

**Department of Consumer Affairs**

Position Duty Statement

HR-41a (new 07/2015)

<b>Classification Title</b> Special Investigator (Non-Peace Officer)	<b>Board/Bureau/Division</b> Board of Registered Nursing
<b>Working Title</b> Special Investigator	<b>Office/Unit /Section/ Geographic Location</b> Enforcement Division/Investigations/Central Unit
<b>Position Number</b> 630-110-8612-030	<b>Name and Effective Date</b>

**General Statement:** Under the general direction of Supervising Special Investigator I (SSII), (non-peace officer), the Special Investigator I (non-peace officer), conducts diverse administrative, civil and criminal investigations against the professional licensees of the Board of Registered Nursing (BRN), 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 or hearing where applicable. Specific duties include, but are not limited to, the following:

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

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

Examines a variety of records and information to detect, secure or verify suspected administrative or criminal violations and violators of the laws, rules and regulations that govern the BRN's Nursing Practice Act and various other codes (20%).

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

Locates accused persons and witnesses. 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.

Serves subpoenas, consumer notices and other legal papers. Logs evidence; confers and cooperates with federal, state, and local law enforcement agencies on investigations (10%).

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

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.

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

Prepares and performs internal administrative functions such as daily, weekly, monthly, and quarterly activity reports and mileage logs. Prepares various investigative correspondence.

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

Assists prosecutors in preparing and presenting cases and testifies in administrative hearings and criminal proceedings.

B. Supervision Received

The incumbent is under the general direction, reports directly to and receives assignments from the SSII. However, assignments and directions may come from a designated lead or higher-level management.

C. Supervision Exercised

None.

D. Administrative Responsibility

Prepares reports and correspondence.

E. Personal Contacts

Contact with Supervising Special Investigator and other employees in the office each day employee is working. Frequent contact with BRN licensees and the general public such as subjects, complainants or witnesses. Occasional contact with Division of Investigation (DOI) and other administrative and criminal 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 BRN loss of licensing fees and loss of income for a person who cannot be licensed until the investigation is completed. An inadequate investigation may result in allowing a violation of the law to go undetected or without appropriate consequences. All of the cases being investigated affect the health and safety of consumers.

G. Functional Requirements

The employee works 40 hours per week and 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 employee may be exposed to dust and fumes. The employee may occasionally be exposed to toxic materials or have contact with persons believed to have a contagious disease. There is a reasonable expectation of contact with blood-borne pathogens, or bodily fluids, or other potentially infectious materials or chemicals. Occasional to frequent sitting, standing, walking, driving, and occasional light lifting of up to 25 pounds.

H. Other Information:

Administrative, Civil and Criminal cases may include, but are not limited to, malpractice, civil settlements (801 B&P), and unprofessional treatment/care, quality of care, Moscone/Knox, failure to successfully complete a substance abuse program, advertising violations, lapsed license issues, patient harm, patient death, and professional boundary issues. 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 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 employee 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 desired. A valid California driver license is required. The incumbent may be required to travel by various methods of transportation. If travel expenses are incurred, mileage will be reimbursed at the current allowable rate.

To perform the duties of this position, the employee must have fingerprint clearance. This is a CORI sensitive position. **Candidate must be free from any criminal convictions prior to hire.**

*\*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, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance to DCA's (CORI) procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position 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.*

**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

**(Revised: 10/2019)**