

**DEPARTMENT OF JUSTICE
DIVISION OF MEDICAL FRAUD AND ELDER ABUSE
INVESTIGATIONS SECTION
DUTY STATEMENT**

NAME:

CLASSIFICATION: Special Agent

WORKING TITLE: Special Agent

STATEMENT OF DUTIES: The mission of the Division of Medi-Cal Fraud and Elder Abuse (DMFEA) as the State's Medicaid Fraud Control Unit ("Unit") is to investigate and prosecute, both criminally and civilly, (a) health care providers who defraud the Medi-Cal program and (b) those who abuse or neglect elders and dependent adults in care facilities.

The Special Agent conducts criminal investigations and investigates allegations of fraud perpetrated against the California Medicaid Program (Medi-Cal) Program by providers of medical and related services; specifically, those complaints that appear criminal in nature. Independently, or in a team, conducts and assists with complex and difficult investigations. May be required to conduct collateral duties as necessary. In accordance with Penal Code Section 13651, duties shall be conducted with an emphasis on community interaction and collaborative problem solving.

SUPERVISION RECEIVED: Under the direction of a Special Agent Supervisor or Special Agent In-Charge.

SUPERVISION EXERCISED: None.

TYPICAL PHYSICAL DEMANDS: The physical demands as set forth in the "Essential Duties of Peace Officer Classifications" are incorporated herein. See attachment.

TYPICAL WORKING CONDITIONS: Travel may be required locally and within the state for investigations, meetings, and training. The working conditions as set forth in the "Essential Duties of Peace Officer Classifications" are incorporated herein. See attachment.

ESSENTIAL FUNCTIONS:

- 20% Obtains various documentation from computer programs at the fiscal intermediary agencies, including miscellaneous (confidential) documents such as bank records, medical records, welfare files, business records, and other records to be used as evidence in judicial proceedings. Researches this documentation to detect or verify patterns of billings which indicate suspected violation of laws, rules or regulations, often working with an auditor. Develops schedules of provider billing practices, which tend to provide culpability.
- 20% Locates and interviews witnesses, suspects, principals, and possible expert witnesses. Prepares written and recorded statements and evaluates their testimony for credibility for possible use in judicial proceedings.
- 15% Prepares comprehensive investigation reports for presentation to the Deputy Attorney General or local district attorney for criminal complaint.
- 15% Conducts undercover surveillance operations. Coordinates and assists in the preparation and service of search warrants. Signs complaints resulting in arrest warrants. Makes physical arrests of suspects.
- 15% Confers with, and assists, the Deputy Attorney General, and/or trial deputy district attorney, in planning and coordinating investigations and in preparing cases for court. Locates and serves subpoenas on witnesses and suspects. Testifies in all criminal and administrative proceedings as necessary.

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10% May act as a lead investigator, advising, instructing, and reviewing the work of, and providing training to Special Agents and/or Special Agent Trainees in field investigations.

5% Participates in both on-the-job training and structured instruction, including firearms safety and use.

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 Signature

Date

Supervisor Signature

Date

Employee Name

Supervisor Name

NAME OF EMPLOYEE:

CLASSIFICATION:

State of California Department of Justice
Essential Duties of Peace Officer Classifications
Special Agent Series

Penal Code Section 830.1 states that the Deputy Director, assistant directors, chiefs, assistant chiefs, special agents, and investigators designated by the Attorney general are peace officers. The authority of any such peace officer extends to any place in the state as to a public offense committed or which there is probable cause to believe has been committed within the state.

Government Code Section 1031(f) states that "Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards.... (f) be found to be free from any physical, emotional, or mental condition which might adversely affect the exercise of the powers of a peace officer. Physical condition shall be evaluated by a licensed physician and surgeon. Emotional and mental condition shall be evaluated by a licensed physician and surgeon or by a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders.

The essential functions of a peace officer within the Department of Justice are listed below:

Special Agents employed by the Department of Justice must perform the following essential functions on or off duty as they are commissioned peace officers 24 hours a day.

Section 1. Physical and Mental Requirements

A. Seeing

1. To take aim to ensure something reaches a target (e.g. when firing a weapon)
Description: Pistol, shotgun, automatic weapon, flashlight, spotlight.
Frequency: Four times per year at the range for certification, and on an as required basis beyond that.
Distance: Up to 300 yards.
Comments: Firing weapons at pistol range and in emergencies; using pistol as a deterrent at suspects.
2. To identify suspects or objects at a distance and in different conditions
Frequency: Required on a daily basis.
Comments: Identify hazardous situations, identify and distinguish colors, license plates etc. (e.g. during surveillance) and other weather conditions.
3. Operate undercover police emergency vehicle
Frequency: May be required on a daily basis.
Comments: As identified in PC 830.1, DOJ agents are peace officers 24 hours per day and may be required to engage in emergency situations at any time.

