

SUPPORTING STATEMENT FOR

AND SUPPORTING REGULATIONS CONTAINED IN 42 CFR 21.22 AND 21.34

Background

Pursuant to the Paperwork Reduction Act of 1995, the Commissioned Corps Headquarters (CCHQ), Office of the Secretary, Department of Health and Human Services (HHS), requests that the Office of Management and Budget (OMB) revision to the forms PHS-6355 Report of Dental Examination of Applicants to the Commissioned Corps of the Public Health Service for use in determining the medical qualifications of applicants to the Commissioned Corps of the U.S. Public Health Service (Corps). Applicants to the Corps must meet the Corps' medical standards for appointment.

A. Justification

1. Need and Legal Basis

The principal purpose for collecting the information is to permit HHS to determine medical eligibility for appointment of applicants into the 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. Specifically, these forms are used to evaluate the medical suitability of applicants on the basis of the Corps' medical accession standards and policy.

Note: On July 24, 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. Previous to this supporting statement, no additional response burden was required by this regulation because the medical certifications are performed on Department of Defense (DoD) forms included in the application process and the response burden is accounted for therein (see Tab D). The DoD forms are accompanied by a HHS Privacy Act Statement.

CCHQ is requesting a revision, of the PHS form listed in this document. The PHS form

requiring OMB approval is:

PHS-6355 Report of Dental Examination of Applicants to the Commissioned Corps
of the Public Health Service

Applicants to the Corps must submit the information requested in the application process so that a determination can be made about his/her qualifications for appointment as required by law and regulations.

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.

An individual applying for a commission with the Corps is expected to be medically qualified, currently and in the foreseeable future, to perform the duties of his/her rank and professional category in various climates and work assignments without endangering his/her health or the health of others. Currently, all candidates for appointment to the Corps must undergo a medical examination performed by a physician or healthcare provider, and be found medically qualified prior to appointment.

2. Purpose and Use of Information Collection

The Commissioned Corps of the U.S. Public Health Service has a need for the information in order to assess the qualifications of each applicant and make a determination whether the applicant meets the requirements to receive a commission. The information is used to make determinations on candidates/applicants seeking appointment to the Corps to assess their medical suitability. The purpose is to evaluate the medical suitability of applicants on the basis of the Corps' medical accession standards and policy. The protected information is accessed by appropriate personnel and clinical reviewers. The form is not disclosed to external entities, other than for uses authorized by law.

If the applicant is appointed, the information collected is stored in a secure environment and becomes part of the officer's official personnel file. If the applicant is not appointed, the records are securely retained for one year and then destroyed.

If the information was not collected, it would not be possible to evaluate if the applicant is medically qualified for appointment to the Corps. Corps officers are expected to be medically qualified, on appointment and in the foreseeable future, to perform the duties of their rank and category in various climates and work assignments without endangering their health or the health of others.

3. Use of Improved Information Technology

The Corps has transitioned from a paper-based application system to a fully electronic system

for applicants to apply to the Commissioned Corps. Additionally CCHQ has collaborated with the Department of Defense (DoD) to schedule and exam applicants seeking appointment and to upload medical examinations into the DoD electronic database for review.

1. Efforts to Identify Duplication of Similar Information

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

2. Impact on Small Businesses or Other Small Entities

The information collection involves only individuals.

3. Consequences of Less Frequent Collection of the Information

The application process pertains only to professionals who wish to apply for an appointment to 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. Medical information must be collected from all candidates in order to properly review and determine medically suitability for appointment. Less frequent collection results in the inability to assess suitability against medical accession standards.

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

Each applicant must complete the forms in the application process. The applicant completes only one application for the Corps regardless of the number of professional positions for which he/she may have an interest that are located in the HHS Operating Divisions (OPDIVs) / Staff Divisions (STAFFDIVs) as well as non-HHS organizations in which he/she may be interested.

