

**DEPARTMENT OF JUSTICE
DIVISION OF MEDI-CAL FRAUD & ELDER ABUSE
CRIMINAL PROSECUTION UNIT**

NAME:

JOB TITLE: Deputy Attorney General IV

STATEMENT OF DUTIES: Performs the more complex legal work in Division of Medi-Cal Fraud and Elder Abuse within an assigned region. Independently prosecutes cases in county and federal district courts against a wide variety of health care providers and caregivers normally associated with the Medi-Cal program. In multi-disciplinary actions, performs legal duties and advises other agency investigators and prosecutors with federal, state, and local agencies relative to fraud and evidence of it in the Medi-Cal program.

SUPERVISION RECEIVED: Is under the general direction of the Supervising Deputy Attorney General.

SUPERVISION EXERCISED: None

TYPICAL PHYSICAL DEMANDS: Ability to lift up to 25 pounds.

TYPICAL WORKING CONDITIONS: Enclosed office in a smoke-free environment.

ESSENTIAL FUNCTIONS:

40% Trial Preparation and Presentation in Court: Subject to direction from supervisory staff, performs the following functions related to trial preparation and presentation in court – independently conducts legal research on complex issues; drafts and files pleadings with respect to pretrial, trial, and post-trial motions; interviews witnesses; independently and/or as part of a team prosecutes difficult jury and court trials, and makes other related court appearances; independently and/or as part of a team resolves complex legal issues and prosecutions through trials and negotiations with defense counsel; prepares letters to probation departments, arranges for victim statements, drafts sentencing statements and motions, appears and argues at sentencing hearings; assists in the preparation of press releases and responses to press contacts; upon case completion, reports and analyzes outcomes to supervisors and management; and refers cases to other agencies for other action as appropriate.

35% Case Review: Subject to direction from supervisory staff, performs the following functions related to case review – reviews reports of investigation and

progress reports; consults with Special Agents and Investigative Auditors assigned to cases to evaluate and provide direction for complex cases, including the sufficiency of evidence, advice on parameters, and effects of investigative action; determines suitability for prosecution and directs the legal theories to be followed in investigating cases, and makes final filing decisions; reviews search warrants, arrest warrants, and affidavits for legal sufficiency and clarity; reviews and approves requests and affidavits for undercover Medi-Cal cards.

10% Consultation: Subject to direction from supervisory staff, on matters related to criminal and civil Medi-Cal fraud and patient abuse cases, consults with and advises district attorneys and representatives of other public agencies, as well as Medicaid Fraud Control Units in other states. Makes case disposition decisions resolving conflicts with such agencies.

10% Miscellaneous: Must keep case management system updated, will be assigned other miscellaneous duties such as training and collaborating with other agencies.

MARGINAL FUNCTIONS:

5% Legislative, Regulatory, and/or Policy Analysis: Subject to direction from supervisory staff, performs the following related to legislative, regulatory, and/or policy analysis – conducts research and prepares written and oral analyses regarding laws, regulations, and/or policies (as well as proposed changes thereto) that affect or may affect the Medi-Cal Program, including those pertinent to the intersection of law, data, and technology and to outreach efforts.

I have read and understand the essential functions and typical physical demands of the job offered to me, and I am able to perform the essential functions with or without reasonable accommodation.

Employee's Signature

Date

**DEPARTMENT OF JUSTICE
DIVISION OF MEDI-CAL FRAUD & ELDER ABUSE
CRIMINAL PROSECUTION UNIT**

NAME:

JOB TITLE: Deputy Attorney General III

STATEMENT OF DUTIES: Performs the more complex legal work in Division of Medi-Cal Fraud and Elder Abuse within an assigned region. Independently prosecutes cases in county and federal district courts against a wide variety of health care providers and caregivers normally associated with the Medi-Cal program. In multi-disciplinary actions, performs legal duties and advises other agency investigators and prosecutors with federal, state, and local agencies relative to fraud and evidence of it in the Medi-Cal program.

SUPERVISION RECEIVED: Is under the general direction of the Supervising Deputy Attorney General.

SUPERVISION EXERCISED: None

TYPICAL PHYSICAL DEMANDS: Ability to lift up to 25 pounds.

TYPICAL WORKING CONDITIONS: Enclosed office in a smoke-free environment.

ESSENTIAL FUNCTIONS:

40% Trial Preparation and Presentation in Court: Subject to direction from supervisory staff, performs the following functions related to trial preparation and presentation in court – independently conducts legal research on complex issues; drafts and files pleadings with respect to pretrial, trial, and post-trial motions; interviews witnesses; independently and/or as part of a team prosecutes difficult jury and court trials, and makes other related court appearances; independently and/or as part of a team resolves complex legal issues and prosecutions through trials and negotiations with defense counsel; prepares letters to probation departments, arranges for victim statements, drafts sentencing statements and motions, appears and argues at sentencing hearings; assists in the preparation of press releases and responses to press contacts; upon case completion, reports and analyzes outcomes to supervisors and management; and refers cases to other agencies for other action as appropriate.

35% Case Review: Subject to direction from supervisory staff, performs the following functions related to case review – reviews reports of investigation and

progress reports; consults with Special Agents and Investigative Auditors assigned to cases to evaluate and provide direction for complex cases, including the sufficiency of evidence, advice on parameters, and effects of investigative action; determines suitability for prosecution and directs the legal theories to be followed in investigating cases, and makes final filing decisions; reviews search warrants, arrest warrants, and affidavits for legal sufficiency and clarity; reviews and approves requests and affidavits for undercover Medi-Cal cards.