B. Hearing and Smelling:

1. Conversation spoken in low voice or a whisper, either in person or over a radio, telephone or surveillance equipment
Frequency: Off and on throughout the entire day.
Comments: During surveillance, interrogations, and investigations - talking to suspects, and/or crime victims when they cannot talk loudly; taking statements; talking to other agents or investigators via radio; talking to co-workers or other law enforcement officials at scene of emergency or crime scene.
2. Identify or analyze fumes, gases or smoke. Identify or analyze liquid or solid chemicals or other substances
Description: Buildings, drug laboratories, crime scenes - any smells out of the ordinary.
Frequency: Must be constantly aware of conditions.

Comments: Identify hazardous situations.

C. Mobility and Flexibility:

1. Operation of a vehicle under stressful conditions (e.g. pursuit, surveillance, emergencies).
Frequency: Can be necessary on a daily basis.
Duration: Varies, 40 minutes at a time up to 24 hours.
Comments: During surveillance, pursuit and emergency situations.
2. Physical methods of arrest (e.g. hold someone's arms behind their back, subdue a hysterical or violent person, etc.).
Frequency: Can be necessary on a daily basis.
Description: Must be able to physically take down a suspect, which may be violent, on drugs, or mentally disturbed. These activities are performed in training and emergency situations as required during usual and customary duties performed by agents and investigators.
Comments: During investigations, serving warrants, arresting suspects; pursuit of a suspect if needed. This activity also includes performance of strength.
3. Reaching In front x To side x Behind x Below x
Frequency: Off and on throughout the entire day.
Distance: Up to five feet.
Comments: Arresting people, gathering evidence at a crime scene, getting equipment from trunk of car, removing evidence from crime scene.
4. Use of arms, hands and fingers
 1. Handle and/or operate a weapon
Frequency: Can be necessary on a daily basis.
Description: Pistol, automatic weapons, shotgun.
Comments: Unloading or loading a weapon; checking a weapon; both in training and in emergency situations. Must be able to use dominant hands to load and fire weapons.
 2. Use of specialized equipment
Frequency: On and off throughout the entire day. Computer work will vary from 30 minutes and can be up to 8 hours per day.
Description: Handcuffs, cameras, surveillance equipment, bandages, raid and assault gear, computers, and cell phones.
Comments: Arresting and restraining suspects, chasing and transporting suspects, administering first aid in training and in emergency situations, and during routine duties.
 3. Frequent writing
Frequency: Up to eight hours a day (majority of a shift).
Comments: Prepare extensive written investigative reports; completing administrative and timekeeping paperwork.
 4. Operate office equipment
Frequency: Up to 4 to 8 hours a day.
Comments: Telephone, photocopier, typewriter, computer equipment, cameras, radios, surveillance equipment.
 5. Operate vehicle or other equipment
Frequency: Up to ten hours per day.
Comments: Driving, using a radio, and surveillance activities.

D. Strength:

1. Use of body to forcibly enter a building or structure
Frequency: Can be necessary on a daily basis.
Description: Knocking in doors, breaking windows, gaining entrance into a building.
Comments: During investigation, serving warrants, arresting suspects, gaining access to crime scene, narcotic investigation.
2. Use of specialized equipment
Frequency: Can be necessary on a daily basis.
Description: Weapons, raid equipment, restraining devices, binoculars, night viewing scopes.
Comments: Gaining access to buildings, physical methods of arrest.

3. Performance of duties while wearing special clothing and/or equipment (e.g. gun, handcuffs, etc.)
 Frequency: Off and on throughout the entire day.
 Description: Holster with weapon, handcuffs, bullet proof vests, nomex suits, SCBA (self contained breathing apparatus).
 Weight: Two to three ounces up to 25 pounds.
 Comments: Required raid gear, including helmets, riot shields, and other special gear.
4. Use of hands, feet, and/or entire body in self-defense
 Frequency: Can be necessary on a daily basis.
 Comments: Arrests; handling mentally disturbed, persons on drugs, violent, incoherent or combative persons.
5. Lifting and Carrying
 Frequency: Necessary on a daily basis.
 Comments: Arrests, movement of evidence, physical methods of arrest, moving required equipment (i.e. laptop computers, raid gear, boxes of evidence, cameras, surveillance equipment, etc.). Weights may vary from a 2 to 50 pound box to lifting or carrying an injured or combative person (average weights of 100 to 250 pounds).
6. Pushing, Pulling or Dragging
 Frequency: Necessary on a daily basis.
 Comments: Movement of evidence from crime scenes and into court hearings; movement of files and documents within the office. Weights may vary from a box weighing up to 60 pounds, dragging up to a 250 pound body or pulling/pushing of a vehicle.

E. Stamina/Endurance:

1. Working effectively during periods of interrupted or no sleep
 Frequency: Varies.
 Comments: Investigations; appearing in court and working a regular shift; overtime; surveillance activities.
2. Physical activity(ies) for extended periods of time
 Frequency: Daily.
 Comments: During the daily course of work Agents may be required to run to catch suspects, avoid obstacles while in pursuit; take statements from parties being investigated; climb over barriers and walls; crawl into attics, basements, and other small spaces; hike through mountainous areas or hilly terrain; wrestle suspects/physical methods of arrest while subduing suspects.

