

DUTY STATEMENT

Employee Name:

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| Classification: Supervising Special Investigator II (Non-Peace Officer) | Position Number: 580-881-8545-909 |
| Working Title: Section Chief | Work Location: Various |
| Collective Bargaining Unit: S07 | Tenure/Time Base: Permanent/Full-time |
| Center/Office/Division: Center for Health Care Quality/Licensing & Certification Division | Branch/Section/Unit: Investigations Branch/Medical Breach Enforcement Section B |

All employees shall possess the general qualifications, as described in California Code of Regulations Title 2, Section 172, which include, but are not limited to integrity, honesty, dependability, thoroughness, accuracy, good judgment, initiative, resourcefulness, and the ability to work cooperatively with others.

This position requires the incumbent to maintain consistent and regular attendance; communicate effectively (orally and in writing) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment; complete assignments in a timely and efficient manner; and, adhere to departmental policies and procedures.

Competencies

The competencies required for this position are found on the classification specification for the classification noted above. Classification specifications are located on the [California Department of Human Resource's Job Descriptions webpage](#).

Job Summary

This position supports the California Department of Public Health's (CDPH) mission and strategic plan by overseeing the Medical Breach Section (MBS). In accordance with applicable laws, regulations, and department policies and procedures, the Supervising Special Investigator II (SSI II) has independent responsibility in planning, organizing, and directing operations pertaining to the investigation and enforcement of state medical information privacy violations. The SSI II will organize, direct, and/or conduct the more sensitive, confidential, difficult, and complex investigations to verify alleged violations of the provisions of the laws, rules, and regulations governing the confidentiality of medical information. Up to 25% statewide travel is required, including overnight stays.

The incumbent works under the direction of the Staff Services Manager III (SSM III), Chief of the Investigations Branch.

Special Requirements

- Conflict of Interest (COI)
- Background Check and/or Fingerprinting Clearance

- Medical Clearance
- Travel: Up to 25%
- Bilingual: Pass a State written and/or verbal proficiency exam in
- License/Certification:
- Other:

Essential Functions (including percentage of time)

40% Plan, organize, and direct the work of staff within the MBS in conducting confidential, critical, and sensitive statewide administrative, civil, and/or criminal investigations of complaints and reported events involving violations of medical information privacy laws pursuant to the Health and Safety Code and section 56 of the Civil Code. Establish and communicate the goals and expectations of the Section's responsibilities and workload to staff and Branch Chief. Approve employee assignments and have regular discussions with employees; provide investigative training to employees using a one-on-one approach and/or group setting. Recommend appropriate action in cases in which administrative and/or criminal prosecution is pursued. Make the final decision on the issuance and amount of administrative penalties, and inform facility Chief Executive Officers (CEOs) of penalties. Develop and maintain a working relationship with judges, prosecutors, employers, and unions. Assist in planning and directing a statewide investigation program. Supervise staff in accordance with the California Department of Human Resources, the State Personnel Board laws and rules, Bargaining Unit Agreement guidelines, and the CDPH policies and procedures.

30% Ensure the fair and consistent discipline of individuals and entities in violation of Civil Code and Health and Safety Code confidentiality of medical information laws. The incumbent will utilize in-depth knowledge of applicable rules, regulations, and statutes, to research and maintain policies and procedures relating to the laws governing the confidentiality of medical information. Interpret and apply provisions of the laws, rules, and regulations enforced or administered to specific cases. Plan, organize, direct, and/or conduct the more sensitive, confidential, difficult, and complex investigations to verify alleged violations of the provisions of the laws, rules, and regulations governing the confidentiality of medical information. Gather, analyze, evaluate, and prepare effective evidence by reviewing referral documents, interviewing witnesses, and speaking with the medical facility or practice administration to determine if there is a violation. Consult with CDPH legal counsel on cases and any other legal issues. Prepare proposals for recommended changes or additions to statutes and/or regulations for CDPH sponsored legislation and/or regulations. Assist the Branch Chief in preparing legislative analysis and budget change proposals.

25% Responsible for the effective and timely processing of disciplinary actions in accordance with accepted investigative techniques and knowledge of the Administrative Procedures Act. Prepare comprehensive reports analyzing and evaluating all complaints, testimony, and information gathered and recommend appropriate action to be taken by legal counsel in cases in which administrative and/or criminal prosecution is pursued. Appear in court or in administrative hearings to provide testimony. Work with and secure the cooperation of federal, state, and local law enforcement agencies and licensing authorities in gathering evidence. Prepare sensitive and confidential correspondence, including case summaries related to allegations of wrongdoing.

Marginal Functions (including percentage of time)

5% Perform other job-related duties as required.

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| I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties and have provided a copy of this duty statement to the employee named above. | | I have read and understand the duties and requirements listed above, and am able to perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation may be necessary, or if unsure of a need for reasonable accommodation, inform the hiring supervisor.) | |
| Supervisor's Name: | Date | Employee's Name: | Date |
| Supervisor's Signature | | Employee's Signature | |
| HRD Use Only: <u>Approved By:</u> Jackie Moller | Date <u>1/11/22</u> | | |