

**U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

**PERSONNEL OPERATIONS MEMORANDUM**



**POM 821.89**  
**EFFECTIVE DATE: 8 October 2023**

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**By Order of the Surgeon General of the U.S. Public Health Service:**

**VADM Vivek H. Murthy, MD, MBA**

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**TO:** All O-3, O-4, and O-5 Grade Officers of the Regular Corps and the Ready Reserve Corps

**SUBJECT:** Promotion Opt Out

1. In accordance with Commissioned Corps Instruction (CCI) [331.01](#), "Permanent Promotions," this Personnel Operations Memorandum (POM) establishes the eligibility criteria and procedures for O-3, O-4, and O-5 grade officers requesting opting out of (i.e., deferring) an In the Zone (ITZ) examination for promotion to the O-4, O-5, and O-6 grades.
  - a. Officers who are eligible for an ITZ examination by a Permanent Promotion Board (PPB) may request to opt out of that promotion examination in accordance with this POM.
  - b. The USPHS Commissioned Corps recognizes that at times in officer's careers, there may be personal or professional circumstances rendering it personally beneficial for an officer to opt out of an ITZ promotion examination.
2. Eligibility. To be eligible to request opting out of an ITZ examination to the O-4, O-5, or O-6 grade, an O-3, O-4, or O-5 grade officer must meet the following criteria:
  - a. The Director, Commissioned Corps Headquarters (CCHQ), or designee, has designated the officer for an ITZ examination.
  - b. The officer must not have already received two approvals of a request to opt out of an ITZ examination at this grade by a PPB (i.e., no more than two opt-outs per grade is authorized), unless the Surgeon General (SG) authorizes additional ITZ opt outs (see Section 3.c.).
3. Requests.
  - a. Officers must submit their request to opt out of an ITZ examination in accordance with CCHQ guidance. The officer will also submit a copy of this request to their Agency Liaison. CCHQ must receive the request no later than 30 calendar days after CCHQ notifies officers of their designation for promotion examination. The Director, CCHQ, may adjust the due date outlined in the preceding sentence to a later date if warranted by the circumstances (e.g., the officer is on an extended deployment).

- b. The Director, CCHQ, or designee, will approve or deny requests for opting out of an ITZ examination no later than 60 calendar days after CCHQ notifies officers of their designation for promotion examination. If the Director, CCHQ, adjusts the due date as authorized in Section 3.a., the Director, CCHQ, may also adjust the date outlined in the preceding sentence to a later date.
    - (1) If the Director, CCHQ, denies the request and an officer has less than 30 calendar days before the date that officers must upload documents to their eOPF (i.e., Curriculum Vitae (CV) and similar documents), then the Director, CCHQ, will also adjust the eOPF submission due date for that officer to allow that officer at least 30 calendar days to submit such documents.
    - (2) The 30 calendar-day adjustment to upload documents to the eOPF outlined in the Section 3.b.(1) does not include the due dates for the COER, license/certifications, readiness requirements, Promotion Information Report (PIR) corrections, and eOPF corrections (except for corrections associated with the CV and similar documents that an officer is authorized to submit after the date outlined in Section 3.b.(1)). It also does not include the date the officer must verify their promotion documents in the Officer Promotion Package Verification System (OPPVS), though the Director, CCHQ, may adjust an officer's OPPVS verification due date to allow documents to be processed into the eOPF.
  - c. The SG may authorize further requests, in addition to the two that the Director, CCHQ, may approve, to opt out of an ITZ examination for the same grade in unique and exceptional circumstances (e.g., full-time long-term training that exceeds two years).
  - d. An approved request for opting out of an ITZ examination remains in place for one promotion year (PY) and, if eligible, an officer may submit a new request, if desired, when designated for that ITZ examination in a subsequent PY.
4. The Director, CCHQ, or designee, may approve an officer's request to opt out of an ITZ examination in circumstances that include, but are not limited to, the following:
    - a. The basis for the request is to allow the officer to complete a broadening assignment, advanced education, or another assignment of significant value to the OPDIV/STAFFDIV/ non-HHS organization and the USPHS Commissioned Corps;
    - b. The Director, CCHQ, or designee, determines that the opting out of an ITZ examination is in the best interest of the USPHS Commissioned Corps; and
    - c. The officer has not previously twice failed an ITZ promotion to the grade to which they are requesting an opt out and the officer meets the eligibility criteria outlined in Section 2.
  5. Under no circumstances will CCHQ identify or notify any future PPB that examines an officer that the officer has requested to opt out of an ITZ examination.
  6. This is the first issuance of this POM. This POM is effective immediately for PY 2024 and subsequent PYs and will remain in effect until superseded or rescinded.

## Appendix

## Definitions

The following definitions apply for the purposes of this POM:

1. Examination. The process used to evaluate an officer for permanent promotion.
2. Failure of Promotion. An officer who is examined by a PPB and who is: recommended by the PPB but ranking by the PPB in the bottom 10 percent (if there are fewer than 10 officers eligible for a particular grade, then the lowest ranked officer who is not promoted is deemed to be in the bottom 10 percent; “not recommend” or found “not qualified” by the PPB; or eliminated from the final promotion approval list for a grade as outlined in [CCI 331.01](#), “Permanent Promotions.”
3. Opt out. An opportunity for an officer to elect to delay their promotion consideration so they can focus on enhancing their career and promotion potential.
4. Promotion Year (PY). A year in which an officer is eligible to be examined for promotion and that runs from 1 July of one calendar year through 30 June of the following year (e.g., PY 2025 begins on 1 July 2025 and ends on 30 June 2026).
5. Zones. Groupings of officers in the same grade and promotion category groups who are eligible for promotion and the Director, CCHQ, or designee, designates for examination fall into one of the three promotion zones:
  - a. In the Zone (ITZ). Refers to officers in the same grade and promotion category group who meet the promotion eligibility criteria and the Director, CCHQ, or designee, designates for promotion examination and who have not had two failures of promotion.
  - b. Above the Zone (ATZ). Refers to a group of officers who are eligible for consideration for promotion to the next higher grade and were not promoted after a PPB examined them for promotion as an ITZ eligible officer.
  - c. Below the Zone (BTZ). Refers to a group of officers who are in the same grade as the officers ITZ for that promotion category group and are designated for promotion examination prior to meeting the ITZ promotion eligibility criteria.