

Department of Consumer Affairs

Position Duty Statement

HR-041 (New 5/04)

Classification Title	Board/Bureau/Division
Associate Governmental Program Analyst	Medical Board of California
Working Title	Office/Unit/Section / Geographic Location
Enforcement Analyst/Data Integrity Analyst	Enf/CCU – Case Management Section-- Sacramento
Position Number	Effective Date
629-170-5393-813	

Under the direction of the Staff Services Manager I, Case Management Section, the Associate Governmental Program Analyst (AGPA) performs with independence the most complex analytical duties within the Enforcement Unit including the analysis of Adverse Event Reporting from accredited outpatient surgery settings, and consumer and patient complaints alleging negligent or incompetent medical treatment or care by providers licensed by the Medical Board of California (MBC). The AGPA frequently and independently interprets laws, rules and regulations including, but not limited to, the Medical Practice Act within the Business and Professions Code, the Health and Safety Code, the Code of Civil Procedures, the Penal Code and the Government Code, to identify possible violations. The incumbent also acts as the liaison between Data Processing/Information Systems Branch (ISB) staff and Central Complaint Unit (CCU) staff to provide consultative services for the development of enhancements to the Enforcement tracking system (BreZE). Specific duties include, but are not limited to, the following:

A. SPECIFIC ACTIVITIES [Essential (E) / Marginal (M) Functions]

45% Adverse Event Report Review & Analysis (E)

- Independently conducts analysis, research, and evaluation of Adverse Event Reports received from outpatient surgery settings as it pertains to the practice of medicine by licensed California physicians. As part of the analysis, research, and evaluation, identifies necessary information from the outpatient surgery setting to determine whether the outpatient surgery setting is accredited by the MBC or licensed by the California Department of Public Health to establish jurisdiction. Acts as the point of contact for outpatient surgery settings with respect to Adverse Event reporting, develops processes and policies for reporting entities, provides clarification regarding reporting requirements. **(15%)**
- Independently prepares comprehensive analysis and reports documenting the findings and evidence collected during review of Adverse Events reported by outpatient surgery settings accredited by the MBC. Composes timely, complex and sensitive correspondence to document violations of the Medical Practice Act. Applies policies, procedures, laws and regulatory requirements to determine whether to secure a review by a medical consultant, recommend a field investigation for possible violations of law, or recommend closure without further review. Makes recommendations to the Staff Services Manager regarding case disposition and the appropriate penalty available for cases not supporting disciplinary action. Determines merit for cases requiring formal field investigation, and transmits cases for formal field investigation. Determines if case warrants review by the Office of the Attorney General. **(15%)**
- Identifies and gathers evidence and information necessary to substantiate a violation, including detailed information from the outpatient surgery setting and patient records. Requests additional information from complainant(s) and subject(s) of complaint as necessary. **(5%)**

- Reviews prior investigations and/or complaints to determine whether the allegations indicate a pattern which would warrant more aggressive action. **(5%)**
- Assists investigators with cases by working closely to gather, collect, and evaluate information and evidence, and to secure patient records. Consults with legal counsel, investigators, expert consultants and the Attorney General's Office regarding complex enforcement matters. **(5%)**

35% (E) Complaint Review & Analysis

- Independently evaluates and analyzes complaints received from the general public, other physicians, law enforcement agencies, etc., which pertain to the practice of medicine by licensed California physicians and unlicensed individuals. **(10%)**
- Independently prepares comprehensive analysis and reports which show findings and evidence collected during review. Composes timely, complex, and sensitive correspondence to document violations of the Medical Practice Act. Applies policies, procedures, laws and regulatory requirements to make critical determinations regarding violations of the law and, if necessary, to secure a review by a medical consultant, recommend a field investigation for possible violations of law, or recommend closure without further review. Makes recommendations to the Staff Services Manager regarding case disposition and the appropriate penalty available for cases not supporting disciplinary action. Determines merit for cases requiring formal field investigation, and transmits cases for formal field investigation. Determines if case warrants review by the Office of the Attorney General. **(5%)**
- Identifies and gathers information necessary to substantiate a violation including detailed information from the complainant(s) and subject(s), and patient records. Requests additional information from complainant(s) and subject(s) of complaint as necessary. **(5%)**
- Reviews prior investigations and/or complaints to determine whether the allegations indicate a pattern which would warrant more aggressive action. **(5%)**
- Works closely with investigators to gather, collect, and evaluate evidence, secure patient records. Consults with legal counsel, investigators, expert consultants and the Attorney General's Office regarding complex enforcement matters. **(5%)**
- Provides verbal and written responses to complex inquiries regarding enforcement matters to complainants, the general public and MBC staff. Prepares correspondence on behalf of either Staff Services Manager, Deputy Director or Executive Director to address complainant concern(s), inquiries from the general public and MBC staff. **(5%)**

20% (E) Data Integrity

- Develops and generates monthly workload and production reports from BreEZe (e.g., Consumer Services Analyst (CSA) pending caseloads; complaints assigned to investigation). Develops and generates reports to perform data integrity checks. Develops policy, procedures and program alternatives to ensure data integrity. Develops and generates ad hoc statistical reports and performs research for MBC Executive Management and staff, representatives of the Department of Consumer Affairs, the Legislature, and other interested parties and stakeholders on issues such as citation and fine tracking and quantity, case aging, processing times, and other actions related to MBC enforcement activities. **(5%)**
- Reviews data entered in BreEZe on complaint records that are referred to the Office of the Attorney General or the District Attorney's Office. Verifies required tracking codes, referral codes, allegations, violations, activities, and relevant data have been posted to the complaint record. Enters the transmittal in a control log, ensures required documentation

is included in the file, and, once verified, forwards the file to the Central File Room for filing. (5%)

- Tabulates and analyzes data from complaint or disciplinary records when hard copy sources are not available and computer generation of data is not feasible. Searches documents on Disc Image by date to generate a report. (5%)
- Acts as the liaison between ISB staff and CCU staff to develop enhancements to BreEZe, including adding any new tracking codes, referral codes, etc. Recommends changes in complaint handling policies and procedures and develops implementation plan for changes. Develops procedures and policy and provides training to all staff on how to access and use BreEZe to ensure data integrity. Coordinates and updates user access. Updates BreEZe template letters as necessary. (5%)

B. Supervision Received

The Associate Governmental Program Analyst works under the direction of the Staff Services Manager I, Central Complaint Unit-Case Management Section.

C. Supervision Exercised

None

D. Administrative Responsibility

None

E. Personal Contacts

The AGPA will have continuous direct contact with consumers regarding the progression of their case, and representatives of outpatient surgery settings regarding Adverse Event reports. This information can be of a sensitive and complex nature. During the evaluation of cases, the AGPA will have occasional contact with physicians, hospitals, the County Coroner or law enforcement agencies. The incumbent will have daily contact with Enforcement Management regarding case status, and frequent contact with Department of Consumer Affairs investigators, MBC inspectors and medical consultants.

F. Actions and Consequences

Failure of the incumbent to perform duties adequately may result in the improper processing of a consumer complaint; thus, possibly putting California Healthcare Consumers in a harmful situation and the MBC not carrying out its mission to protect the public.

G. Functional Requirements

No specific physical requirements are required: the incumbent works 40 hours per week in an office setting, with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Sitting and standing requirements are consistent with office work.

H. Other Information

Incumbent must be able to communicate both verbally and in writing, use good judgment in decision making, manage time and resources effectively, be able to work efficiently and cooperatively with others and be able to work under changing priorities and deadlines.

The analyst routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

Title 11, Section 703D California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Printed Name

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Printed Name

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