

TEXAS STATE BOARD OF PHARMACY

333 GUADALUPE ST, STE 3-600-21

AUSTIN, TEXAS 78701

512.305.8001

512.305.8009 (fax)

<http://www.tsbp.state.tx.us>

JOB VACANCY NOTICE

Attorney IV 3504

Salary Group B25

Listing No.	<u>14-027</u>	<u>EMERGENCY 3 DAY POSTING</u>
Functional Title:	Staff Attorney	Opening Date: <u>April 29, 2014</u>
Type:	Full-Time	Closing Date: <u>May 1, 2014</u>
	Beginning Salary: \$5,578.25/month	
Refer To:	Kerstin Arnold	

JOB DESCRIPTION:

Performs responsible professional legal work under direction of the General Counsel. Is an integral part of the agency's legal team. Prosecutes cases involving violations of the laws and rules pertaining to the practice of pharmacy at Informal Conferences and, if necessary, at the State Office of Administrative Hearings. Assists in resolution of complaints not resulting in contested case proceedings. Works closely with the agency's General Counsel in a team environment regarding legal and adjudicative matters. Assists General Counsel in rendering legal advice regarding agency operations.

MINIMUM QUALIFICATIONS (License, Education, Experience):

J.D. or L.L.B. degree from an accredited institution is required. High academic achievement is strongly preferred. ***Submission of law school transcript is required upon application.*** Undergraduate degree in healthcare or related field is desirable. Minimum of one year experience in administrative law with a preferred focus on healthcare or related laws and procedures or equivalent experience is required. Knowledge of the Texas Pharmacy Act, Administrative Procedure Act, State Office of Administrative Hearings rules, Open Meetings Act, and Public Information Act is desirable.

REMARKS

Application must be submitted with a cover letter that focuses on the applicant's unique qualifications for the position. Applicants who are selected for interviews will be required to complete skills tests in the Austin office. Must submit a State of Texas employment application. Application must be completed with all requested information. Incomplete & unsigned applications will not be considered. Resume may supplement, not replace application. Applications must be received in the TSBP office by 5 p.m. the closing date shown above.

Job description may and state of Texas application form can be downloaded from the TSBP website: <http://www.tsbp.state.tx.us>.

Mail or fax completed applications to: Texas State Board of Pharmacy, 333 Guadalupe St, Ste 3-600, Austin Texas 78701, FAX 512/305-8009.

This job is considered an exempt position under the Fair Labor Standards Act (FLSA).

An Equal Employment Opportunity Employer

TSBP does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, or veteran status.

TEXAS STATE BOARD OF PHARMACY

POSITION TITLE: Staff Attorney
DIVISION: Legal
SUPERVISOR: General Counsel
STATE CLASSIFICATION TITLE: Attorney IV
STATE CLASSIFICATION NUMBER: 3504
STATE PAY GROUP: B25

GENERAL POSITION SUMMARY:

Performs responsible professional legal work under direction of the General Counsel. Is an integral part of the agency's legal team. Prosecutes cases involving violations of the laws and rules pertaining to the practice of pharmacy at Informal Conferences and, if necessary, at the State Office of Administrative Hearings. Assists in resolution of complaints not resulting in contested case proceedings. Works closely with the agency's General Counsel in a team environment regarding legal and adjudicative matters. Assists General Counsel in rendering legal advice regarding agency operations.

REPORTING RELATIONSHIPS:

Works under the general supervision of the General Counsel with moderate latitude to exercise initiative and independent judgment within the limits of the agency and division policies and procedures.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Reviews cases referred to the Legal Division for legal sufficiency.

Drafts Preliminary Notice Letters, Notices of Hearings, Agreed Board Orders, Board Orders, Subpoenas, Warning Letters, and other documents relating to formal and informal disposition of contested cases and administrative proceedings in timely and accurate manner.

Analyzes complaints received for threshold questions such as jurisdiction, drafts letters to complainants, and otherwise assists in the resolution of complaints.

Presents cases at informal conferences, which gives licensees an opportunity to show compliance with the laws and rules governing the practice of pharmacy.

Prepares for and represents Board in enforcement proceedings at the State Office of Administrative Hearings. Conducts oral and written discovery.

Assists the agency's General Counsel in advising and providing legal opinions to Board and agency staff on legal matters related to licensee disciplinary action.

Interacts with appropriate local, state and federal prosecutors, legal divisions and enforcement agencies involved in the investigation or prosecution of licensees.

Assists the agency's General Counsel in interpretation and monitoring of applicable federal and state laws.

Researches legal issues and prepares briefs and memos under the direction of the agency's General Counsel.

Provides guidance and assigns tasks to the Division's Legal Assistants.

Complies with all agency personnel policies, including regular attendance.

OTHER DUTIES:

Performs related duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES:

- Thorough knowledge of the Texas Administrative Procedures Act (APA), rules of evidence, and other administrative laws and procedures
- Ability to write clearly and effectively
- Ability to communicate clearly and effectively
- Ability to deal with professionals under adversarial conditions
- Ability to meet rigid deadlines and pay strict attention to details
- Ability to analyze and solve legal problems, and to recommend courses of action based on interpretation and application of case law, statutes, rules and procedures
- Memory skills
- Thorough knowledge of agency policies and procedures
- Ability to maintain confidentiality
- Ability to maintain effective working relationships with other employees

EDUCATION AND EXPERIENCE REQUIREMENTS:

J.D. or L.L.B. degree from an accredited institution is required. High academic achievement is strongly preferred. ***Submission of law school transcript is required upon application.*** Undergraduate degree in healthcare or related field is desirable. Minimum of one year experience in administrative law with a preferred focus on healthcare or related laws and procedures or equivalent experience is required. Knowledge of the Texas Pharmacy Act, Administrative Procedure Act, State Office of Administrative Hearings rules, Open Meetings Act, and Public Information Act is desirable.

LICENSE REQUIRED:

Must be licensed to practice law by the State Bar of Texas. License must be active and current.

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ENVIRONMENT/PHYSICAL CONDITIONS:

Normal office environment. Tobacco-free environment. Work involves sitting and operating a personal computer for long periods of time. Work involves reading and reviewing large numbers of documents. Work involves processing information quickly and accurately. Work involves frequent transporting of files between offices. Work involves frequent verbal communications with others, in person and by telephone. Work involves traveling to meetings.

The specific statements shown in each section of this position description are not intended to be all-inclusive. They represent typical elements and criteria necessary to successfully perform the job.

Replaces 7/2009
Updated 3/2010