

SUPPORTING STATEMENT FOR

- Form PHS-50 AApplication for Appointment as a Commissioned Officer in the United States Public Health Service Commissioned Corps@
- Form PHS-1813 AReference Request for Applicants to the United States Public Health Service Commissioned Corps@

AND SUPPORTING REGULATIONS CONTAINED IN 42 CFR 21.22 AND 21.34

Background

Pursuant to the Paperwork Reduction Act of 1995, the Office of Commissioned Corps Force Management (OCCFM), Office of Public Health and Science, Department of Health and Human Services (HHS), requests a reinstatement with change by Office of Management and Budget (OMB) for form PHS-50, AApplication for Appointment as a Commissioned Officer in the Commissioned Corps of the U.S. Public Health Service,@ (OMB No. 0937-0025) and form PHS-1813, AReference Request for Applicants to the Commissioned Corps of the U.S. Public Health Service@ (OMB No. 0937-0025).

A. Justification

30108. Circumstances Making the collection of Information Necessary

The principal purpose for collecting the information is to permit HHS to determine eligibility for appointment of applicants into the Commissioned Corps of the U.S. Public Health Service (Corps). The Corps is one of the seven Uniformed Services of the United States (37 U.S.C. 101(3)), and appointments in the Corps are made pursuant to 42 U.S.C. 204 et seq. and 42 CFR 21.58.

Note: On July 23, 2003, the Secretary of HHS delegated the authorities necessary to administer the Corps to the Assistant Secretary for Health. This delegation may have an affect wherever the Surgeon General is cited in this document.

There are two sections of Corps regulations (see Tab C) relevant to the application process. They are 42 CFR 21.22 and 21.34. Section 42 CFR 21.22 is nonspecific in that it requires applicants to submit applications on such forms as the Surgeon General may prescribe. This nonspecific language does not require OMB approval. However, clearance for the language in 42 CFR 21.34 is sought since it requires certification by the applicant of his/her health status. No additional response burden is required by this regulation because the certifications are performed on Department of Defense (DoD)

forms (with an HHS Privacy Act Statement) included in the electronic application process, and the response burden is accounted for therein (see Tab D).

Applicants for appointment in the Corps must submit the information requested in the application process, including form PHS-50 and form PHS-1813, so that a determination can be made about their qualifications for appointment as required by law and regulations. The application process is available in electronic format at <http://www.usphs.gov> after completion of the “Prequalification Questionnaire.”

Recruitment and retention is a primary focus of the Corps, and efforts are directed toward recruiting entry-level health professionals and attempting to interest them in career service in the Corps.

30109. Purpose and Use of Information Collection

If the applicant is appointed, the information collected will be used for subsequent personnel actions such as transfer, promotion, and in determining eligibility for benefits.

If the applicant is not appointed, the records are retained for 2 years and then destroyed. In addition to the uses authorized by law, information from an individual’s records may be disclosed to: prospective employers or other organizations at the request of the individual; other Federal agencies to the extent necessary to obtain suitability and security investigation reports; non-HHS organizations if the applicant is a candidate for assignment by the Corps to a non-HHS organization, e.g., Federal Bureau of Prisons, U.S. Marshals Service (both with the Department of Justice), U.S. Coast Guard (Department of Homeland Security), U.S. Department of Agriculture, Department of the Interior, Commissioned Corps of the National Oceanic and Atmospheric Administration (Department of Commerce), Department of Defense, and Environmental Protection Agency, etc. If the information was not collected, it would not be possible to evaluate applicants for appointment to the Corps.

3. Use of Improved Information Technology and Burden Reduction

The information requested in the electronic application process is vital for an evaluation of the applicant’s qualifications for appointment in the Corps. A computerized applicant system permits timely tracking of applicants’ records, allows the Career and Assignment Managers in the Office of Commissioned Corps Operations to generate follow-up correspondence, and permits officials to determine the status of each applicant at any given time during the application review process. In addition, applicants may review the status of their applications by checking information on the following Web site: <http://www.usphs.gov>. Since there is no widely available technology to enable Corps applicants to submit an application online using an electronic signature, a hardcopy of form PHS-50 containing an original signature (a ‘wet’ signature) must be mailed to the Corps from the applicant.

4. Efforts to Identify Duplication and Use of Similar Information

The Corps has its own requirements for appointment so there is no duplication of effort with respect to its application requirements.

5. Impact on Small Businesses or Other Small Entities

The information collection involves only individuals.

6. Consequences of Less Frequent Collection of the Information

The electronic application process pertains only to health professionals who wish to apply for appointment in the Corps. If so, the individual must submit the required forms. There is no other method to collect this information, and if the information is not collected, there would be no way to determine eligibility for appointment in the Corps. There are no legal obstacles to reduce the burden.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Each applicant must complete the forms in the electronic application process. The applicant completes only one application for the Corps regardless of the number of professional positions in the HHS Operating Divisions (OPDIVs)/Staff Divisions (STAFFDIVs) and non-HHS organizations in which he/she may be interested. The request fully complies with the regulation.