F. Working in any of the following conditions:

1. Controlling crowds of people
 Frequency: Can be necessary on a daily basis.
 Duration: Varies
 Comments: Controlling a crime scene; coordinating with other law enforcement officials; assisting other agencies.
2. Working in volatile, potentially hazardous or life-threatening situations (e.g., around burning buildings, drug or crime scenes, chemical exposures, among crowds, etc.)
 Frequency: Off and on throughout the day.
 Description: Among crowds, at drug or crime scenes and at various scenes of incident.
 Comments: Any situation has the potential of being hazardous or violent, simply due to the nature of the job; especially in narcotics.
3. Witnessing unpleasant events (e.g., Dead or injured persons, persons on drugs or distressed children)
 Frequency: Can be on a daily basis.
 Description: Injuries, violent persons, persons on drugs, etc.
 Comments: The essence of the job is responding to unpleasant and dangerous situations to aid and protect the public.

G. Dealing with stress:

1. Regular work with tight time frames and critical deadlines
 Description: Completing reports; preparing for court cases and hearings.
2. Deal with upset, irate, violent or hostile members of the public and suspects
 Description: Constantly - assumed part of the job.

3. Regularly make crucial decision in emergency situations
Description: Serve search warrants, apprehend, detain suspects and use of deadly force.
Comments: Must be able to make quick decisive decisions that may affect other agents, investigators, peace officers and the public.
4. Perform tasks requiring long periods of intense concentration or attention
Description: Testifying in court; completing written reports; interviewing victims/suspects; surveillance; "covering" other agents/investigators, conduct meetings, briefings with other law enforcement officials, etc.
5. Administrative duties - Performed by Acting supervisors, supervisors, In-charges, managers, task leaders
Description: Conducting administrative functions, i.e., meetings, budget issues, performance appraisals, disciplinary and corrective actions, reports, inspections, multi-jurisdictional investigations.

Section 2. Machines, tools, and equipment used.

	TYPE OF EQUIPMENT	DESCRIPTION	FREQUENCY USED
A.	Office equipment	Calculator Photocopier Typewriter Telephone Tape recorder Computer terminal Movie Projector Camera Alarm System	Varies. Can be up to daily. Daily. Varies. Can be up to daily. Daily - Cell phones, radios. Daily. Daily - Includes laptops, CLETS, etc. Varies. Can be daily up to once per week. Varies. Can be daily up to once per week. Daily.
B.	Measuring/Calibrating	Ruler Tape Measure Scales	Varies. Can be up to daily. Varies. Can be up to daily. Varies. Can be up to daily.
C.	Light Hand Tools	Screwdriver Pliers Flashlight Bolt Cutters	Varies. Can be up to daily. Varies. Can be up to daily. Varies. Can be up to daily. Varies. Can be up to daily.
D.	Heavier Hand Held Tools/ Equipment	Raid Gear Surveillance Equipment	Varies. Can be up to daily. Varies. Can be daily and up to a week or more at a time.
E.	Vehicles	Car Airplane Van/Truck Boat	Daily. Daily (certain positions). Daily. Varies, rarely.
F.	Others	Pistol Rifle Automatic weapon Shotgun Handcuffs Chemical mace Ropes/Restraining equip Radio Baton	Each of these is carried and the potential for use exists at any given moment.

Section 3. Environment

A. Environmental Conditions

1. Noise Vibrations
Description: Firearms training, emergency vehicles, radios etc.
2. Toxic Chemicals
Description: Prescription and non-prescription narcotic related and unstable chemical substances. Other toxic or hazardous substances.
3. Fumes or Unpleasant Odors
Description: Dead bodies, narcotic substances, variety of dangerous chemical substances.

4. Poor Ventilation
Description: Office buildings, assigned vehicles, drug labs, attics, basements, garages, and other areas where illegal activities may be occurring. Long surveillance activities or task force activities required.

5. Extreme or Fluctuating Temperatures
Description: Entering and exiting places with various different temperatures. Searching attics, garages, basements, crawl spaces in all seasons, searching ice boxes, storage spaces, and other areas without temperature controls. Also working in all weather conditions.

Section 4. Principal Place of Work

A. Structural Characteristics regarding principal place of work.

1. Stairs
Frequency: Varies.
Description: Up to twenty stairs at a time.
Comments: Main place of business.

2. Doorway
Description: All doorways are a minimum of three feet in width. Electronic or manual keys must be used in most doors in office buildings.

3. Hall, Corridor, Aisle
Description: From 32 inches to four feet in width in main buildings.

I have read and understand the essential functions and typical physical demands required o this job, as listed above, and I am able to perform the essential functions without reasonable accommodation.

EMPLOYEE SIGNATURE

PRINT EMPLOYEE NAME

SUPERVISORS SIGNATURE

DATE

DATE