

Department of Consumer Affairs

Position Duty Statement

HR-041 (New 05/04)

Classification Title Special Investigator (Non-Peace Officer)	Board/Bureau/Division Medical Board of California
Working Title	Office/Unit /Section/ Geographic Location Complaint Investigation Office/Sacramento
Position Number 629-170-8612-999	Name and Effective Date

Under the supervision of the Supervising Special Investigator (non-peace officer), the Special Investigator (non-peace officer), conducts diverse administrative and civil investigations against the professional licensees of the Medical Board of California, Department of Consumer Affairs. Incumbents may work independently or with a group of investigators (non-sworn), in executing a lawful and thorough investigation of alleged violations and pursue cases for prosecution of hearing where applicable. Specific duties include, but are not limited to:

A. Specific Assignments

55% Administrative and Civil Investigations (E)
(Driving, sitting, balance and carrying required)

Examines a variety of records and information to detect, secure or verify suspected administrative violations and violators of the laws, rules and regulations that govern the Medical Practice Act. **(20%)**

Identifies, gathers, assembles, evaluates and preserves statements, affidavits and other evidence for use in administrative legal action. Logs evidence. **(15%)**

Locates accused persons and witnesses. Serves subpoenas, consumer notices and other legal papers/documents. Interviews complainants, witnesses, licensees and professional experts face-to-face to collect, analyze and evaluate testimony. **(10%)**

Contacts and interviews individuals and representatives of business or governmental organizations; interprets and explains business and professions code when necessary. Confers and cooperates with federal, state and local law enforcement agencies regarding investigations. **(10%)**

35% Investigative Reports *(Sitting required)* (E)

Prepares concise, detailed reports of the events of the investigation, which include documented evidence, statements from witnesses and a general synopsis to ensure the findings are fully supported by the facts and other evidence. **(35%)**

5% Administrative *(Sitting required)* (E)

Prepares and performs internal administrative functions such as daily and monthly activity reports. Prepares various investigative correspondence. **(5%)**

5% Case Preparation and Prosecution *(Driving, sitting and carrying required)* (E)

Assists prosecutors in preparing and presenting cases and testifies in administrative hearings. **(5%)**

B. Supervision Received

The incumbent (non-peace officer), reports directly to and receives assignments from the Supervising Special Investigator (non-sworn officer).

C. Supervision Exercised

None

D. Administrative Responsibility
None.

E. Personal Contacts
Frequent contact with the Supervising Special Investigator, enforcement personnel, investigators and office staff. Frequent contact with Medical Board licensees and/or their legal representatives, the general public as subjects, complainants or witnesses and Deputy Attorney Generals responsible for prosecuting cases filed against licensees. Occasional to frequent contact with Medical Board investigative personnel and other administrative justice agencies at the county, city, state and federal levels.

F. Actions and Consequences
Failure to complete assigned casework in a timely manner, or inefficiency in conducting investigations, may result in significant patient harm or death, or may delay licensing which costs the Medical Board loss of licensing fees and loss of income for an applicant who cannot be licensed until the investigation is completed. An inadequate investigation may result in allowing a violation of the law (administrative) to go undetected or unpunished. All of the cases being investigated affect the health and safety of consumers.

G. Functional Requirements
The incumbent is required to work both indoors and outdoors, depending on the situation he or she is involved in, at any given time. While indoors, the temperature and humidity is reasonably controlled, but while out of doors, the employee is exposed to climatic conditions. The incumbent may be exposed to dust and fumes. The incumbent may occasionally be exposed to toxic materials or have contact with persons believed to have tuberculosis, infectious hepatitis or other contagious disease. There is a reasonable expectation of contact with blood-borne pathogens or other potentially infectious materials or chemicals. Additionally, the incumbent will be sitting, standing, walking, driving and carrying up to 25 pounds in the performance of duties and responsibilities.

H. Other Information
Administrative and Civil cases may include malpractice, civil settlements (B&P Code 801) and unprofessional treatment/care where physical harm that occurred is not considered criminal (intentional vs. negligence), quality of care, conviction of a crime, background investigations on physicians on probation who are petitioning for either early termination or modification of the terms of their probation, and violations of probationary terms and conditions. The employee routinely works with sensitive and confidential issues and/or materials, which may include sexually explicit materials and graphic medical procedures, such as autopsies. The employee is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive investigative matters at all times. This position requires working in and traveling/driving to, various locations throughout the state and, on occasion, odd or irregular hours. The employee is required to maintain regular and consistent attendance; report to work on time; work his/her full day and work under changing priorities and deadlines.

In addition, the incumbent is required to dress and act professionally, work cooperatively with others and exhibit courteous behavior towards coworkers and the public. Knowledge and proficiency in the use of personal computers and standard office software is required. A valid California driver license is required

Title 11, Section 703(d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement incumbents in 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

**New: 5/2013
Approved by JM: 1/22/15
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