8. A 60-day Federal Register Notice was published in the *Federal Register* on 26 February 2010, vol. 75, No.38; pp. 8952 - 8953 (see Tab F). There were/were no public comments.

Over the years, other persons were contacted as described below:

- a. In 1997, the Commissioned Corps Liaisons were consulted because they are involved in the recruitment and assignment of commissioned officers for all OPDIVs/STAFFDIVs/non-HHS organizations where Corps officers are assigned. The consultations at that time revealed that the hardcopy application packet which was approved in 1988 provided the necessary information about applicants so that decisions can be made about their appointment and assignment.
- b. In 2000, a work group of staff members was convened. Since the hardcopy application packet from 1997 still provided the necessary information about applicants, only minor improvements to the packet were suggested. The drafts were reviewed, approved, and finalized for submission to OMB.

- c. In November 2002, a request was made to staff members for suggested revisions to forms PHS-50 and PHS-1813. It was again determined that the hardcopy application packets from 1997 and 2000 still provided the necessary information about applicants. The drafts were reviewed, approved, and finalized for submission to OMB.
- d. In February 2006, a request was made to staff members for suggested revisions to forms PHS-50 and PHS-1813. It was again determined that the hardcopy application packets from 1997, 2000, and 2003 still provided the necessary information about applicants. The drafts were reviewed, approved, and finalized for submission to OMB.
- e. In October 2009, a request was made to staff members for suggested revisions to forms PHS-50 and PHS-1813. It was again determined that the forms PHS-50 and PHS-1813 from 1997, 2000, 2003, and 2007 still provided the necessary information about applicants. Those staff members who responded requested rewording changes to clarify the meaning of some questions, e.g., requesting the applicant's gender, cell phone number, and because of a required suitability investigation, questions regarding any unlawful activities were strengthened and clarified. In January 2010, draft copies of the revised forms were distributed to those who suggested changes. The drafts were reviewed, approved, and finalized for submission to OMB for approval (see Tab B). *Note:* In 2008, an electronic application process was introduced which reduced the response burden of the application process.
- f. The electronic application process pertains only to health professionals who wish to apply for appointment in the Corps. Therefore, no public comments will be sought or obtained in excess of the *Federal Register* notification.

9. Explanation of Any Payment/Gift to Respondent

No payments or gifts are provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

Data will be kept private to the extent allowed by law, and confidentiality of the data collected is provided pursuant to the Privacy Act of 1974 (5 U.S.C. 552a). Arrangements concerning the handling, storage, and disposition of information are explained in the Privacy Act System of Notice (09-40-0001, APHS Commissioned Corps General Personnel Records, @ HHS/PSC/HRS) published in the *Federal Register*, Vol. 63, No. 238, page 68596, December 11, 1998 (see Tab E). The methods of collecting and handling the information comply with the Privacy Act of 1974 and OMB Circular A-130, AManagement of Federal Information Resources, @ Appendix I, AFederal Agency Responsibilities for Maintaining Records About Individuals. @

11. Justification for Sensitive Questions

The Corps is not currently collecting information about an applicant's race and ethnic background, but form PHS-50 has been revised to contain a request for gender as staff members have found it difficult to ascertain by name how to address an individual in written correspondence, phone conversations, and execution of personnel orders.

Age information historically has been collected on form PHS-50 because this information has a direct bearing on an applicant's appointment in the Corps. Under 42 U.S.C. 209(a)(3), no individual who has attained the age of 44 may be appointed to the Corps unless the Surgeon General determines that the applicant possesses exceptional qualifications not readily available elsewhere in the Corps. It is important that information about an applicant's age be available on form PHS-50, and this form has safeguards designed to protect data confidentiality. Because of statutory requirements imposed by 42 U.S.C. 209(a)(3), provision of this information is not voluntary for applicants to the Corps.

Naturalized citizens are requested to provide information on form PHS-50 about the date they entered the country, the date they were naturalized, their naturalization number, the person to whom the naturalization number was issued, and the place naturalized. This information is necessary to obtain information from the U.S. Citizenship and Immigration Service in the Department of Homeland Security for purposes of conducting the suitability investigation.

Disclosure of the social security number is mandatory under provisions of the Social Security Act. Corps officers are under Social Security 'covered employment' and taxes must be withheld from their salaries. The social security number is also used as an identifier throughout an officer's career. It is used primarily to identify an officer's personnel, leave, and pay records and to relate one to the other. The social security number is also used in connection with lawful requests for information from former employers, educational institutions, and financial or other organizations. The information gathered through the use of the number will be used only as necessary in personnel administration processes carried out in accordance with established regulations and published notices of systems of records. The use of the social security number is made necessary because of the large number of officers (active, retired, inactive) and applicants who have identical names and birth dates, and whose identities can only be distinguished by the social security number.

The information requested on form PHS-1813 is needed in order to determine an applicant's suitability for competitive appointment in accordance with Executive Order No. 10450 and regulations prescribed in CC43.7.1, A Termination of Officers' Commissions in the Regular and Reserve Corps Without the Consent of the Officers Involved, of the electronic Commissioned Corps Issuance System at <http://dcp.psc.gov>. Appointment boards assess the professional qualifications of

applicants and the boards are responsible for making certain that only fully-qualified applicants are recommended for appointment.