5. Federal Register Notice/Outside Consultation

A 60-day Federal Register Notice was published in the *Federal Register* on April 10, 2020, vol. 85, No.70; pp. 20281-20281 (see Tab F). There were/were no public comments.

9. Explanation of Any Payment/Gift to Respondents

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. 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 medical information are explained in the Privacy Act System of Notice (09-40-0002, "PHS Commissioned Corps Medical Records, HHS/PSC/HRS) published in the *Federal Register*, Vol. 63, No. 238, page 68596, December 11, 1998 (see Tab C). The methods of collecting and handling the information comply with the Privacy Act of 1974 and OMB Circular A-130, "Management of Federal Information Resources, Appendix I, "Federal Agency Responsibilities for Maintaining Records About Individuals.

11. Justification for Sensitive Questions

Answers to sensitive medical related questions will allow the Corps to evaluate the medical suitability of applicants based on the Corps' medical accession standards.

Disclosure of the social security number is mandatory under provisions of the Social Security Act. The number is used as an applicant identifier.

1. Estimates of Annualized Hour and Cost Burden

The estimated number of respondents for the PHS-6355 is 1,000 annually with each applicant completing a copy of the form. The average amount of time required to complete the form is 1 hour. The average amount of time required to complete each form is included in 12A.

12A. Estimated Annualized Burden Hours

Form Number	No. of Respondents	Response per Respondent	Average Burden Hour Per Response (within 1 hour)	Total Burden Hours
PHS-6355	1,000	1	1	1000
TOTAL				1000

12B. Annualized Burden Cost

The annualized burden cost to respondents is based on \$15 wages per hour per applicant and \$82.86 per hour for a Dentist evaluation.

Form Number	Total Burden Hours	Hourly Rate	Wage	Total Respondent Costs
PHS-6355	1,000	\$82.86		\$82,860.00
TOTAL				\$82,860.00

2. Capital Costs (Maintenance of Capital Costs)

There are no identified costs associated with collection of the information.

Annualized Cost to the Federal Government

On average, approximately 20 minutes of staff time by one PHS Dental Officer at rank of O-6 (GS-11/12 equivalent salary \$144,360 salaries plus overhead) is used to process applications. At approximately \$150.00 per hour, the cost of processing is approximately \$50.00 for each application and for 1,000 yearly applications the total is \$50,000.00.

The annual cost to the Federal Government for processing PHS-6355” Report of Dental Examination of Applicants to the Commissioned Corps of the Public Health Service” is estimated to be \$50,000.00.

Explanation for Program or Change or Adjustment

The program changes includes the restructuring of CCHQ. In the previous collection, the Recruitment Branch performed review of medical documents submitted by applicants applying to the Corps to ensure applicants meet medical accession standards. With the restructuring of CCHQ, the Medical Affairs Branch (MAB) is responsible for the medical accession of applicants. Additionally, CCHQ entered into agreement with the Department of

Defense Medical Examination Review Board (DoDMERB) and the Department of Defense

Medical Exam Testing System (DoDMETS). DoDMETS will coordinate scheduling and conducting medical examinations and forward the examinations electronically to DoDMERB for review. Additionally, MAB retired PHS forms of PHS-7059 (Report of Medical Examination), PHS-6379 Supplemental Medical History Record Required of Applicants to the Public Health Service Commissioned Corps; Form PHS-7053 (Allergies

Questionnaire) PHS-7054 (Head Injury Questionnaire), PHS-7055 (Injury Questionnaire),

PHS-7056 (Headache Questionnaire), PHS-7057 (GYN Questionnaire), PHS-7061 (Owestry

Low Back Questionnaire)

As stated previously, no additional response burden was required because the medical certifications are performed on Department of Defense (DoD) forms included in the application process and the response burden is accounted for therein. The amount of time required complete the PHS-6355 (Report of Report of Dental Examination of Applicants to the Commissioned Corps of the Public Health Service) is included in 12A.

1. Plans for Tabulation and Publication 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 on each form.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions.

B. Collection of Information Employing Statistical Methods

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