

**DEPARTMENT OF JUSTICE
DIVISION OF MEDI-CAL FRAUD & ELDER ABUSE
CIVIL SECTION
DUTY STATEMENT**

NAME:

CLASSIFICATION: Deputy Attorney General IV

WORKING TITLE: Deputy Attorney General IV (Bankruptcy)

STATEMENT OF DUTIES: The Deputy Attorney General IV (DAG IV) performs some of the more complex and sensitive legal work in the Division of Medi-Cal Fraud and Elder Abuse ("Division"), Civil Section. The incumbent litigates cases in California state courts and in federal district courts nationwide against a wide variety of health care providers in the Medi-Cal program, with emphasis (as required by the Section's needs) on representing the Division in bankruptcy matters. The DAG IV also investigates and litigates state False Claims Act ("FCA") violations involving financial fraud on the Medi-Cal program, and pursues the recovery of civil damages. The incumbent's duties include, but are not limited to, preparing and litigating cases of great difficulty in trial and appellate cases in both the state and federal courts. Such work includes particular focus on advice, counsel, and representation of the Division in all aspects of actual or potential bankruptcy proceedings, such evaluation and handling of claim disputes, plan objections, and adversary proceedings related to the Division's civil matters. The DAG IV conducts complex investigations and civil litigation in FCA matters, to include legal research and analysis, working with auditors, investigators and attorneys both within and beyond the Division in all stages of investigations and litigation, and collaborating in multi-jurisdictional efforts targeting Medicaid fraud with legal teams from other states' offices of the Attorney General and Offices of the U.S. Attorneys in federal districts nationwide, as well as with counsel representing FCA whistleblowers. The DAG IV may oversee the work performed by paralegals and act as lead.

SUPERVISION RECEIVED: Under the general direction of a Supervising Deputy Attorney General. May receive general direction from the Senior Assistant Attorney General.

SUPERVISION EXERCISED: None.

TYPICAL PHYSICAL DEMANDS: The DAG IV may be required to sit at a computer terminal while performing research and other duties for up to six to eight hours a day; and is required to travel out of town, sometimes with overnight travel. Ability to lift up to 25 pounds.

TYPICAL WORKING CONDITIONS: As set forth in DMFEA's Telework Guidelines, and subject to change based on operational needs of the division and the Department, the DAG IV may telework up to four days per week, unless adjusted consistent with DMFEA's Telework Guidelines, unless physical presence is required for court appearances, trials, hearings, or any in-office functions where necessary to adequately and professionally complete a project or participate in a meeting or proceeding, or as directed by a supervisor. The DAG IV is required to work in the office a minimum of one full day a week (unless adjusted consistent with DMFEA Telework Guidelines), unless otherwise directed during a particular week by a supervisor. In office, working conditions will be an enclosed interior or exterior office in a smoke-free environment.

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ESSENTIAL FUNCTIONS:

- 40% Subject to direction from supervisory staff, performs functions related to case management of civil Medi-Cal fraud matters. Independently and/or as part of a civil team, evaluates, initiates, and/or manages all stages of some of the more complex and sensitive civil actions in state and federal courts nationwide for the civil recovery of monetary damages for California's Medi-Cal Program. Develops and assists in some of the more complex and sensitive civil investigations that precede the office's intervention in or filing of civil actions. Collaborates and consults with agents; auditors; investigators; local, state, or federal agency personnel; and other attorneys within or beyond California, as well as private counsel representing FCA whistleblowers. Determines appropriate legal theories supporting investigation and/or civil prosecution, evaluates evidence, and recommends appropriate post-investigation action. Handles and/or assists in civil resolutions.
- 30% Subject to direction from supervisory staff, performs functions related to advice, counsel, and representation of the Division in bankruptcy proceedings, including, but not limited to, independently and/or as part of a team, the evaluation, initiation, and/or management of all stages of some of the more complex and sensitive bankruptcy proceedings, such as claim disputes, plan objections, and adversary proceedings stemming from or related to the Division's civil matters, while demonstrating professionalism and sound judgment, under appropriate supervisory direction as required. Develops and assists in some of the more complex and sensitive bankruptcy proceedings that either precede or follow the office's intervention in or filing of civil actions. Determines appropriate legal theories supporting positions in bankruptcy proceedings and related underlying investigation and/or prosecution, and recommends appropriate pre- and post-investigation action as that action relates to the Division's position in an actual or potential bankruptcy proceeding. Handles and/or assists in resolutions of bankruptcy proceedings.
- 20% Subject to direction from supervisory staff, performs functions related to pre-trial/motion and trial practice. Independently and/or as part of a civil team conducts legal research on complex issues. Drafts and files documents, and makes court appearances, in all phases of some of the more complex and sensitive civil investigations and litigation, including pre-trial, trial, and post-trial practice. Works independently and/or as part of a civil team and/or a state, federal, or multi-jurisdictional team to pursue and resolve complex legal and factual issues through litigation, trial, and/or settlement. Assists in the preparation of press releases and responses to press contacts. Refers cases to other agencies for other action as appropriate.
- 10% Subject to direction from supervisory staff, performs functions related to legislative, regulatory, and/or policy requirements, compliance, and/or analysis. Participates in on-the-job and structured training. Conducts research and prepares written and oral analyses

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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. Provides training to more junior deputies when tasked with doing so.

