

Department of Consumer Affairs

Position Duty Statement

HR-041 (Rev 12/08)

Classification Title	Board/Bureau/Division
Associate Governmental Program Analyst	Medical Board of California
Working Title	Office/Unit/Section / Geographic Location
	Enforcement/CCU – Sacramento
Position Number	Effective Date
629-170-5393-812	

Under the direction of the Staff Services Manager I, Quality of Care Section, the Associate Governmental Program Analyst (AGPA) performs with independence the most complex analytical duties within the Enforcement Unit, including the analysis of consumer and patient complaints alleging negligent or incompetent medical treatment or care by providers licensed by the Medical Board of California. The AGPA frequently interprets laws, rules and regulations including, but not limited to, the Business and Professions Code, Health and Safety Code, Code of Civil Procedures, Penal Code and the Government Code. Specific duties include, but are not limited to, the following:

A. Specific Activities [Essential (E) / Marginal (M) Functions]

75% Complaint Review & Analysis (E)

Independently conducts complaint investigations of incoming consumer and patient complaints, including the review, evaluation, and analysis of confidential and classified conviction data obtained from the Department of Justice (DOJ), arrest reports, court documents, mal-practice award notifications, criminal record case files, and other related documents and evidence from consumers, law enforcement agencies, other boards, licensees, etc. Works closely with investigators to gather, collect, and evaluate evidence, interview witnesses, and secure patient records. Requests additional information from complainant(s) and subject(s) of complaint as necessary. **(35%)**

Independently prepares comprehensive investigation reports, which show findings and evidence collected during investigation. Composes timely complex and sensitive correspondence to document violations of the Medical Practice Act. Applies policies, procedures, and regulatory requirements to make critical determinations regarding violations of the law. Using the disciplinary guidelines and considering various factors of mitigation and aggravation, makes recommendations to the Staff Services Manager regarding case disposition and the appropriate penalty available for cases not supporting disciplinary action. **(15%)**

Determines merit for cases requiring formal field investigation, and transmits cases for formal field investigation and/or consultant review. Determines if case warrants review by the Office of the Attorney General. **(10%)**

Assists Board Investigators with cases as needed. Consults with legal counsel, investigators, expert consultants, and the AGO regarding complex enforcement matters. **(5%)**

Prepares analysis of substantive issues for board consultant review. **(5%)**

Confers with board consultants regarding case status and disposition. Tracks and maintains monthly statistics on a large caseload in an independent and efficient manner. **(5%)**

15% Administrative (E)

Provides verbal and written responses to complex inquiries regarding enforcement matters to complainants, general public and MBC staff.

10% Public Information (E)

Acts as “Analyst of the Day” to provide consumers and licenses information and advice to the general public regarding the Board’s complaint process including time frames for complaint processing, conducting investigations, finalizing dispositions of complaints through the administrative process and issues with the Board’s jurisdiction. Responds to contacts from the public by answering calls and inquiries and provides information regarding the Medical Board and other consumer assistance available from Federal, State and Local Government agencies and private organizations such as the California Medical Association, California Medical Society and other consumer organizations. Attends outreach programs in the community to dissemination information on the Medical Board and the services available to the public from the Board.

B. Supervision Received

The AGPA reports directly to and receives the majority of assignments from the Staff Services Manager I, Central Complaint Unit – Quality of Care Section, however, directions and assignments may also come from the Staff Services Manager II, the Chief of Enforcement and the Supervising Investigators

C. Supervision Exercised

None. May serve in a lead capacity over a small group of analysts in the Central Complaint Unit

D. Administrative Responsibility

None

E. Personal Contacts

On a daily basis, the AGPA will respond to inquiries from the general public by telephone, e-mail or in writing. Interacts with board experts regarding case management and issues raised in consumer complaints as well as standard of medical care concerns. Works directly with the Board’s enforcement staff, DCA Legal Staff and other state and law enforcement agencies including the Attorney General’s office. The AGPA is required to maintain a positive, professional working relationship with members of the profession, other state and federal agencies, persons and entities regulated by the Board, and staff from the Board and the Department of Consumer Affairs.

F. Actions and Consequences

The incumbent’s failure to perform the duties adequately may result in the improper evaluation of incidents of malpractice by practitioners whose care may have contributed to a patient’s death or serious bodily injury. Failing to timely and appropriately identify physician’s whose competence may be questionable potentially places California’s healthcare consumers in a harmful situation and raises concern that the MBC is 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 in English; 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

Rev: 07/2014