

Department of Consumer Affairs
Job Duty Statement
HR-041 (new 7/2015)

Classification Title Supervisor I	Board/Bureau/Division Board of Pharmacy
Working Title Enforcement Manager	Office/Unit/Section/Geographic Location Criminal Conviction Unit/Sacramento
Position Number 632-110-4800-004	Candidate Name and Effective Date

General Statement: Under the general direction of the Supervisor II, the Supervisor I is responsible for planning, organizing, and administering the functions of the Criminal Conviction Unit. This includes supervising the Board's operations and the analytical and technician staff responsible for the investigations of site and individual licensees and applications. The Supervisor I is to ensure the completion of those duties effectively advance the Board's strategic priorities and to immediately act on violations of pharmacy law to protect the health and safety of the public.

The Supervisor I utilizes the Consumer Affairs System (CAS), the Applicant Tracking System (ATS), IBM Cognos QBIRT reporting tool and Microsoft Office. The position may require the use of various office machines and software programs. Duties include, but are not limited to, the following:

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

60 % (E) Program Management

Perform as the recognized authority for the unit, including formulating, recommending and implementing changes to Board policies and procedures. Develop and implement procedures and processes for applicant and licensee investigations and audits. Implement and provide direction to staff on legislative mandates. Perform assessments and formulate, recommend and implement changes to Board policies and procedures to ensure efficient program operations and compliance with new legislation and regulatory requirements. Assess, prioritize, and direct unit workload to ensure immediate action is taken on egregious criminal arrests and convictions. Ensure work is coordinated and completed in accordance with regulatory and statutory requirements and within Board policies and procedures and that staff's efforts are focused to ensure that public safety is not compromised. Review and analyze requirements and procedures for all desk investigations and propose recommendations for program effectiveness and efficiency. Complete workload audits to confirm compliance with Board policies. Draft statutory and regulatory language to facilitate recommended changes. (30%)

Research, investigate, track, monitor and scrutinize the enforcement review of desk investigations related to, pending applications for licensure, licensee change notification applications (i.e., change of permit, change of pharmacist-in-charge, etc.), offsite storage waiver requests violations, discontinuance of business violations applicant and licensee criminal arrests/convictions, continuing education (CE) audits, unlicensed activity, and other violations related to unprofessional conduct. Review investigation reports, determine the appropriate disposition of the case, and recommend outcome/sanctions. (15%)

Maintain a working knowledge of the laws, rules, and regulations specific to licensing and violations of Pharmacy Law, including but not limited to, Business and Professions Code, California Code of Regulations, Government Code, Administrative Procedure Act, and Health and Safety Code. Coordinate investigative efforts with the Board's inspectors to effectively meet the Board's consumer protection mandate. Consult with the Office of the Attorney General routinely on complex issues. Work with Supervisors I, Supervisors II, Supervising Inspectors, Deputy Executive Officer, Executive Officer, and applicant attorneys to ensure compliance with pharmacy laws and regulations concerning licensure requirements. (10%)

Handle sensitive matters and correspondence regarding enforcement requirements, policies and procedures. Research laws and regulations, Board policies and procedures to prepare and provide appropriate responses. May testify at administrative hearings, as needed, concerning criminal convictions/arrests. (5%)

25% (E) Personnel Management

Meet regularly with Supervisor II and staff, to ensure issues are dealt with proactively and on a continuous basis. Ensure staff is apprised of various departmental policies and various laws and regulations related to fair employment. Revise duty statements as necessary to maintain up-to-date duty statements for staff.

Counsel employees regarding behavior and performance and take initial corrective actions, as appropriate. Resolve grievances, implement corrective action, and testify at disciplinary hearings when necessary.

Prepare and perform annual reviews for staff as well as complete probation reports. Ensure staff follow appropriate procedures, as set forth by the Department of Consumer Affairs. Review and monitor attendance reports and absence requests.

Analyze position duties to determine appropriate classifications and recommend alternatives. Create written justifications for new positions or reclassification of current positions. Coordinate the recruitment process and conduct interviews of applicants for staff vacancies. Prepare written exercises for applicants interviewed.

10% (E) Statistical Reports and Case Management

Complete statistical reports weekly, monthly, quarterly, and annual workload statistics to executive management to ensure Board strategic objectives and enforcement performance measures are being met. Prepare statistical reports for the Board and enforcement committee meetings, legislature and department. Perform assessments of unit workload, assign and direct workload to ensure regulatory processing time frames are being met and performance expectations

are being met. Review and make recommendations for the unit organizational program changes.

