

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

PERSONNEL POLICY MEMORANDUM



PPM 811.77
EFFECTIVE DATE: 25 September 2019

By Order of the Assistant Secretary for Health:

ADM Brett P. Giroir

TO: All Officers on Extended Active Duty

SUBJECT: Retention Review Board

1. This Personnel Policy Memorandum (PPM) implements the Retention Review Board (RRB) established in Commissioned Corps Instruction (CCI) 332.01, "Temporary Promotions."
2. Board Referral. Based on the officer's record, an officer who is in the bottom decile for 3 consecutive years, receives a "not recommend" by an Annual Temporary Promotion Board (ATPB), or receives an automatic "not recommend" by an ATPB due to a failure to meet the force readiness standards for the Corps, will be referred by the Director, Commissioned Corps Headquarters (CCHQ), to one of the following boards, as appropriate,:
 - a. Retention Review Board (RRB);
 - b. Involuntary Termination Board (ITB);
 - c. Involuntary Retirement Board (IRB);
 - d. Health Professions Special Pays (HPSP) Review Board; or
 - e. Board of Inquiry (BOI).
3. Notification.
 - a. Notification of an officer's referral to a BOI, HPSP Review Board, IRB, or ITB will be in accordance with the applicable Directive/Instruction (see CCD 111.02, "Disciplinary Action," CCI 633.01, "Special Pays," CCI 385.01, "Involuntary Retirement (20 Years)," and CCI 382.03, "Involuntary Termination")
 - b. Notification of an officer's referral to an RRB will:
 - (1) Be provided at least 30 calendar days in advance of the date on which the RRB is scheduled to meet via a provable manner such as hand delivery, certified mail return receipt required, Federal Express, or via electronic

means with a verifiable delivery, such as the electronic Corps Mass Communication System (eCMCS). .

- (2) Include a listing of all documentation to be considered by the board along with a copy of the documentation.
 - (3) Inform the officer of the recommendations available to the RRB and the officer's right to supplement his/her record. The requirements of this Subsection may be achieved by providing a copy of this PPM or referring to it in the text of the notice.
4. RRB Membership Selection.
- a. The Director, CCHQ, is responsible for the appointment of the RRB members. The RRB shall consist of three or more officers who are at the O-6 grade or higher.
 - b. The Director, CCHQ, will make every effort to ensure that the selection process for RRB members complies with the Department's rules, regulations, and policies against discrimination in the workplace.
 - c. The Director, CCHQ, will assign a non-voting Executive Secretary to the RRB. The Executive Secretary's duties will consist of:
 - (1) Preparing for submission through the Surgeon General (SG) to the Assistant Secretary for Health (ASH) for approval/disapproval of the RRB's recommendation(s) for revocation of the officer's temporary grade;
 - (2) Preparing for submission to the SG for approval/disapproval of the RRB's recommendation(s) for an officer to maintain eligibility for temporary grade promotion or referral to a BOI;
 - (3) Preparing for submission to the Director, CCHQ, for his/her approval/disapproval the RRB's recommendation(s) for an officer's referral to an IRB, ITB, or HPSP Review Board; and
 - (4) Performing other board-related duties as required by the Chairperson or the Director, CCHQ, or his/her designee.
5. Conduct of the Board.
- a. The RRB will commence with the Director, CCHQ, or his/her designee, administering an oath of office to each member that will address issues such as the requirement to recuse oneself if there is a conflict of interest and the need for confidentiality.
 - b. The most senior officer of the RRB will be designated as the Chairperson. The Chairperson's duties consist of:
 - (1) Calling the RRB to order;
 - (2) Governing the general conduct of the RRB; and
 - (3) Overseeing the duties of the Executive Secretary.

- c. Subject to the provisions of the Privacy Act, RRB members are bound to hold in confidence all information concerning officers being examined by the RRB, including:
- (1) Which officers were reviewed by the RRB;
 - (2) Deliberations and recommendations of the RRB;
 - (3) Comments by any RRB member;
 - (4) Discussions with officers called as consultants to the RRB; and
 - (5) Evaluations and votes made by RRB members.
- d. The RRB will review the officer's eOPF; the officer's readiness history; the officer's promotion history, including ATPB recommendations; any additional documents provided by CCHQ, the officer's Operating Division (OPDIV), Staff Division (STAFFDIV), or non-Health and Human Services (HHS) organization to which the officer is assigned; and any other information submitted by or on behalf of the officer prior to the convening of the RRB. The officer is not entitled to appear personally before the RRB, but the RRB, by majority vote, may elect to grant a request by an officer to appear before the RRB.
- e. The RRB will assess the following regarding each officer:
- (1) History of compliance with the Corps conditions of service (see CCD 111.03, "Conditions of Service);
 - (2) Conduct history;
 - (3) Billet grade and history of billet progression;
 - (4) Performance history;
 - (5) Professional development and leadership potential; and
 - (6) Potential for career advancement.
- f. The recommendations of an RRB are based on a majority of votes of the RRB members. All members of the RRB have equal voting rights.
- g. Based on the information presented or reviewed, the RRB may recommend one or more of the following for each officer reviewed:
- (1) Maintain eligibility to be considered for temporary grade promotion by future ATPBs. Such a recommendation must be forwarded to the SG for his/her approval. If the RRB makes no recommendation regarding an officer's eligibility, the officer will remain ineligible for temporary promotion consideration by the following year's ATPB.
 - (2) Revocation of the officer's temporary grade. If revocation is recommended and the ASH concurs with the RRB's recommendation, the officer will be reduced one or more temporary promotion grades effective the date of the ASH's approval. The RRB may not recommend the revocation of the officer's temporary grade below the officer's permanent promotion grade.

- (3) Referral to a BOI. Such a recommendation must be forwarded to the SG for his/her approval.
 - (4) Referral to an IRB. Such a recommendation may be approved by the Director, CCHQ.
 - (5) Referral to an ITB. Such a recommendation may be approved by the Director, CCHQ.
 - (6) Referral to an HPSP Review Board. Such a recommendation may be approved by the Director, CCHQ.
6. Appeal Rights.
- a. An officer may not appeal an RRB recommendation nor appeal the approval of any recommendation.
 - b. Appeal rights for a recommendation made by an IRB, ITB, or HPSP Review Board are outlined in the respective Instructions for these boards.
 - c. An officer who feels that his/her record contains an error or injustice may make application to the Board for Correction (CCD 129.01, "Board for Correction"). If an officer believes that an act is discriminatory, he/she may file an Equal Opportunity complaint (CCI 211.03, "Equal Opportunity: Discrimination Complaints Processing").
7. This PPM is effective for the 2019 promotion year.

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