12. Estimates of Annualized Hour and Cost Burden

The number of respondents is expected to increase dramatically from the earlier projections of 1,000 per year to 2,500 per year based on increased recruitment activity. The Corps recruitment officers are traveling to schools for presentations regarding the Corps, the USPHS Web site is constantly being updated, Facebook is being used as a recruitment tool, and the Corps continues to receive applications for inter-service transfers of health care providers.

Each applicant must complete an original and one copy of form PHS-50. The original is retained for processing and the copy forwarded to the Suitability Adjudications Branch of the Investigations Service, Federal Investigations Processing Center, Boyers, PA, for the security investigation (Access National Agency Check with Inquiries) mandated by Executive Order No. 10450 and Corps regulations. *Note:* A ‘wet’ signature is required.

Based on a sample of individuals who completed form PHS-50, the average amount of time required to complete the form is 1 hour. Each applicant must submit references from four (4) individuals. Based on a sample of individuals who completed form PHS-1813, the average amount of time required to complete the form is less than 5 minutes for the applicant, and 15 minutes for each individual who provides a reference.

The “Prequalification Questionnaire” is included in the electronic application intake process. The allocation of time is 10 minutes. Currently the entire process is conducted by Career and Assignment Managers in the Office of Commissioned Corps Operations.

It should be noted, however, that each applicant is required to complete several DoD forms in order to make application to the Corps:

DD Form 2807-1, AReport of Medical History,@ and
DD Form 2808, AReport of Medical Examination.@

However, the response burden for these forms is reported annually by DoD. Therefore, the response burden listed below pertains only to form PHS-50 and form PHS-1813:

12A. Estimated Annualized Burden Hours

Type of Respondent	Form Name	No. of Respondents	No. Responses per Respondent	Average Burden per Response (in hours)	Total Burden Hours
Interested Health Professionals	Prequalification Questionnaire	8,400	1	10/60	1,400
Health Professionals	Form PHS-50	2,500	1	1	2,500
References (college professors/teachers)	Form PHS-1813	10,000	1	15/60	2,500
Total					6,400

12B. Estimated Annualized Burden Costs

Type of Respondent	Total Burden Hours	Hourly Wage Rate	Total Respondent Costs
Interested Health Professionals	1400	\$8.75	\$12250
Health Professionals	2,500	\$75.00	\$187,500
References (college professors/teachers)	2,500*	\$35.00	\$87,500
Total			\$287,250

*Represents four (4) references (15/60) submitted on each applicant=s suitability.

13. Estimates of Other Total Annual Cost Burden to Respondents or Recordkeepers/Capital Costs

The only costs to the respondents are the time required to complete the forms in the application process and for the acquisition of college transcripts, a one time cost of approximately \$10 depending on the educational institution, and applicants are also required to pay required postage, a one time cost of approximately \$2.00. There are no other identified costs associated with collection of the information.

Type of Respondent	Number of Respondents	College Transcripts (\$10.00) and Mailing Costs (\$2.00) = \$12.00	Total Respondent Costs
Health Professionals	2,500	\$12.00	\$30,000
Total			\$30,000

Annualized Cost to the Federal Government

On average, approximately 4 hours of staff time by Career and Assignment Managers of the Office of Commissioned Corps Operations are required to process each application. At approximately \$48.79 per hour (salary plus overhead), the cost of processing by the Career and Assignment Managers is approximately \$487,900 each per year for 2,500 applications. On average, approximately 1 hour of staff time is required to review thoroughly each application (included in 4 hour total). At \$ 48.79 per hour (salary plus overhead), the cost of professional personnel reviewing applications is \$121,975 per year for 2,500 applications. Much of the application processing is conducted on computers at an estimated total amount of \$2,000 per year for use of automated data processing equipment. Thus, the annual cost to the Federal Government for processing 2,500 applications is estimated to be \$487,900. *Note:* The cost is negligible on that rare occasion when hardcopy application forms are requested.

Type of Respondents	Number of Respondents	Staff Hourly Rate (salary plus overhead)	Staff Time Spent on Each Application	Total
Health Professionals	2,500	\$48.79	4 hours	\$487,900
Total				\$487,900

Explanation for Program Changes

The applicant will use the Corps Web site <http://www.usphs.gov>, to complete an online 'Prequalification Questionnaire which resulted in an adjustment that increased the burden on the applicant. By completing the >Prequalification Questionnaire=, potential applicants can find out immediately if they are qualified to apply to the Corps simply by answering a few questions. Thus, even though this process eliminates unqualified applicants from the next process, the prequalification questionnaire still will cause an increase in burden hours due to more respondents. Recruitment efforts to attract qualified applicants will continue, and it is expected the number of applicants will be approximately 2,500 per year.

16. Plans for Tabulation and Publication and Project Time Schedule

The data collected will not be published for statistical use.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

The date of expiration of OMB approval will be displayed, as it is appropriate to do so.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification.

B. Collection of Information Employing Statistical Methods

Not applicable. The information collected will not be analyzed by employing statistical methodology.

May 28, 2010