

THE SURGEON GENERAL OF THE U.S. PUBLIC HEALTH SERVICE
FUNCTIONS AND LEGAL RESPONSIBILITIES

Prior to 1966 the Surgeon General was responsible for administration of the PHS and for exercising the numerous authorities contained in the PHS Act. However, by Reorganization Plan No. 3, effective June 25, 1966, all functions of the Surgeon General and all other officers and employees of the PHS were transferred to the Secretary of Health, Education, and Welfare (now Health and Human Services). Pursuant to this Reorganization Plan, the majority of the responsibilities for administration of the PHS and the Commissioned Corps personnel system have been delegated to the Assistant Secretary for Health (ASH). The Surgeon General, the highest ranking officer in the Commissioned Corps, supports the ASH through the following functions:

- 0 Serves as principal Federal Health Advisor to the Nation on public health matters and advises ASH on all policy matters pertaining to the PHS.
- 0 Has primary responsibility for the Commissioned Corps (6,400 commissioned officers) under the aegis of the ASH, including recruitment and retention of commissioned officers and the development of a plan for Commissioned Corps in line with the Secretary's memo to OMB.
- 0 Provides continuing consultation and technical assistance to agency heads and Commissioned Personnel Operations Division (CPOD) in projecting manpower needs and implementing new health initiatives related to the PHS mission. When appropriate initiates studies concerned with manpower projections and practice standards.
- 0 Establishes an Office of the Surgeon General in OASH which SG:
 - Monitors agency compliance with administrative policy and goals and recommends to ASH standards, policies and programs of action for meeting PHS mission. For example, reviews program regulations, legislative proposals, evaluation plans, budget and related fiscal documents as they relate to health policy, practices and standards.
 - Directs and coordinates activities of eleven Chief Professional Officers (CPOs) to identify and resolve any policy issues and assure that PHS policies are implemented uniformly.

- Serves on career personnel boards of health professional activities within PHS; medical boards; promotion boards; long-term training appointment and retirement boards; assignments re: details; EEO arbitrations; conflict of interest and misconduct arbitrations advising the ASH about recommended actions. Where appropriate, coordinates these activities with the Office of Personnel Management; Office of EEO and CPOD.
- Advises CPOD regarding the inactive reserve for all categories including orientation and proposed training.
- 0 Serves as the focal point to dialogue with professional societies from which the Surgeon General could receive, solicit and channel concerns regarding health policy.
- 0 At the direction of ASH, coordinates and evaluates intra and interagency departmental activities mandated by the White House, the Congress and the Secretary (e.g., White House Conference on Aging; Public Health Employees Assistance Program; International Year of the Disabled Persons-1981).
- 0 Serves as representative to the Board of Regents, National Library of Medicine; Board of Regents of the Uniformed Services University of the Health Sciences (USUHS); Board of Armed Forces Institute of Pathology (AFIP); officer of Association of Military Surgeons of the U.S. (AMSUS) on a rotating basis (President this year through October 1982); PHS representative to Gorgas Memorial Institute of PAHO; Commissioned Officers Association; Federal Council of Surgeons General and Program Chiefs; PHS representative to the House of Delegates; American Medical Association (AMA).
- 0 As directed represents PHS at national and international health and professional meetings to interpret PHS philosophy, policies, organizational responsibilities and programs.
- 0 Serves as principal health official and advises ASH in coordinating national preparedness activities with PHS agencies and staff offices and other agencies such as the Federal Emergency Medical Agency (FEMA) and Coast Guard to provide required personnel to meet national and international emergencies, e.g., Cuban/Haitian Refugee Program; Mt. St. Helens Disaster; Three-Mile Island; earthquake in Italy; contaminated olive oil in Spain; and gynecomastia among Haitians.
- 0 Serves as the principal health official on Medicare/Medicaid appeals boards and serves as the spokesperson on matters related to health practices in skilled and intermediate care facilities participating in Medicare/Medicaid programs under the Health Care Financing Administration (HCFA).

0 Has freedom to pursue initiatives after approval by the Secretary and ASH such as:

- Speed up approval of Cyclosporin A for use in renal transplants. This would improve the present status from 52 percent success at one year to 93 percent success (measured at only two years so far). Estimated savings by 1985--\$2 billion.
- Investigate means of Medicaid payment of liver transplants (97 percent effective with Cyclosporin A making it cheaper to pay for transplants than for death from liver failure).
- Explore ways members of the academic community on sabbatical can bolster international immunization objectives, supported by CDC but not using the precious resources of CDC personnel.
- Explore means of subtle insertion of public health policy into TV entertainment.
- Explore quantitative measurement of whole-person-medicine as a means of improving quality of life and reduction of cost of care simultaneously.
- Continue efforts with Harold O'Flaherty to prepare a coordinated network of disabled services.
- Continue liaison with the aging - especially with NIA and the World Health Congress on Aging to be held in Vienna 1982.

0 Have immediate access to the Secretary, Under Secretary, the ASH and other appropriate departmental officials regarding health matters which are of great concern to health professionals within and outside the PHS.

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Legal responsibilities of the Surgeon General vested by law:

- 0 Release of reports of the Surgeon General such as: "Smoking and Health"; "Healthy People" under the authority of the Secretary of Health and Human Services (15 U.S.C. 1337).
- 0 Serves as member of the Board of Regents of the Uniformed Services University of the Health Sciences and principal health official for PHS on all matters related to policies affecting PHS faculty and students. (10 U.S.C. 2113(a)(3)).
- 0 Issues warnings to the public on health hazards such as the statement printed on each package of cigarettes for sale or distribution in the United States: "Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health." (15 U.S.C. 1333).
- 0 By charter, approves for the PHS proposed amendments to the Joint Travel Regulations of the Uniformed Services.
- 0 Responsible for reviewing the particulars of DOD plans for transportation, open testing and disposal of lethal chemicals and biological agents and recommending precautions necessary to protect the public health and safety. Recommendations are binding on the Secretary DOD and can only be over ridden by the President. (P.L. 91-121; amended P.L. 91-441) (50 U.S.C. 15-12 (2,3)).