I have read and understand the essential functions and typical physical demands required of this job (please check one of the boxes below regarding a Reasonable Accommodation):

- ☐ I am able to complete the essential functions and typical physical demands of the job without a need for a reasonable accommodation.
- ☐ I am able to complete the essential functions and typical physical demands of the job, but will require a reasonable accommodation. I will discuss my reasonable accommodation request with my supervisor.
- ☐ I am unable to perform one or more of the essential functions and typical physical demands of the job, even with a reasonable accommodation.
- ☐ I am not sure that I will be able to perform one or more of the essential functions and typical physical demands of the job, and will discuss the functional limitations I have with my supervisor.

Employee's Signature Date

Supervisor's Signature Date

Employee's Printed Name

Supervisor's Printed Name

**DEPARTMENT OF JUSTICE
DIVISION OF MEDI-CAL FRAUD & ELDER ABUSE
CIVIL SECTION
DUTY STATEMENT**

NAME:

CLASSIFICATION: Deputy Attorney General III

WORKING TITLE: Deputy Attorney General III (Bankruptcy)

STATEMENT OF DUTIES: The Deputy Attorney General III (DAG III) performs complex legal work in the Division of Medi-Cal Fraud and Elder Abuse ("Division"), Civil Section. The incumbent litigates cases in California state courts and in federal district courts nationwide against a wide variety of health care providers in the Medi-Cal program, with emphasis (as required by the Section's needs) on representing the Division in bankruptcy matters. The DAG III also investigates and litigates state False Claims Act ("FCA") violations involving financial fraud on the Medi-Cal program, and pursues the recovery of civil damages. The incumbent's duties include, but are not limited to, preparing and litigating cases before trial and appellate cases in both the state and federal courts. Such work includes particular focus on advice, counsel, and representation of the Division in all aspects of actual or potential bankruptcy proceedings, such evaluation and handling of claim disputes, plan objections, and adversary proceedings related to the Division's civil matters. The DAG III conducts investigations and civil litigation in FCA matters, to include legal research and analysis, working with auditors, investigators and attorneys both within and beyond the Division in all stages of investigations and litigation, and collaborating in multi-jurisdictional efforts targeting Medicaid fraud with legal teams from other states' offices of the Attorney General and Offices of the U.S. Attorneys in federal districts nationwide, as well as with counsel representing FCA whistleblowers. The DAG III may oversee the work performed by paralegals and act as lead.

SUPERVISION RECEIVED: Under the general direction of a Supervising Deputy Attorney General. May receive general direction from the Senior Assistant Attorney General.

SUPERVISION EXERCISED: None.

TYPICAL PHYSICAL DEMANDS: The DAG III may be required to sit at a computer terminal while performing research and other duties for up to six to eight hours a day; and is required to travel out of town, sometimes with overnight travel. Ability to lift up to 25 pounds.

TYPICAL WORKING CONDITIONS: As set forth in DMFEA's Telework Guidelines, and subject to change based on operational needs of the division and the Department, the DAG III may telework up to four days per week, unless adjusted consistent with DMFEA's Telework Guidelines, unless physical presence is required for court appearances, trials, hearings, or any in-office functions where necessary to adequately and professionally complete a project or participate in a meeting or proceeding, or as directed by a supervisor. The DAG III is required to work in the office a minimum of one full day a week (unless adjusted consistent with DMFEA Telework Guidelines), unless otherwise directed during a particular week by a supervisor. In office, working conditions will be an enclosed interior or exterior office in a smoke-free environment.

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- 20% Subject to direction from supervisory staff, performs functions related to pre-trial/motion and trial practice. Independently and/or as part of a civil team conducts legal research on complex issues. Drafts and files documents, and makes court appearances, in all phases of civil investigations and litigation, including pre-trial, trial, and post-trial practice. Works independently and/or as part of a civil team and/or a state, federal, or multi-jurisdictional team to pursue and resolve complex legal and factual issues through litigation, trial, and/or settlement. Assists in the preparation of press releases and responses to press contacts. Refers cases to other agencies for other action as appropriate.
- 10% Subject to direction from supervisory staff, performs functions related to legislative, regulatory, and/or policy requirements, compliance, and/or analysis. Participates in on-the-job and structured training. Conducts research and prepares written and oral analyses regarding laws, regulations, and/or policies (as well as proposed changes thereto) that

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affect or may affect the Medi-Cal Program, including those pertinent to the intersection of law, data, and technology and to outreach efforts. Provides training to more junior deputies when tasked with doing so.

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- ☐ I am unable to perform one or more of the essential functions and typical physical demands of the job, even with a reasonable accommodation.
- ☐ I am not sure that I will be able to perform one or more of the essential functions and typical physical demands of the job, and will discuss the functional limitations I have with my supervisor.

Employee's Signature Date

Supervisor's Signature Date

Employee's Printed Name

Supervisor's Printed Name