes the policy and procedure to nominate and appoint a Chief Professional Officer (CPO).
2. APPLICABILITY:
  - 2-1. This policy and procedure applies to the selection of CPOs in the dental, nurse, pharmacist, and engineer professional categories as required by statute; and
  - 2-2. 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 Commissioned Corps of the U.S. Public Health Service (Corps).
3. AUTHORITY:
  - 3-1. [42 USC 206](#)(b), "Assignment of Officers; Assistant Surgeons General" and (c), "Creation of Temporary Positions as Assistant Surgeons General."
  - 3-2. [42 USC 207](#), "Grades, Ranks, and Titles of Commissioned Corps."
  - 3-3. [42 USC 216](#)(a), "Regulations; Prescriptions by President."
  - 3-4. The authority to establish policy and procedure for the selection of CPOs has been delegated to the Assistant Secretary for Health (ASH) as part of the general authority to administer the Corps (See [68 Federal Register 70507](#)).
4. PROPONENT: The proponent of this Instruction is the ASH. The responsibility of assuring the day-to-day management of the Corps is the SG.
5. SUMMARY OF REVISIONS AND UPDATES: This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System (eCCIS). This issuance is a change to CC23.4.6, "Chief Professional Officer Nomination Criteria and Selection Process," and replaces the information from the previous Instruction of the Commissioned Corps Personnel Manual (CCPM), supersedes PPM 05-003, dated 18 November 2004, and creates a stand alone Instruction within the eCCIS.

## 6. POLICY:

## 6-1. General Nomination Guidance.

- a. To be eligible for nomination as a CPO, a nominee's Operating Division (OPDIV) or Staff Division (STAFFDIV) Head must agree in writing to the nominee serving a 4-year term and if applicable, further written acknowledgement, that fulfillment of the officer's 4-year term will exceed completion of 30 years active service. Should an OPDIV/STAFFDIV Head agree to support a nominee for a 4-year term, barring any issues with performance, discipline, etc., once selected, the officer will serve as CPO for a 4-year term. For non-flag CPOs eligible to retire upon completion of 30 years of active service, no formal waiver request is required to extend beyond 30 years of active service. In addition, the number of CPOs extended shall not be counted against the ceiling of non-flag officers permitted to service more than 30 years of active service.
- b. CPOs shall not be permitted to serve on active duty for more than 34 years of active duty service unless a granted a waiver under the applicable retirement policy or they are eligible to serve longer based upon a flag appointment pursuant to [CC23.4.7](#), "Flag Officer Selection and Assignment."
- c. CPOs are subject to periodic review by their OPDIV/STAFFDIV Head and the SG to determine whether continued service is in the best interest of the Department and the Corps. Reviews shall be conducted at the completion of 30 and 32 years of active duty service.
- d. CPOs who have more than 30 years of active duty service and have completed their terms as CPOs:
  - (1) Are involuntarily retired at the end of their terms as CPO, unless otherwise eligible to remain on active duty.
  - (2) Who hold the flag grade of O-7 pursuant to CC23.4.7, are allowed to remain on active duty until they have completed a maximum of 33 years of active duty service, unless otherwise eligible to remain on active duty.
  - (3) Who hold the flag grade of O-8 pursuant to CC23.4.7, are allowed to remain on active duty until they have completed a maximum of 36 years of active duty service, unless otherwise eligible to remain on active duty.
- e. CPOs holding a flag grade due to their selection as a CPO reverts to the highest temporary grade held before selection as a CPO if they remain on active duty after completing their term.
- f. CPOs serve a 4-year term unless their OPDIV/STAFFDIV Heads and the SG mutually agree that a temporary term extension is in the best interest of the Department and the Corps. A temporary extension must be approved on an annual basis, at which time, the officer serves in the capacity as "Interim CPO." Temporary extensions may be withdrawn upon mutual agreement by the OPDIV/STAFFDIV Head and the SG.

Note. To ensure consistency with the retirement policies, only Rear Admiral (upper half)/O-8 Flag officers appointed under CC23.4.7 may be granted temporary term extensions beyond completion of 36 years of active duty service.

- g. Nominees for CPO must meet the force readiness standards established by the ASH at the time of nomination and continue to meet force readiness standards throughout the CPO tenure.
- h. The Secretary of Health and Human Services (HHS) and the ASH must approve the selection of all flag grade officers who hold the temporary grade of O-7 or O-8 due to their selection as CPOs, regardless of whether they reside outside HHS (See 42 USC 206 and 42 USC 207). The ASH must also approve the selection of any non-flag grade CPO who occupies a billet outside HHS.
- i. Where inconsistent, this issuance supersedes all previously issued policies contained in the eCCIS.

6-2. Nomination Criteria.