10% Consultation: Subject to direction from supervisory staff, on matters related to criminal and civil Medi-Cal fraud and patient abuse cases, consults with and advises district attorneys and representatives of other public agencies, as well as Medicaid Fraud Control Units in other states. Makes case disposition decisions resolving conflicts with such agencies.

10% Miscellaneous: Must keep case management system updated, will be assigned other miscellaneous duties such as training and collaborating with other agencies.

MARGINAL FUNCTIONS:

5% Legislative, Regulatory, and/or Policy Analysis: Subject to direction from supervisory staff, performs the following related to legislative, regulatory, and/or policy analysis – conducts research and prepares written and oral analyses regarding laws, regulations, and/or policies (as well as proposed changes thereto) that affect or may affect the Medi-Cal Program, including those pertinent to the intersection of law, data, and technology and to outreach efforts.

I have read and understand the essential functions and typical physical demands of the job offered to me, and I am able to perform the essential functions with or without reasonable accommodation.

Employee's Signature

Date

**DEPARTMENT OF JUSTICE
DIVISION OF MEDI-CAL FRAUD & ELDER ABUSE
CRIMINAL PROSECUTION UNIT
DUTY STATEMENT**

NAME:

CLASSIFICATION: Deputy Attorney General V

STATEMENT OF DUTIES: Serves as one of the Department's top experts in the most complex and difficult criminal legal and investigative work of the Division of Medi-Cal Fraud and Elder Abuse ("Division"). Operates independently on the most difficult and most complex litigation, which may involve innovative theories and practices, specialized knowledge, and the highest levels of expertise. Independently and/or as part of a team prosecutes cases in California state courts and federal district courts against a wide variety of health care providers and caregivers normally associated with the Medi-Cal program. In multi-disciplinary actions, makes decisions relating to the Division's participation and role, acts in a senior advisory role performing the most complex and difficult legal duties, and directing other agency investigators and prosecutors with federal, state, and local agencies on criminal investigations and prosecutions affecting the Medi-Cal program. Demonstrates an exceptional level of expertise that distinguishes herself/himself in a special field of knowledge. Interacts with the legislature, high-level governor-appointees, constitutional officers, or their designee.

SUPERVISION RECEIVED: Is under the general direction of the Supervising Deputy Attorney General.

SUPERVISION EXERCISED: None

TYPICAL PHYSICAL DEMANDS: Ability to lift up to 25 pounds.

TYPICAL WORKING CONDITIONS: Enclosed office in a smoke-free environment.

ESSENTIAL FUNCTIONS:

40% Case Review: Subject to direction from supervisory staff, performs the following functions related to case review – reviews reports of investigation and progress reports; consults with Special Agents and Investigative Auditors, their supervisors, and management to evaluate and provide direction for complex cases, including the sufficiency of evidence and legal effects of investigative activities; makes early evaluations and determines suitability of facts to support later prosecution; analyzes, directs and explains the legal theories and results therefrom in investigating cases; and makes final filing decisions on the most complex and difficult of cases; reviews search warrants, arrest warrants, and affidavits for legal sufficiency and clarity; and reviews and approves requests and affidavits for undercover Medi-Cal cards.

- 40% **Trial Preparation and Presentation in Court:** Subject to direction from supervisory staff, performs the following functions related to trial preparation and presentation in court – independently conducts legal research on the most complex and difficult issues; drafts and files pleadings with respect to pretrial, trial, and post-trial motions; interviews witnesses; independently and/or as part of a team prosecutes the most difficult and complex jury and court trials, and makes other related court appearances; independently and/or as part of a team resolves the most complex and difficult legal issues and pursues prosecutions through trials and negotiations with defense counsel; prepares letters to probation departments, arranges for victim statements, drafts sentencing statements and motions, appears and argues at sentencing hearings; assists in the preparation of press releases and responses to press contacts; upon case completion, reports and analyzes outcomes to supervisors and management; and refers cases to other agencies for other action as appropriate.
- 10% **Consultation:** Subject to direction from supervisory staff, on matters related to criminal and civil Medi-Cal fraud and patient abuse cases, consults with and advises district attorneys and representatives of other public agencies, as well as Medicaid Fraud Control Units in other states. Makes case disposition decisions resolving conflicts with such agencies.
- 5% **Training:** Subject to direction from supervisory staff, acts as trainer for other Deputy Attorneys General, Special Agents, and Investigative Auditors relating to complex prosecutions and legal issues; informally trains Deputy Attorneys General and other staff by example, mentoring and analyzing and explaining the most difficult legal matters.
- 5% **Legislative, Regulatory, and/or Policy Analysis:** Subject to direction from supervisory staff, performs the following related to legislative, regulatory, and/or policy analysis – conducts research and prepares written and oral analyses regarding laws, regulations, and/or policies (as well as proposed changes thereto) that affect or may affect the Medi-Cal Program, including those pertinent to the intersection of law, data, and technology and to outreach efforts.

I have read and understand the essential functions and typical physical demands required of this job, and I am able to perform the essential functions with or without a reasonable accommodation. (Refer to the Essential Functions Health Questionnaire, STD. 910.)

Printed Name _____
Employee's Signature

Date

Printed Name _____
Supervisor's Signature

Date