Complete workload audits to confirm compliance with the Board policies. Interpret and clarify laws regulating the requirements for citing violations of pharmacy law. Monitor the strategic goals and objectives developed for the unit. Ensure the Board's Website

5% (E) Special Projects and Provide Backup Support

Work with other supervisors on projects involving Board operations. Provide supervisory backup support to the Complaint Unit when the unit's Supervisor I is absent.

B. Supervision Received

The Supervisor I is under the direction of the Supervisor II but can also receive assignments from the Executive Officer or the Deputy Executive Officer

C. Supervision Exercised

The Supervisor I supervises professional and support staff within the Criminal Conviction Unit.

D. Administrative Responsibility

The Supervisor I is responsible for supervising the staff and fiscal resources of the unit. The Supervisor I effectively uses staff and resources to carry out departmental human resources objectives.

E. Personal Contacts

This Supervisor I is required to maintain a positive, professional working relationship with members of the industry, other state agencies, persons and entities regulated by the Board, Board staff, the DCA and the Office of the Attorney General. The Supervisor I has contact with representatives of local law enforcement and court agencies.

F. Actions and Consequences

The incumbent must possess good communication skills, use good judgment in decision-making, exercise creativity and flexibility in problem identification and resolution, and manage time and resources effectively. The incumbent must maintain in-depth knowledge of the Board's strategic functions and objectives, of the various Board programs and of departmental organization, the legislative process, the Board's policies for review of disciplinary matters, departmental policies and procedures, the Business and Professions Code, the Information Practices Act and the Public Records Act. The incumbent must demonstrate success and experience in the supervision of others, make independent decisions, and provide oversight to ensure the effective management of the Board program. The incumbent must have consistent and reliable attendance, represent the Board in a professional manner, and must have the ability to interpret data and solve administrative problems.

Failure to satisfactorily perform the duties outlined above places the Board at risk of violating the Government Code, the Business and Professions Code, and other statutes and mandates governing the operations of a regulatory agency.

Failure to take prompt and appropriate action, such as seeking Penal Code (PC) section 23 suspension orders in egregious cases, constitutes a direct departure from the Board's consumer protection mandate. Likewise, failure to review completed investigations in a timely manner will delay necessary enforcement or disciplinary actions against licensees, which is also inconsistent with the Board's statutory obligation to protect the public.

Failure to properly review applications and supporting documents could result in public harm if individuals and business are issued licenses who do not meet the requirements as specified in law. Specifically, California law prohibits ownership of certain licenses to protect the public. If a license is issued in error, the only method to revoke the license is through the administrative process. The Board would incur additional administrative costs in revoking the license through the administrative hearing process for licenses issued for business licensees not meeting requirements. Inadvertent denial of applications for individual and business licenses meeting licensure requirements can create barriers to licensure and entry into the profession including impacting remote and rural areas of California where access to pharmacist services is limited.

G. Functional Requirements

The incumbent is a Work Week Group E employee and is expected to work an average of 40 hours per week each year and may be required to work specified hours based on the business needs of the office. The incumbent works in an office setting, with artificial light and temperature control. The ability to use a personal computer and telephone is essential. The position requires bending and stooping to retrieve files; walking, sometimes outdoors in inclement weather; and occasional light lifting, up to 10-25 pounds. Incumbent must be able to travel by various methods of transportation approximately 1-2 days a month as required.

H. Other Information

The incumbent must possess good communication skills, use good judgment in decision making, exercise creativity and flexibility in problem identification and resolution, manage time and resources effectively, work cooperatively with others, have good attendance and be responsive to executive staff needs.

The incumbent must independently make decisions and provide oversight to ensure the effective management board programs and must maintain up-to-date knowledge of specific bargaining unit agreements. The incumbent must also possess a working knowledge of supervisory and management practices and provisions of the fair labor standards act. The incumbent must also maintain knowledge of the Business and Professions Code, the Penal Code and other statutory and regulatory provisions involving the investigation of criminal convictions.

In all job functions, employees are responsible for creating an inclusive, safe, and secure work environment that values diverse cultures, perspectives, and experiences, and is free from discrimination. Employees are expected to provide all members of the public with equitable services and treatment, collaborate with underserved communities and tribal governments, and work toward improving outcomes for all Californians.

Criminal Offender Record Information (CORI)

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 with 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.

Conflict of Interest (COI)

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office.

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

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