



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON 25

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1952

The Honorable

The Secretary of Commerce

My dear Mr. Secretary:

Reference is made to letter dated March 20, 1952, from the Acting Secretary of Commerce requesting decision of this Office as to whether or not the Weather Bureau may in cases where the facilities of the Public Health Service are not available, pay for the cost of X-rays required of its employees before assignment to Alaska.

The letter indicates that the Weather Bureau, in making assignments to Alaska by transfer or by original appointment, requires chest X-rays to determine whether the person is free of tuberculosis. It is pointed out that such determination is considered necessary because of the high incidence of tuberculosis among Eskimos and, therefore, it would be unwise from a budgetary standpoint to transfer to Alaska a person who had an unhealthy lung condition. Reference is made to Office decision of September 18, 1942, 22 Comp. Gen. 243, wherein it was held that the cost of medical examinations to determine the physical eligibility or fitness for appointment to civilian Federal positions is a personal expense of the applicants for positions and is not chargeable to the Government unless provided by statute or in an

appropriation act. However, it is stated that no decisions have been found holding whether or not an X-ray would be considered as part of a medical examination.

The rule with respect to the use of appropriated funds for payment of expenses of medical treatment for civilian employees of the Government was stated in 22 Comp. Gen. 32, as follows:

"It has been long recognized that the expense of medical treatment for civilian employees of the Government is personal to the employee and that there is no authority for the payment thereof from public funds unless provided for in the contract of employment or by statutory enactment or valid regulation. 6 Comp. Dec. 955; 8 id. 296, 11 id. 177; 16 id. 99; 3 Comp. Gen. 111; 18 id. 533."

* * *

"However, this office has held that where the circumstances are such that medical attention to an employee—including inoculation or vaccination to which these examinations seem more or less akin in view of their precautionary nature—may be considered as primarily for the benefit of the Government rather than the employee, the expense thereof may properly be paid from appropriated funds. 2 Comp. Dec. 347; 6 id. 447; 60 MS Comp. Dec. 1425; A-29752, December 17, 1929; A-32786, August 8, 1930; A-97344, August 26, 1938. Cf. 15 Comp. Gen. 20."

Since, as is indicated, it is important to determine whether a prospective employee assigned to Alaska is free of tuberculosis in order to guard against spread of tuberculosis among the Eskimos, it would appear that the use of X-rays for such purposes may be considered as a medical examination primarily for the benefit of the Government. Accordingly, you are advised that the cost of such X-ray examinations may

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be charged to the applicable appropriation of the Weather Bureau where the facilities of the Public Health Service are not available.

Sincerely yours,

Frank L. Yates

Acting Comptroller General
of the United States