- a. Minimum Nomination Criteria. To be eligible for nomination as a CPO, an officer must meet the following criteria:
  - (1) Be appointed in, and hold his/her Corps commission as a member of the professional category for which the CPO is to be selected;
  - (2) Be a member of the Regular Corps and hold either the temporary or permanent pay grade of O-6;
  - (3) Have served at least 12 years of active duty with the uniformed services;
  - (4) Have served at least 6 years on active duty as a Corps officer;
  - (5) Have no more than 30 years of service creditable for purposes of determining eligibility to retire; and
  - (6) Compliance with all laws, Federal regulations, Directives and Instructions governing the Corps such as maintaining current professional licensure when required in accordance with established Corps policy on licensure, as set forth in [CC26.1.4](#), "Professional Licensure/Certification," or as required by Subsection 6-2.b.
- b. Category-Specific Criteria. In addition to meeting the minimum criteria set forth in Subsection 6-2, an officer must also meet any additional eligibility criteria established for the specific professional category the CPO will represent.
  - (1) 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.
  - (2) Category-specific criteria will be developed by the Professional Advisory Committee for each professional category, subject to the approval of the SG.

## 7. RESPONSIBILITIES:

7-1. The roles and responsibilities of the CPOs are determined by the SG. In general, CPOs serve as the primary point of contact between the Office of the Surgeon General and their respective professional categories. The CPO provides leadership and direction for the category, advocates for the category, promotes professional development, and fosters the highest level of commitment to leadership, service, excellence, and integrity for the officers serving in the professional category.

## 8. PROCEDURES:

## 8-1. Selection Process.

- a. General. CPO Nomination Boards are convened at the direction of the SG to evaluate those officers who have been nominated by their OPDIVs/STAFFDIVs to serve in the CPO capacity.
- b. The SG convokes a CPO Nomination Board whenever a CPO vacancy occurs or is anticipated, and selects the individuals to sit on the Board, subject to the criteria set forth in Subsection 8-2.
- c. The Board evaluates and recommends candidates for CPO to the SG, who makes the final selection.
- d. 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 USC 206(c)(1), the promotion is accomplished as part of the CPO selection process and is not subject to the flag rank promotion process described in CC23.4.7, "Flag Officer Selection and Assignment."

## 8-2. CPO Nomination Board Composition.

- a. A separate Board will convene for each professional category for which the SG determines there is a CPO and for each of the categories for which a CPO is established by statute.
- b. Board Members. Each Board consists of five members selected by the SG.
  - (1) Chairperson. One of the five Board members is a flag rank officer of a different professional category than that in which the CPO vacancy exists and acts 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 selected, and hold the temporary or permanent O-6 grade, unless the exception set forth in Subsection 8-2.b.(2)(d) 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 from consideration for the CPO position to be filled.

- (b) One Board member, in addition to the chairperson, must hold the temporary or permanent O-6 grade in a professional category other than the category of the chairperson and the other Board members.
  - (c) There are 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 Department, and a significant number of these professionals are employed in a civil service capacity within the Department, there is one civil service employee from that profession on the Board. For these purposes, the term "significant number" is defined as equal to or greater than 25 percent (or  $\frac{1}{4}$ ) of the professional category. A civil service Board member shall be at least grade GS-13 or GM-13.
  - (e) One member of the Board may be a retired Corps 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 the Office of Commissioned Corps Operations (OCCO) is 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.

8-3. CPO Nomination Board Procedures.

- a. The Board identifies and reviews the professional credentials of candidates who meet the eligibility criteria for CPOs as set forth in Section 6 of this Instruction and as set forth in the unique precept written for the professional category the CPO will represent.
- b. The Board evaluates 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, force readiness and education as recorded in the officer's Official Personnel Folder and other official data bases;
  - (3) Awards received from the Corps 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 Corps or other uniformed services;
- (6) Demonstrated leadership and management qualities;
- (7) Scope and variety of Corps assignments and responsibilities over the course of the individual's career; and
- (8) Recommendations from current and past OPDIV/STAFFDIV Heads, bureau directors, and other comparable senior officials as well as the officers' vision statement, and any other documents as specified in the Call for Nominations by the SG. The Director, OCCO, solicits recommendations from OPDIVs/STAFFDIVs as needed to facilitate the Board process.

- c. Following its review of all eligible candidates, the Board selects no more than five officers who are recommended to the SG. The five officers are rated as either qualified or highly qualified, and any special justification for the Board's recommendations is documented.
- d. The Executive Secretary forwards the Board's recommendations to the SG for final decision.

8-4. Conditions of Service as CPO.

- a. CPOs are appointed for a period of 4 years and serve no more than 4 years in that capacity. However, any CPO continuing to serve past 4 years does so in the capacity of Interim CPO.
- b. Appointment as a CPO is effected by an official personnel order which specifies the effective date and the projected ending date.
- c. Appointment as a CPO is in addition to any responsibilities the individual has in his/her permanent duty assignment.
- d. Individuals appointed may be removed at any time as the SG may direct.

9. HISTORICAL NOTES: This is the first issuance of this Instruction within the eCCIS. This issuance is a change to CC23.4.6, "Chief Professional Officer Nomination Criteria and Selection Process," and replaces the information from the previous Instruction of the CCPM, supersedes PPM 05-003, dated 18 November 2004, and creates a stand alone Instruction within the eCCIS.